

**ORIGINAL APPLICATION NO. 843 OF 2022
(Shri Krishna E. Ghuge Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 12.1.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, Shri SD Joshi, learned counsel for respondent no. 4 and Shri SB Mene, learned counsel for respondent nos. 2 & 3.

2. When the present matter is taken up for consideration the learned Chief Presenting Officer made a statement that he had a talk with the concerned Deputy Secretary Shri Dahiphale and said Shri Dahiphale had informed him that decision in regard to posting given to the present applicant is under process and will be taken within a day or two. The learned CPO, therefore, sought time of more 2-3 days and to keep the matter on 16.1.2023 for further consideration.

3. On such statement made by the learned CPO, the learned counsel for respondent no. 4 submitted that instructions to him given by his Client i.e. respondent no. 4 are otherwise. The learned Counsel submitted

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that, according to the information received to respondent no. 4, efforts are going on to modify the order of posting given to respondent no. 4 and not of any posting to be given to the applicant.

4. At this juncture except noting down the statements made by the learned CPO and learned counsel for respondent no. 4 nothing more can be done in the matter. As submitted by the learned CPO the matter stands adjourned to 16.1.2023.

5. The interim relief granted earlier to continue till then.

6. Steno copy allowed for the use of learned CPO.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 653 OF 2019
(Shri Vijay B. Chavan Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 12.1.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 16.2.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

**ORIGINAL APPLICATION NO. 889/2019
WITH
ORIGINAL APPLICATION NO. 328/2021
(Shri Vijaykumar Birajdar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 12.1.2023

ORAL ORDER :

Shri G.G. Ladde, learned counsel for the applicant in both the matters and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities in both the matters, are present.

2. S.O. to 20.3.2023 for final hearing.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 137 OF 2020
(Shri Lalit G. Pandule Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 12.1.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 7.2.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

ORIGINAL APPLICATION NO. 17 OF 2021
(Shri Prashram S. Khetre Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 12.1.2023

ORAL ORDER :

Smt. Vidya Taksal, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 16.2.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

**ORIGINAL APPLICATION NO. 226 OF 2021
(Shri Khilesh Choudhari Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 12.1.2023

ORAL ORDER :

Shri P.S. Gaikwad, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 15.2.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

**ORIGINAL APPLICATION NO. 832 OF 2021
(Shri Suraj B. Solunke Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 12.1.2023

ORAL ORDER :

Shri S.P. Dhobale, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 15.2.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

ORIGINAL APPLICATION NO. 248 OF 2022
(Smt. Mogra G. Thakre Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 12.1.2023

ORAL ORDER :

Shri A.S. Mirajgaonkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present. Shri Amit Savale, learned counsel for respondent no. 2 (**absent**).

2. S.O. to 6.2.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

**ORIGINAL APPLICATION NO. 139 OF 2017
(Shaikh Liyakat Shaikh Dildar Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 12.1.2023

ORAL ORDER :

Shri V.P. Golewar, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 31.1.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

ORIGINAL APPLICATION NO. 190 OF 2019
(Dr. Chandrakant B. Lamture Vs. State of Maharashtra &
Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 12.1.2023

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. S.O.. to 16.2.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

**M.A. NO. 227/2021 IN O.A. ST. NO. 901/2021
(Shri Anil V. Mahajan Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 12.1.2023

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 14.2.2023 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

ORIGINAL APPLICATION NO. 89 OF 2018
(Sayeda Khalida Md. Naeem Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 12.1.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri S.R. Pande, learned counsel for respondent no. 3, are present.

2. S.O. to 31.1.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

**MA NO. 251/2022 IN MA NO. 18/20 IN OA 81/2018
(Sayyed Wali Abdul Khadar Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 12.1.2023

ORAL ORDER :

Shri D.A. Bide, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 24.1.2023 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

ORIGINAL APPLICATION NO. 522/2021
(Shri Ravindra D. Raut Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 12.1.2023

ORAL ORDER :

Shri O.D. Mane, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 24.1.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

ORIGINAL APPLICATION NO. 263/2022
(Shri Bhaskar B. Hire Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 12.1.2023

ORAL ORDER :

Shri AD Sugdare, learned counsel for the applicant and Shri VR Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. The learned counsel has sought time for filing the rejoinder affidavit of the applicant. Time granted.

3. S.O. to 9.2.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

ORIGINAL APPLICATION NO. 431/2022
(Shri Baliram B. Chavan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 12.1.2023

ORAL ORDER :

Shri AV Thombre, learned counsel holding for Shri SS Thombre, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, are present.

2. The learned PO has sought time for filing the affidavit in reply on behalf of the respondents. Time granted.

3. S.O. to 9.2.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

ORIGINAL APPLICATION NO. 622/2022
(Smt. Sharda M. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 12.1.2023

ORAL ORDER :

Smt. Priya R. Bharaswadkar, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. The learned PO has tendered across the bar the affidavit in reply on behalf of respondent no. 2. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 9.2.2023 for filing rejoinder affidavit, if any, by the applicant.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

ORIGINAL APPLICATION NO. 746/2022
(Shri Baburao Tathe & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 12.1.2023

ORAL ORDER :

Shri KB Jadhav, learned counsel for the applicants and Shri SK Shirse, learned Presenting Officer for the respondent authorities, are present.

2. The learned PO has sought time for filing the affidavit in reply on behalf of the respondents. Time granted.

3. S.O. to 24.1.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

ORIGINAL APPLICATION NO. 871/2022
(Shri Santosh Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 12.1.2023

ORAL ORDER :

Shri N.R. Pawade, learned counsel for the applicant (**absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. Await Service.
3. S.O. to 10.2.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

ORIGINAL APPLICATION NO. 1044/2022
(Shri Vilas K. Shinde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 12.1.2023

ORAL ORDER :

Shri SG Kulkarni, learned counsel holding for Shri PR Tandale, learned counsel for the applicant and Shri IS Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Await Service.
3. S.O. to 10.2.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

M.A. NO. 330/2022 IN O.A. ST. 1196/2022
(Shri Vaibhav Shirsath Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 12.1.2023

ORAL ORDER :

Shri Madhav Ghode, learned counsel for the applicant and Shri DR Patil, learned Presenting Officer for the respondent authorities, are present.

2. The learned PO has sought time for filing the affidavit in reply on behalf of the respondents. Time granted.

3. S.O. to 13.2.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

ORIGINAL APPLICATION NO. 1161/2022
(Smt. Varsha M. Ghugari Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 12.1.2023

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned counsel for the applicant, Shri MS Mahajan, learned Chief Presenting Officer for the respondent authorities and Smt. Suchita A. Dhongde, learned counsel for respondent no. 4.

2. The learned counsel has tendered across the bar the rejoinder affidavit on behalf of the applicant. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 13.1.2023. **First on Board.**

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

**ORIGINAL APPLICATION NOS. 375, 376, 377, 402,
403, 404 AND 417 ALL OF 2021
(Shri Ravindra R. Kulkarni & Ors. Vs. State of Maharashtra
& Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 12.1.2023

ORAL ORDER :

Shri Prashant Deshmukh, learned counsel for the applicants in all these matters and Shri IS Thorat, learned Presenting Officer for the respondent authorities in all these matters, are present.

2. S.O. to 13.1.2023 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 12.1.2023

ORIGINAL APPLICATION NO. 724 OF 2019
(Kailas I. Khandagale & Ors. Vs. State of Maharashtra &
Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri Ajay S. Deshpande, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. S.O. to 31.01.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 81 OF 2020
(Sudarshan N. Shinde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri S.B. Solanke, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. S.O. to 07.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 420 OF 2020
(Anish S. Patel Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri S.D. Dhongde, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. S.O. to 01.02.2023. Hearing of this O.A. is expedited. **High On Board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 431 OF 2020
(Purushottam G. Khule Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri Ajay S. Deshpande, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri S.D. Joshi, learned Advocate for the respondent No.6.

Shri Suresh P. Salgar, learned Advocate for the respondent Nos. 3 to 5, is **absent**.

2. S.O. to 03.02.2023. Hearing of this O.A. is expedited. **High on Board**.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 463 OF 2021
(Payal P. Tathe Vs. State of Maharashtra & Ors.)
With
M.A.NO. 242/2021 IN O.A.NO. 299/2019
(Rahul T. Pol & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Ms. Preeti R. Wankhade, learned Advocate for the applicants in both the cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in both the cases, are present.

2. S.O. to 08.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 637 OF 2021
(Ravindra G. Kulkarni Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri J.B. Choudhary, learned Advocate for the applicant has filed a **leave note**. Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.

2. S.O. to 08.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 679 OF 2021
(Mahesh G. Satkar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 12.01.2023

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. S.O. to 13.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 731 OF 2021
(Sunil L. Mali Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 12.01.2023

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. S.O. to 13.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 22 OF 2022
(Abaji B. Amrute Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. S.O. to 03.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

M.A.NO. 53/2019 IN O.A.ST.NO. 185/2019
(Ashok B. Amrutkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

Shri S.S. Chillarge, learned Advocate for the respondent No.3, is **absent**.

2. S.O. to 08.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

M.A.NO. 222/2019 IN O.A.ST.NO. 851/2019
(Namdeo M. Bawikar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri B.G. Lathe, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. The present M.A. be treated as part heard.
3. S.O. to 27.01.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 12.01.2023

M.A.NO. 412/2019 IN O.A.NO. 705/2019
(Suresh S. Patil Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri A.M. Hajare, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. S.O. to 09.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 12.01.2023

**M.A. 82/2021 IN M.A.ST. 276/2021 IN O.A. 34/2011
(Bharat B. Sangale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 12.01.2023

ORAL ORDER :

Shri S.R. Kedar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. S.O. to 10.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 12.01.2023

**M.A.526/2022 IN M.A.385/2022 IN O.A.ST.1402/2022
(Subhash R. Mahajan Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 12.01.2023

ORAL ORDER :

Smt. Suchita Dhongde, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

Smt. Sunita D. Shelke, learned Advocate for the respondent No.4 in M.A.385/2022 and Shri Yogesh Patil, learned Advocate for the respondent No.3 in M.A.385/2022, are **absent**.

2. S.O. to 10.02.2023.

MEMBER (A)

MEMBER (J)

**O.A.NOS. 553/2013, 639/2012, 640/2012,
676/2012, 681/2012, 682/2012, 803/2012,
860/2012, 864/2012, 897/2012, 905/2012,
906/2012, 907/2012, 908/2012, 909/2012,
910/2012, 243/2013, 259/2013, 260/2013,
325/2013, 611/2023 AND 626/2014**
**(Rashid Shaikh Noor Patel & Ors. Vs. State of Maharashtra
& Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 12.01.2023

ORAL ORDER :

Heard Shri S.S. Dambe, learned Advocate for the applicants in all these O.As. and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities in all these O.As.

2. Learned Advocate for the applicant placed on record the copy of order 07.09.2022 passed by Hon'ble Supreme Court in Civil Appeal No. 6531-3655/2022. It is taken on record.

3. S.O. to 06.02.2023. Hearing of this O.A. is expedited. **High on Board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 728 OF 2013
(Prashant N. Jadhav & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri Avinash S. Deshmukh, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri K.B. Jadhav, learned Advocate for the respondent Nos. 20 to 22, are present.

Shri R.P. Dhase, learned Advocate for the respondent No.19 and Shri G.K. Kshirsagar, learned Advocate for the respondent No.16, are **absent**.

2. S.O. to 09.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 563 OF 2014
(Tushar B. Rajput Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 12.01.2023

ORAL ORDER :

Shri V.S. Kharat, learned Advocate holding for
Shri A.V. Tungar, learned Advocate for the applicant
and Shri V.R. Bhumkar, learned Presenting Officer
for the respondents, are present.

2. S.O. to 09.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 612 OF 2014
(Vidya T. Sakhare & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri R.L. Kute, learned Advocate for the applicants (**Absent**). Shri M.S. Mahajan, learned Presenting Officer for the respondents, is present.

2. S.O. to 10.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

T.A.NO. 07/2016 (W.P.NO. 1533/2015)
(Chandrakala Kacharu Navgire Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri Rasiq Shaikh, learned Advocate holding for Shri Nasim Shaikh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. S.O. to 09.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 12.01.2023

R.A.NO. 08/2017 IN O.A.NO. 498/2013
(Shivraj D. Hawanna Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. S.O. to 14.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 12.01.2023

ORIGINAL APPLICATION NO. 103 OF 2017
(Navnath A. Matsagar Vs. State of Maharashtra & Ors.)

With

ORIGINAL APPLICATION NO. 104 OF 2017
(Vitthal S. Pawal Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicants in both the O.As. and Shri D.R. Patil, learned Presenting Officer for the respondents in both the O.As., are present.

2. S.O. to 14.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 278 OF 2017
(Maharashtra State Vaidyakiya Mahavidyalaya & Rugnalaya
Karmachari Sanghata A'bad Vs. State of Maharashtra &
Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

None present on behalf of the applicant.

Smt. Sanjivani K. Deshmukh-Ghate, learned
Presenting Officer for the respondents, is present.

2. S.O. to 14.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 663 OF 2017
(Subhash M. Pakhale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri A.S. Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. S.O. to 10.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 922 OF 2017
(Pandurang R. Chinchale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri A.S. Deshmukh, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned Advocate for the respondent Nos. 2 & 3, are present.

2. S.O. to 10.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 946 OF 2017
(Namdeo L. More Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 12.01.2023

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. S.O. to 13.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 06 OF 2018
(Ganesh B. Kundle Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri A.S. Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. S.O. to 13.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 805 OF 2018
(Nagrao V. Karbhari Vs. State of Maharashtra & Ors.)
With
ORIGINAL APPLICATION NO. 805 OF 2018
(Zumber K. Sonawane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri N.R. Thorat, learned Advocate for the applicant in both the O.As., Shri N.U. Yadav, learned Presenting Officer for the respondent authorities in both the O.As., Shri R.N. Bharaswadkar, learned Advocate for the respondent Nos.4,5 & 7 in O.A.No. 805/2018 and Shri Ajay Deshpande, learned Advocate for the respondent No.4 in O.A.No. 806/2018, are present.

2. S.O. to 14.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 833 OF 2018
(Prashant A. Falke Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri Rasiq Shaikh, learned Advocate holding for Shri Naseem R. Shaikh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. S.O. to 09.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 439 OF 2019
(Prakash M. Ishware Vs. State of Maharashtra & Ors.)

With

M.A.NO. 17/2020 IN O.A.NO. 1072/2019
(Ajit S. Solanke & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri D.R. Irale Patil, learned Advocate for the applicants in both the O.As., Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, Shri S.B. Mene, learned Advocate for the respondent No.2 in O.A.No. 439/2019, Shri Ajay Deshpande, learned Advocate for the respondent Nos.4 to 7 in O.A.No.439/2019 and for applicants/intervenors in M.A.No. 17/2020 and Shri S.D. Dhongde, learned Advocate for the respondent Nos. 1 & 2 in O.A.No.1072/2019, are present.

2. S.O. to 09.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 463 OF 2019
(Ravikant R. Hadoltikar & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

Shri G.N. Patil, learned Advocate for the respondent Nos. 3 & 6, is **absent**.

2. As per the Circular No. MAT / MUM/ JUD/ 1340/2022, dated 22.12.2022 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding voluntary retirement, counting of service for initial modified assured progress scheme by G.R. dated 01.07.2011, service benefit, pensionary other than pay scale, time bound promotion, ACPS and lien are to be dealt with by the Single Bench. The Original Application is pertaining to A.C.P.S

3. In view of the same, the present matter be placed before the Single Bench.

4. S.O. to 06.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 166 OF 2020
(Shashikant P. Kulkarni Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri Avinash S. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 14.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

T.A. 11/1999 (W.P. 3251/1993)
T.A. 19/1999 (W.P. 2311/1994)
T.A. 26/1999 (W.P. 2772/1993)
T.A. 47/1999 (W.P. 776/1993)
T.A. 07/1999 (W.P. 3765/1997)
T.A. 06/2006 (W.P. 4261/1995)
T.A. 36/2002 (W.P. 3007/1991)
M.A. 311/2008 in T.A. 42/1999 (W.P. 1274/1991)
T.A. 17/1999 (W.P. 2791/1994)
T.A. 35/1998 (W.P. 296/1998)
M.A. 309/2008 in T.A. 24/1999 (W.P. 3607/1993)
M.A. 306/2008 in T.A. 36/1999 (W.P. 652/1994)
T.A. 28/1999 (W.P. 1253/1991)
T.A. 30/1999 (W.P. 617/1994)
T.A. 33/1999 (W.P. 3796/1997)
T.A. 34/1999 (W.P. 3620/1997)
T.A. 37/1999 (W.P. 1382/1994)
T.A. 14/1999 (W.P. 3770/1997)
T.A. 16/1999 (W.P. 1226/1991)
T.A. 13/1999 (W.P. 777/1995)
T.A. 20/1999 (W.P. 882/1991)
T.A. 38/1999 (W.P. 329/1992)

**(Marathwada Serva Shramik Sanghatana through its
Joint Secretary M.S. Sonwane & Ors. V/s. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 12.01.2023

ORAL ORDER :

Heard Shri Ganesh Jadhav, learned Advocate holding for Shri S.K. Shelke, Shri S.R. Barlinges and Shri Subhash Mundhe, learned Advocate for the respective applicants in respective matters,

//2/ T.A.11/1999 (W.P.3251/1993 &
Ors.)

and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all the cases.

Shri Goverdhan Ganoji, party in person in T.A.No.06/2006 and Shri B.B. Yenge, learned Advocate for the applicant in M.A.No.309/2008 and M.A.No.306/2008, are **absent**.

2. S.O. to 13.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

DATE : 12.01.2023

ORIGINAL APPLICATION NO. 43 OF 2023

(Liyakatbi Shaikh Hyder Vs. The State of Maha. & Ors.)

**Per :- Standing directions of Hon'ble
Chairperson, M.A.T., Mumbai-**

1. Shri I.D. Maniyar, learned Advocate for the applicant and Shri N.U. Yadav, learned P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on **09.02.2023**. The case be listed for admission hearing on **09.02.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

DATE : 12.01.2023

ORIGINAL APPLICATION NO. 42 OF 2023

(ASHwini R. Rode Vs. The State of Maha. & Ors.)

**Per :- Standing directions of Hon'ble
Chairperson, M.A.T., Mumbai-**

1. Shri S.B. Solanke, learned Advocate for the applicant and Smt. M.S. Patni, learned P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on **10.02.2023**. The case be listed for admission hearing on **10.02.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

DATE : 12.01.2023

ORIGINAL APPLICATION NO. 38 OF 2023

(Rupali S. Bhise & Anr. Vs. The State of Maha. & Ors.)

**Per :- Standing directions of Hon'ble
Chairperson, M.A.T., Mumbai-**

1. Shri P.V. Suryawanshi, learned Advocate for the applicants and Shri S.K. Shirse, learned P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on **09.02.2023**. The case be listed for admission hearing on **09.02.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicants are authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

ORIGINAL APPLICATION NO. 171 OF 2019
(Dr. Vaishali R. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri B.N. Gadegaonkar, learned Advocate for respondent No. 4.

2. The present matter is closed for orders.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 946 OF 2019
(Dr. Subhash P. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri S.D. Dhongde, learned Advocate holding for Shri V.R. Sonwalkar, learned Advocate for respondent Nos. 4 and 5.

2. At the request of learned Advocate for respondent Nos. 4 and 5, S.O. to 09.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 660 OF 2022
(Dr. Sunil D. Longne Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri Ajinkya Reddy, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Hearing of the present O.A. is expedited.
3. S.O. to 19.01.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 851 OF 2022
(Prashant B. Kachhawa Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant, Shri Ajay Deshpande, learned Special Counsel for respondent No. 1 and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 2 and 3.

2. Learned Special counsel for respondent No. 1 filed additional affidavit. Same is taken on record and copy thereof has been served on the other side.

3. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit, if any to additional affidavit filed by the respondent No. 1.

4. S.O. to 30.01.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 76 OF 2018
(Purushottam A. Andhale & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri Avinash Deshmukh, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities. Shri L.M. Kulkarni, learned Advocate for respondent Nos. 3 to 6 and Shri S.R. Shirsath, learned Advocate for respondent Nos. 7 to 9, are **absent.**

2. Hearing of the present matter is expedited.
3. S.O. to 01.02.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 822 OF 2022
(Dr. Jyoti A. Dawale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri M.B. Kolpe, learned Advocate for respondent No. 3.

2. Learned Advocate for respondent No. 3 submits the the similar matters are fixed for filing affidavit n reply on 10.02.2023. He submits that he would file affidavit in reply in one of those matters bearing O.A. No. 614/2022 within next two days, which are covered all the matters.

3. In view of this, the present matter is kept on 10.02.2023.

MEMBER (A)

MEMBER (J)

**O.A. Nos. 463, 464, 465, 466 & 467 all of 2022
(Ramdas S. Bhalke & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 12.01.2023

ORAL ORDER :

Heard Shri S.A. Deshmukh, learned Advocate for the applicants in all these O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these O.As.

2. Record shows that in spite of grant of opportunities, the affidavit in reply is not filed on behalf of respondents in all these O.As. Hence, the present matters will proceed further without affidavit in reply of the respondents.

3. S.O. to 13.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1005 OF 2022
(Ganpat H. Darade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri S.K. Chavan, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.
3. Hearing of the present O.A. is expedited.
4. S.O. to 10.02.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 17 OF 2023
(Sandeep S. Kshire Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri Jiwan Patil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant seeks permission to correct the cause title of respondent No. 2 as 'The Joint Director' in place of 'The Assistant Director'.

3. Permission as prayed for by the applicant is granted. The applicant shall carry out the necessary correction in the O.A. forthwith.

4. The present O.A. is filed challenging the communication dated 02.12.2022 (Annexure-H) issued by the respondent No. 2 i.e. the Joint Director, Accounts and Treasury, Aurangabad, thereby holding the applicant ineligible for the post of Junior Accountant / Junior Auditor part time, as the applicant is allegedly not holding requisite computer knowledge as mentioned in Clause No.5 of the advertisement dated 08.01.2019 (Annexure-A).

//2//

O.A. No. 17/2023

5. Perusal of the record would show that the G.R. dated 19.03.2003 (part of Annexure G collectively) provides for production of requisite computer knowledge certificate within a period of two years of getting employment. In these circumstances, the applicant has made out a case for seeking interim relief for not filling one post of Junior Accountant / Junior Auditor from part time category.

6. Incidentally we hereby mention that the applicant and respondents should work upon the aspects as to whether the requirement as mentioned in clause 3 and Clause 9.9 are met with in proper perspective while submitting further pleadings. In the circumstances, interim relief as per the prayer clause '12-D' is hereby granted till filing of the affidavit in reply by the respondents.

7. Issue notices to the respondents, returnable on, 15.02.2023.

8. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

9. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper

//3//

O.A. No. 17/2023

book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

10. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

11. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

12. S.O. to 15.02.2023.

13. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 443 OF 2018
(Jagannath W. Vispute Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri M.R. Wagh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. The present matter has already been treated as part heard.

3. At the request of learned P.O., S.O. to 08.02.2023 for production of original record.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 28 OF 2023
(Vijay R. Sarole Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri Umakant Aute, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri. M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Interim protection granted initially on 08.08.2022 and which is continued from time to time is extended till next date of hearing.

3. Issue notices to the respondents, returnable on 07.02.2023.

4. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

5. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are

//2//

O.A. No. 28/2023

put to notice that the case would be taken up for final disposal at the stage of admission hearing.

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

7. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

8. S.O. to 07.02.2023.

9. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 709 OF 2017
(Ramesh M. Sonawane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri P.B. Rakhunde, learned Advocate for the applicant (**Absent**). Heard Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Record shows that in spite of grant of opportunities, the affidavit in reply to the amended O.A. is not filed on behalf of respondents. Hence, the present matter will proceed further without affidavit in reply of the respondents to the amended O.A.

3. S.O. to 06.02.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 592 OF 2018
(Nilesh B. Pardeshi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri A.S. Golegaonkar, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Record shows that in spite of grant of opportunities, the affidavit in reply is not filed on behalf of respondent No. 1. Hence, the present matter will proceed further without affidavit in reply of the respondent No. 1.

3. S.O. to 06.02.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 906 OF 2018
(Chetan S. Ahire Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri A.S. Mirajgaonkar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit, if any.

3. S.O. to 10.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 313 OF 2019
(Dr. Mahendra A. Patil Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri Chaitanya Deshpande, learned Advocate for the applicant (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Record shows that in spite of grant of opportunities, the rejoinder affidavit is not filed on behalf of the applicant. Hence, the present matter will proceed further without rejoinder affidavit of the applicant.

3. S.O. to 07.02.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 409 OF 2019
(Hnaumnatrao B. Bhongale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri S.B. Gorde, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhunkar, learned Presenting Officer for the respondent authorities.

2. Record shows that in spite of grant of opportunities, the rejoinder affidavit is not filed on behalf of the applicant. Hence, the present matter will proceed further without rejoinder affidavit of the applicant.

3. S.O. to 08.02.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 511 OF 2019
(Sambhaji I. Bhandare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri Amol Kokad, learned Advocate for the applicant (**Absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. As none present for the applicant, S.O. to 09.02.2023 as one more last chance for filing rejoinder affidavit, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 761 OF 2019
(Vitthal G. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri Siddarth Shinde, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 08.02.2023 for admission.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 1076 OF 2019
(Ramling S. Kamble Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 12.01.2023

ORAL ORDER :

Heard Shri A.S. Mirajgaonkar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit, if any.

3. S.O. to 13.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 228 OF 2020
(Santosh D. Dhongade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri A.R. Avchate, learned Advocate for the applicant (**Absent**). Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. Record shows that in spite of grant of opportunities, the rejoinder affidavit is not filed on behalf of the applicant. Hence, the present matter will proceed further without rejoinder affidavit of the applicant.

3. S.O. to 08.02.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 442 OF 2020
(Bhagwan S. Naik Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri Vijay Deshmukh, learned Advocate for the applicant (**Absent**). Heard Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Await service of notice upon the respondents.
3. S.O. to 14.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 499 OF 2020
(Dr. Gajanan P. Tarpe Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri S.G. Magre, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhunkar, learned Presenting Officer for the respondent authorities.

2. Record shows that in spite of grant of opportunities, the affidavit in reply is not filed on behalf of respondents. Hence, the present matter will proceed further without affidavit in reply of the respondents.

3. S.O. to 10.02.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 119 OF 2021
(Sudhakar B. Aandhale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate holding for Shri A.M. Gholap, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.

3. As per the Circular No. MAT/MUM/JUD/1340/2022, dated 22.12.2022 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Single Bench. The present matter is pertaining to benefits of time bound promotion / ACPS.

4. In view of the same, the present matter be placed before the Single Bench for further hearing.

5. S.O. to 03.02.2023.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 770 OF 2021
(Gangaram S. Bele Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 12.01.2023

ORAL ORDER :

Shri S.S. Londhe, learned Advocate for the applicant (**Absent**). Heard Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Record shows that in spite of grant of opportunities, the affidavit in reply is not filed on behalf of respondents. Hence, the present matter will proceed further without affidavit in reply of the respondents.

3. S.O. to 10.02.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 81 OF 2022
(Archana T. Tribhuvan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply on behalf of respondent No. 1.

3. S.O. to 09.02.2023 for filing rejoinder affidavit to the affidavit in reply filed by the respondent No.2.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 387 OF 2022
(Ashwini S. Jahdav & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri R.B. More, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicants filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 10.02.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 665 OF 2022
(Kalpana P. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri S.B. Bhosle, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit.

3. S.O. to 27.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 773 OF 2022
(Mangala V. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of learned Chief Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.

3. S.O. to 15.02.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 789 OF 2022
(Sukhdeo R. Solankar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri R.K. Khandelwal, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted as a last chance for filing affidavit in reply on behalf of respondents.

3. S.O. to 15.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 813 OF 2022
(Sheshrao M. Koturwar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 4. Same is taken on record and copy thereof has been served on the other side.

3. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit.

4. S.O. to 15.02.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 814 OF 2022
(Sanjay V. Birhade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 4. Same is taken on record and copy thereof has been served on the other side.

3. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit.

4. S.O. to 15.02.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 789 OF 2022
(Sukhdeo R. Solankar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri R.K. Khandelwal, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted as a last chance for filing affidavit in reply on behalf of respondents.

3. S.O. to 15.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 919 OF 2022
(Rahul R. Burrewar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri V.A. Dhakne, learned Advocate for the applicant (**Absent**). Heard Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.

3. S.O. to 10.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 932 OF 2022
(Rahul K. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 02.02.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 933 OF 2022
(Manisha S. Shinde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 02.02.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 939 OF 2022
(Santosh T. Pawar and Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Shri P.S. Anerao, learned Advocate for the applicants (**Absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 4. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 15.02.2023 for filing rejoinder affidavit.

MEMBER (A)

MEMBER (J)

**M.A. No. 277/2019 in O.A. st. No. 09/2019
(Kishan E. Vibhute & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 12.01.2023

ORAL ORDER :

Shri A.D. Kaware, learned Advocate for the applicant (**Absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Ms. Padmini Modi, learned Advocate holding for Shri R.D. Kulkarni, learned Advocate for respondent No. 7.

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply on behalf of respondent authorities in M.A.

3. S.O. to 06.02.2023.

MEMBER (A)

MEMBER (J)

**M.A. No. 561/2019 in O.A. St. No. 2250/2019
(Ritesh R. Manurkar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 12.01.2023

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Record shows that in spite of grant of opportunities, the rejoinder affidavit is not filed on behalf of the applicant in M.A. Hence, the present matter will proceed further without rejoinder affidavit of the applicant.

3. S.O. to 06.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

**M.A. No. 304/2020 in O.A. St. No. 1095/2020
(Abhay A. Kulkarni Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 12.01.2023

ORAL ORDER :

Heard Smt. Priyanka Deshpande, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Record shows that in spite of grant of opportunities, the affidavit in reply is not filed on behalf of respondents in M.A. Hence, the present matter will proceed further without affidavit in reply of the respondents.

3. S.O. to 08.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

**M.A. No. 239/2021 in O.A. St. No. 366/2021
(Nandu D. Bhalerao Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 12.01.2023

ORAL ORDER :

Shri S.M. Pathan, learned Advocate for the applicant (**Absent**). Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. Await service of notice upon the respondents.

3. S.O. to 09.02.2023.

MEMBER (A)

MEMBER (J)

**M.A. No. 286/2021 in O.A. St. No. 860/2021
(Pushpa S. Waghmode Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 12.01.2023

ORAL ORDER :

Shri D.H. Jadhavar, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Await service of notice upon the respondents.
3. S.O. to 10.02.2023.

MEMBER (A)

MEMBER (J)

**M.A. No. 163/2021 in O.A. St. No. 1492/2021
(Goroba S. Barde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 12.01.2023

ORAL ORDER :

Shri A.S. Bayas, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. At the request of learned P.O., time is granted as a last chance for filing affidavit in reply on behalf of respondents in M.A.

3. S.O. to 10.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 501 OF 2020
(Dr. Prashant B. Shamkuwar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. The present matter is closed for orders.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 142 OF 2018
(Suresh L. Moholkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The present matter is to be treated as part heard.

3. S.O. to 24.01.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 222 OF 2022
(Annasaheb M. Shinde & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri Jiwan Patil, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present. Shri P.R. Katneshwar, learned Special counsel for respondents, **absent**.

2. Learned Presenting Officer placed on record a copy of communication dated 11.01.2023 received by the office of learned C.P.O. from the respondent No. 1, thereby requesting two weeks' time for filing additional affidavit and mentioning that six petitions arising out of order dated 26.08.2022 in T.A. No. 01/2022 and T.A. No. 02/2022 are pending for hearing before the Hon'ble High Court of Bombay, Bench at Aurangabad on 16.01.2023. Copy of the said communication is taken on record and marked as document 'X' for the purpose of identification.

3. Learned Advocate for the applicants opposed the request for grant of time for filing additional

//2// O.A. No. 222/2022

affidavit. He invited our attention to the farad sheet order dated 21.12.2022, wherein in para No. 3 it is observed as under :-

“3. Learned C.P.O. submits that he wants to place on record short affidavit explaining the effect of previous litigations and therefore, he seeks time. Time granted as a last chance. If the respondents failed to file short affidavit on or before the next date of hearing, the present matter will be closed for order on that day.”

4. In view of our earlier observation, in our opinion, no case is made out by the respondents for adjournment to file additional affidavit, when the respondents failed to file such additional affidavit in spite of grant of opportunity by the order dated 21.12.2022. Hence, the present matter to proceed further in accordance with law.

5. The present matter has already been treated as part heard.

6. S.O. to 17.01.2023.

MEMBER (A)

KPB ORAL ORDERS 12.01.2023

MEMBER (J)

ORIGINAL APPLICATION NO. 821 OF 2022
(Dr. Sonali B. Totod Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 12.01.2023

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri M.B. Kolpe, learned Advocate for respondent No. 3.

2. At the request made on behalf of respondents, time is granted for filing affidavit in reply.

3. S.O. to 10.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 275 OF 2022
(Sandip Digambar Chavan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 12.1.2023

ORAL ORDER :

Shri Avinash S. Khedkar, learned counsel for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 17.2.2023.

VICE CHAIRMAN

ORAL ORDER 12.1.2023-HDD

**ORIGINAL APPLICATION NO. 764 OF 2021
(Rajendra R. Pal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 12.1.2023

ORAL ORDER :

Ms. R.L. Jakhade, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 31.1.2023.

VICE CHAIRMAN

ORAL ORDER 12.1.2023-HDD

ORIGINAL APPLICATION NO. 27 OF 2022
(Shaikh Hameed S/o. Shaikh Hyder Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 12.1.2023

ORAL ORDER :

Ms. I.D. Maniyar, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 16.2.2023.

VICE CHAIRMAN

ORAL ORDER 12.1.2023-HDD

ORIGINAL APPLICATION NO. 504 OF 2021
(Dilip Bhojusingh Rathod Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 12.1.2023

ORAL ORDER :

Shri M.D. Godhamgaonkar, learned counsel for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 17.2.2023.

VICE CHAIRMAN

ORAL ORDER 12.1.2023-HDD

**ORIGINAL APPLICATION NO. 178 OF 2020
(Prashant E. Supekar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 12.1.2023

ORAL ORDER :

Shri Mahesh K. Bhosale, learned counsel for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 17.2.2023.

VICE CHAIRMAN

ORAL ORDER 12.1.2023-HDD

**ORIGINAL APPLICATION NO. 13 OF 2023
(Suresh Bhiva Wagh Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 12.1.2023

ORAL ORDER :

Shri G.J. Kore, learned counsel for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 16.2.2023.

VICE CHAIRMAN

ORAL ORDER 12.1.2023-HDD

**ORIGINAL APPLICATION NO. 1150 OF 2022
(Shubham K. Thavare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 12.1.2023

ORAL ORDER :

V.V. Ingale, learned counsel for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. None appears for the applicant. In the interest of justice, S.O. to 16.2.2023. It is made clear that if the matter is not worked out on the given date the same shall stand dismissed for want of prosecution.

VICE CHAIRMAN

ORAL ORDER 12.1.2023-HDD

**ORIGINAL APPLICATION NO. 634 OF 2022
(Somnath R. Baviskar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 12.1.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought two weeks' time to file affidavit in reply by way of last chance. It transpires from the record that last chance was already granted to the respondents. However, in the interest of justice one more opportunity is granted. The respondents shall file affidavit in reply in any case on or before 23.1.2023 and be ready for hearing of the matter.

3. S.O. to 23.1.2023.

VICE CHAIRMAN

ORAL ORDER 12.1.2023-HDD

**ORIGINAL APPLICATION NO. 05 OF 2023
(Mathurabai P Kathar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 12.1.2023

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits that in any case affidavit in reply will be filed on or before 23rd of January, 2023. The copy of the reply be given in advance to the learned counsel for the applicant, so that matter can be heard on 23.1.2023.

3. Learned counsel for the applicant submits that the applicant has submitted representation on 29.12.2023. In the meanwhile the respondents shall endeavour to decide the representation so submitted by the applicant on its own merit.

4. S.O. to 23.1.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 25 OF 2023
(Vijay Namdeorao Mithpalle Vs. State of Mah. & Ors.)

CORAM : **Hon'ble Shri Justice P.R. Bora,**
Vice Chairman

DATE : **12.1.2023**

ORAL ORDER :

Heard Shri V.D. Godbharle, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 16.2.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 16.2.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

**M.A.ST.NO. 19/2023 IN O.A.ST.NO. 3130/2023
(Govind D. Marewad & Anr. Vs. State of Mah. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 12.1.2023

ORAL ORDER :

Heard Smt. (Dr.) Kalpalata Patil Bharaswadkar, learned counsel for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Office has raised an objection as about limitation. Learned counsel for the applicants submits that there is continuous cause of action. The contention so raised on behalf of the applicant cannot be accepted. It apparently appears that the applicant superannuated on 30.6.2018 and is claiming the increment, which according to her become payable on 1.7.2018. In the circumstances, application cannot be said to have filed within the period of limitation. The applicant if so desires submit an application for condonation of delay. In the interest of justice time of one week is provided for filing such application. It is made clear that if the application is not submitted within the given time the necessary orders would follow.

3. S.O. to 20.1.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 37 OF 2023
(Ravindra P. Bantode Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 12.1.2023

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. The applicant has filed the present Original Application challenging the order dated 9.1.2023 issued by respondent No. 2, whereby he has been transferred from the office of respondent No. 4 to the office of respondent No. 5. Learned counsel submits that the impugned order does not disclose any reason for transferring the applicant before completing his tenure on the existing post. Learned counsel submitted that mere mentioning in the transfer order that the transfer has been made on administrative ground is not enough and such transfers are bad in law. Learned counsel relying on the judgment delivered by the Principal Seat of this Tribunal at Mumbai on 06.08.2021 in **O.A. Nos. 689 to 693 with O.A. No. 5/2021** and the order passed by this Tribunal on 23.11.2022 in O.A. No. 715/2022 submitted that the case of the present applicant is identical with the facts involved in the aforesaid two

matters. In the circumstances, learned counsel prayed for staying the effect and operation of the impugned transfer order till the decision of the present O.A.

3. Learned counsel appearing for the applicant submits that till today the applicant has not been relieved from his present post i.e. from the office of respondent No. 4. Learned counsel submits that till filing of the affidavit in reply by the respondents the effect and implementation of the impugned order may be stayed.

4. Learned Presenting Officer has opposed for grant of any such relief. Learned P.O. submitted that unless the entire facts are brought on record by giving opportunity to the respondents, no conclusion can be drawn even *prima facie* whether the transfer has been effected on some untenable grounds or is mala fide. He, therefore, prayed for rejecting the request for interim relief and prayed time for filing affidavit in reply to the O.A. Learned P.O also pointed out that procedural part has been duly complied with while transferring the present applicant and the transfer has been effected with concurrence of the Police Establishment Board.

5. I have duly considered the submissions advanced by the learned counsel appearing for the applicant and the learned Presenting Officer appearing for the

respondents. I have also gone through the judgments relied upon by the learned counsel for the applicant. The transfer of the applicant has been effected by invoking powers under Section 22N(2) of the Maharashtra Police Act. In the order of transfer, the respondents are not expected to provide all the details which necessitated the transfer of the applicant. Respondents may provide such details in their affidavit in reply and unless the entire facts and circumstances come on record no conclusion can be arrived at in regard to the objections raised by the applicant. Insofar as procedural part is concerned, that appears to have been complied with. Transfer has been made with concurrence of the Police Establishment Board. The findings recorded by this Tribunal in both the judgments relied upon by the applicant are at the final hearing of the matter by considering the pleadings in the OAs and the affidavits in reply filed by the respondents therein. Such findings cannot be recorded at the interim stage without reply from the respondents. In the circumstances, it does not appear to me that any case is made out in favour of the applicant for grant of ex parte interim stay as has been requested by the learned counsel for the applicant. The prayer for interim relief, therefore, stands rejected.

6. Issue notice to the respondents, returnable on 25.1.2023.

7. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

8. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

10. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

11. S.O. to 25.1.2023.

12. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 220 OF 2022
(Prakash M. Kothule Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 12.1.2023

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. The applicant has filed the present Original Application challenging the order of transfer dated 9.8.2021, whereby he was transferred from the post of Naib Tahsildar (Election), Tahsil office, Latur to the post of Naib Tahsildar (Sanjay Gandhi Yojana), Tahsil Office, Udgir, Dist. Latur.

3. When the present Original Application is taken up for final hearing today, the learned counsel appearing for the applicant informed that in the meanwhile the applicant met with an accident and has suffered severe physical injuries and fracture etc. Learned counsel further submitted that the applicant will be retiring at the end of this year. Learned counsel pointed out that the provisions under the service rules provide that the Government employees if desire and request for their transfer in their native district or at the place near to

their native district, in the last year of their retirement, such request can be considered if there is no other impediment. Learned counsel submits that in view of the fact that now the applicant has met with an accident and has suffered so many injuries he would prefer to be posted at Beed, which is his native district. Learned counsel for the applicant submits that at Beed posts also are vacant, wherein the applicant can be conveniently accommodated. Learned counsel in the circumstances, has prayed to dispose of the present O.A. by giving directions to the respondent authorities to consider the request of the applicant to transfer him at his native district i.e. at Beed having regard to the present circumstances. Learned counsel has tendered across the bar medical certificate, as well as, representation made by the applicant on 21.12.2022.

4. Learned P.O. in view of the submissions made on behalf of the applicant has submitted for passing appropriate orders in the matter.

5. In view of the subsequent events which had occurred and which are brought to the notice of this Tribunal, it appears to me that without going into the merit of the contentions raised in the present O.A. by the applicant, as well as, by the respondents, the present

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O.A. NO. 220/2022

O.A. can be disposed of by directing the respondents to consider the request of the applicant made vide representation dated 21.12.2022 for posting him at his native district i.e. at Beed, if there is no other impediment for giving such posting to the applicant. The decision shall be taken as expeditiously as possible and preferably within a period of 8 weeks from the date of this order.

6. With the above directions, the Original Application stands disposed of with no order as to costs.

VICE CHAIRMAN

ORAL ORDER 12.1.2023-HDD