

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Division Bench
Before: -THE HON'BLE SHRI. VINAY KARGAONKAR, MEMBER (A)

Date:- 12/03/2024

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Urgent Admission Matters						
1	OA611/23	Beed	Adv.C R Thorat (Syed Imran Ahmed S. Kalimullah)	Revision of Pay Scale/ Arrears		01.04.2024
2	TA12/24 WP1550/24	O'bad	Adv.G R Bhumkar (Sachin S Patil)	Appointment		13.03.2024
3	OA71/24 with	A'nagar	Adv.V B Wagh/ Adv. V P Adkine/ Adv.A S Therokar (Dr. Dadasaheb W Salunke)	Continuation of Service		21.03.2024
4	OA48/24 with	P'rbn	Adv J S Deshmukh (Dr. Shankarrao P Deshmukh)	Continuation of Service	Await Service	21.03.2024
5	OA61/24	Hingoli	Adv J S Deshmukh (Dr. Namdev V Korde)	Continuation of Service	Await Service	21.03.2024
6	OA275/24	P'bhani	Adv.A S Deshmukh (Suresh B Patil)	Departmental Enquiry		13.03.2024
7	OAST495/24	Jalna	Adv.K G Salunke (Vinod N Nirwal)	Major Punishment	with Office Objection	13.03.2024
8	OA113/20	Dhule	Adv.Ashish B Rajkar (Graduate Part Time Employees Association, Dhule through its President Sanjay N Brahmane(Tembhekar)	Appointment	Circulation For Admission Reply Filed by R-1 to R-3	14.03.2024

9	OA981/22	A'bad	Adv.Zahed Ali Syed (Dr.Imran Haroon Mohammad)	Appointment	Circulation For Hearing Reply Filed by R-1 to R-3	13.03.2024
10	OA93/19	A'bad	Adv.J M Murkute (Priyanka J Janephalkar)	Appointment	Part Heard For Hearing Reply Filed by R-4	21.03.2024
11	OA859/23	A'bad	Adv.V B Wagh/ Adv. A S Therokar/ Adv. V P Adkine (Aruna B Kharat & Ors.)	Seniority List	Rehearing Part Heard For Hearing Reply Filed by R-1 & R-2	18.03.2024
Order Matters						
12	MA277/19 In OASt09/19	Nanded	Adv.A D Kaware (Kishan E Vibhute) <u>Adv.R D Kulkarni for</u> <u>R.No.7 in OA</u>	M.A. For Condonation of Delay	For Hearing	04.04.2024
13	MA498/19 In OAST1959/19	P'bhani	Adv.Vivek G Pingle/ Adv.R L Chintalwar (Ramrao D Rathod)	M.A. For Condonation of Delay	Reply Filed by R-1 to R-4 Ref.Order dtd. 28.04.2023	22.04.2024
14	MA1/21 In OASt1443/20	Hingoli	Adv.V G Pingle (Smt. Ratnabai G Gaikwad)	M.A. For Condonation of Delay	For Hearing	22.04.2024
15	MA385/21 In MA314/21 In OA555/21	O'bad	Adv.Suresh D Dhongde Adv. Suresh D Dhongde has Filed Leave Note From 05.02.2024 to 15.03.2024 (Mahendra D Suryawanshi) <u>Adv.N L Choudhary for</u> <u>R.Nos.3 & 4</u>	M.A.385/21 For Amendment & Substitution in OA M.A.314/21 For I.R.	For Hearing	11.06.2024
16	MA38/23 In OA861/22	A'bad	Adv.K B Jadhav (Shobha R Tak)	M.A. For I.R.	For Hearing	21.03.2024
17	MA292/23 In OASt977/23	O'bad	Adv.A D Gadekar (Suresh L Gore)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-3	17.04.2024
18	MA582/23 In OA756/23	Jalna	P.O. MAT A'bad (The State of Maharashtra & Ors.) <u>Adv.Vishal S Kadam In</u> <u>OA756/23</u> (Satish K Jagtap)	M.A.582/23 For Vacating I.R. OA756/23 Cancellation of Appointment		05.04.2024

19	MA82/24 In OA673/23	Jalna	Adv.V B Wagh (Gajanan B Darade)	M.A. For Amendment		21.03.2024	
20	<u>With Office Objection</u> MASt554/24 In OA778/23	Dhule Etc.	<p>Adv.S S Kulkarni IN MASt554/24 (Amit S More)</p> <p>Adv.Avinash S Deshmukh In OA778/23 (Vitthal G Shinde & Ors.)</p> <p><u>Adv.Ganesh P Darandale</u> <u>For Respective</u> <u>Respondents</u> Adv.Ganesh P Darandale has Filed Leave Note On 12.03.2024</p> <p><u>Adv.J B Choudhary For</u> <u>Respective Respondents</u></p> <p><u>Adv.A S Khedkar/</u> <u>Adv.Pranoti R Karpe For</u> <u>Respective Respondents</u> Adv.A S Khedkar has Filed Leave Note On 12.03.2024</p> <p><u>Adv.Parag V</u> <u>Bbarde/Adv.Parikshit</u> <u>Mantri/Adv.Anand Kawre</u> <u>For Respective</u> <u>Respondents</u></p> <p><u>Adv.S N Pagare For</u> <u>Respective Respondents</u></p> <p><u>Adv.Mahesh K Bhosale For</u> <u>Respective Respondents</u> Adv.M K Bhosale has Filed Leave Note On 12.03.2024</p> <p><u>Adv.Sanket S Kulkarni/</u> <u>Adv.S S Kurundkar For</u> <u>Respective Respondents</u></p> <p><u>Adv.D T Devane For</u> <u>Respective Respondents</u></p>	M.A.St554/24 For Adding Party As Appliant	<u>With Office Objection</u> Reply Filed by R-4 to R-7 to R- 9 to R-11, R-12, R- 14 to R-17, R- 19, R-20, R-22, R- 23, R-24, R-25, R-28 to R-31 to R-34, R-36, R-39 In OA778/23	Additional Affidavit Filed by R-2, R-11, R-12 R-14 to R-18 to R-20, R-22, R- 30, R-34, R-40, R-41, R-43, R- 44, R-46 to R- 48 In OA778/23	03.04.2024
Due Admission Matters							
21	CP19/20 In OA704/17 with	A'bad	Adv.Jayant B Choudhary (Asman D Garje & Ors.)	Contempt Petition	For Hearing Reply Filed by R-1 Short Affidavit in Reply Filed by R-3	27.03.2024	

22	CP27/20 In OA749/17	A'bad	Adv.Jayant B Choudhary (Mohammad Abdul Hai Mohammd Abdul Gani & Ors)	Contempt Petition	For Hearing Short Affidavit in Reply Filed by R-2	27.03.2024
23	OA694/18	O'bad	Adv.Avinash S Deshmukh (Somnath S Reddy) <u>Adv.M S Sonawane for R.No.4</u> <u>Adv.Ajay Deshpande for R.Nos.5 & 6</u>	Seniority/ Direction	For Hearing Reply Filed by R-1 to R-3	12.04.2024
24	OA182/19	A'nagar	Adv.V B Wagh (Dr. Devidas L Lavhate died through his LRs Reshma D Lavhate)	Age Relaxation/ Selection Process	For Hearing Reply Filed by R-1 to R-3	10.04.2024
25	OA290/19	Jalna	Adv.A S Deshmukh (Rajesh L Tangade) <u>Adv.A D Aghav for R.No.2</u>	Show Cause Notice/ Dismissal From Service	Reply Filed by R-1 & R-2	12.04.2024
26	OA311/19	Dhule	Adv.C V Dharurakar (Rekha I Manikhedkar)	Selection/ Appointment	For Admission Reply Filed by R-1 & R-2	27.03.2024
27	OA511/19	Nanded	Adv.Amol A Kokad (Sambhaji I Bhandare)	Chargesheet/ Pensionary Benefits	For Admission Reply Filed by R-1 to R-5	26.04.2024
28	OA127/20	A'bad	Adv.A S Deshmukh (Resha P Karhale)	Termination	For Hearing Reply Filed by R-1 to R-4	05.04.2024
29	OA146/20	Jalna	Adv.Avinash S Deshmukh (Ankush H Manbhare) <u>Adv.S A Deshmukh for R.No.4</u>	Appointment	For Hearing Reply Filed by R-1, R-3 & R-4	30.04.2024
30	OA10/21	Nanded	Adv.S A Deshmukh (Shivaji S Amberao)	Supernumery Post	For Admission	11.06.2024
31	OA27/21	Nanded	Adv.Dhananjay A Mane (Mohan G Wadajkar)	Major Punishment/ Quashing Chargesheet/ Pension	For Hearing Reply Filed by R-1	12.04.2024

32	OA28/21	A'bad	Adv.Dhananjay A Mane (Gorakh B Dhakane)	Major Punishment/ Quashing Chargesheet/ Pension	For Hearing Reply Filed by R-1	12.04.2024
33	OA101/21	Dhule	Adv.Suresh D Dhongde Adv.S.D. Dhongde has Filed Leave Note From 05.02.2024 to 15.03.2024 (Dhansing B Chavan)	Termination	For Hearing Reply Filed by R-1 to R-3	11.06.2024
34	OA128/21	Nanded	Adv.Ganesh V Mohekar (Pradeep M Thakkarwad)	Probation Period/ Minor Punishment	For Further Consideration Reply Filed by R-1 to R-6	08.04.2024
35	OA150/21	P'bhani	Adv.Kakasaheb B Jadhav (Mayur P Chavan)	Termination	For Hearing Reply Filed by R-2 to R-6	19.06.2024
36	OA607/21	Jalna	Adv.Pushpak U Gujrathi (Sachin K Pawar)	Appointment	For Hearing Reply Filed by R-2	16.04.2024
37	OA816/21	Nanded	Adv.V B Dhage (Ramkisan J Nampalle & Ors.)	Seniority List- Kotwal	For Hearing Reply Filed by R-1 & R-2	08.04.2024
38	OA80/22	A'bad	Adv.C V Dharurkar (Nilesh S Arke) <u>Adv.A S Kakade for R.No.4</u>	Appointment	For Admission Reply Filed by R-1 to R-3	24.04.2024
39	OA143/22	P'bhani	Adv.J S Deshmukh (Dr.Amol K Chavan)	Admission Process	For Admission	24.04.2024
40	OA167/22	P'bhani	Adv.Jiwan J Patil Adv.Jiwan J Patil has Filed Leave Note From 11.03.2024 to 15.03.2024 (Pravin K Kokande)	Promotion	For Hearing Reply Filed by R-2 & R-3	10.04.2024
41	OA172/22	Hingoli	Adv.J J Patil Adv.Jiwan J Patil has Filed Leave Note From 11.03.2024 to 15.03.2024 (Suresh S Bobade)	Promotion	For Hearing Reply Filed by R-1 & R-2	10.04.2024

42	OA281/22	A'bad	Adv.Suchita Dhongde (Kirti M Nagargoje)	Departmental Enquiry/ Recovery	For Admission Reply Filed by R-1 to R-5	13.06.2024
43	OA300/22 with	A'bad	Adv.P J Bharad (Dr. Santosh R Kote)	Eligibility	For Hearing Reply Filed by R-2	24.06.2024
44	OA397/22	A'bad	Adv.Pratibha J Bharad (Prajakta D Khairnar & Ors.)	Eligibility/ Interview	For Hearing Reply Filed by R-2	24.06.2024
45	OA301/22	A'bad	Adv.V B Wagh (Dattaram U Rathod)	Preliminary Departmental Enquiry	Foe Admission Reply Filed by R-2 to R-4	25.04.2024
46	OA302/22	P'bhani	Adv.V B Wagh (Rupali P Rangari)	Departmental Enquiry	For Admission Reply Filed by R-1	25.04.2024
47	OA351/22	A'bad	Adv.M R Kulkarni Adv. M R Kulkarni has Filed Leave Note On 12.03.2024 (TaHER Ali Mohd. Ali Shah)	Appointment	For Admission	22.04.2024
48	OA403/22	Latur	Adv.Dhananjay Mane (Pandit S Tiparse)	Major Punishment/ Reversion	For Hearing Reply Filed by R-1 to R-4	22.04.2024
49	OA512/22	A'bad	Adv. R A Joshi (Sunil B Magre & Ors)	Examination	For Hearing Reply Filed by R-2	22.04.2024
50	OA594/22	J'gaon	Adv.K B Jadhav (Bharat C Padvi)	Departmental Enquiry	For Admission Reply Filed by R-1 to R-5	22.04.2024
51	OA676/22	Latur	Adv.S B Solanke (Balaji B Tekale & Ors.)	Seniority	For Hearing Reply Filed by R-3	23.04.2024
52	OA685/22	J'gaon	Adv.S R Patil (Nagesh G Patil)	Departmental Enquiry	For Hearing Reply Filed by R-2 to R-4	23.04.2024
53	OA700/22	A'nagar	Adv.R R Karpe (Sujay S Gaydhane)	Appointment	For Hearing Reply Filed by R-2 Additional Affidavit of Reply Filed by R- 2	28.03.2024

54	OA811/22	A'bad	Adv.A S Shelke (The Association of the Ministerial Services of department of Agriculture, Maharashtra State, Pune Through its General Secretary Shri Ashok Kale & Ors.)	Challenging Recruitment Rules/ Advertisement	For Hearing Reply Filed by R-1 to R-3	23.04.2024
55	OA849/22	O'bad	Adv.V D Gunale/ Adv.D T Devane (Ramesh B Gawali)	Dismissal	For Hearing Reply Filed by R-3 & R-4	19.06.2024
56	OA959/22	Latur	Adv.A A Nimbalkar Adv.D P Munde (Amol N Waghmare) <u>Adv.S P Urgunde For R.No.3</u>	Enquiry	For Further Consideration For Hearing Reply Filed by R-1 & R-2	21.03.2024
57	OA1083/22	N'bar	Adv.Talekar & Associates (Santosh R Shirsat & Ors.)	Challenging G.R.	For Further Consideration Reply Filed by R-1 to R-4 For Filing Affidavit in Rejoinder	23.04.2024
58	OA192/23	A'bad	Adv.Gaurav Deshpande (Yogesh S Swami & Ors.)	Selection Process (MPSC)	For Hearing Reply Filed by R-1 to R-3	24.04.2024
59	OA237/23	A'bad	Adv.S S Dambe (Navnath J Devare & Ors.)	Selection Process	For Hearing Reply Filed by R-2	24.04.2024
60	OA298/23	Jalna Etc.	Adv.Avinash S Deshmukh (Pramod G Kharat & Ors.) <u>Adv. B S Deshmukh for R.No.3</u>	Promotion	For Hearing Reply Filed by R-1	08.04.2024
61	OA315/23	A'bad	Adv.Jiwan J Patil Adv.Jiwan J Patil has Filed Leave Note From 11.03.2024 to 15.03.2024 (Gajanan B Dandge)	Non Selection	For Hearing Reply Filed by R-1	10.04.2024
62	OA622/23	J'gaon	Adv.A S Deshmukh (Shobha B Jadhav)	Promotion	For Hearing Reply Filed by R-2	26.04.2024

63	OA680/23	Nanded	Adv.Preeti R Wankhade (Dr. Vandana B Dudhamal)	Appointment	For Hearing Reply Filed by R-3	05.04.2024
64	OA1011/23	J'gaon	Adv.M V Bhamre (Kanchan M Patil) <u>Adv.A S Deshmukh For R.No.5</u>	Selection Process	For Hearing Reply Filed by R-2 to R-5	21.03.2024
65	OA1018/23	Hingoli	Adv.Zia UI Mustafa (Faijulkhan Sher Khan Pathan)	Appointment	For Hearing Reply Filed by R-2 & R-3	01.04.2024
Final Hearing Matters						
66	OA312/15	A'nagar	Adv.S B Talekar (Dr.Shiwani V Sachdeva) <u>Adv.A S Deshmukh for R.No.4</u> <u>Adv.V B Wagh for R.No.5</u> <u>Adv.R P Adgaonkar for R.No.6</u>	Selection/ Appoointment	Reply Filed by R-1, R-3 to R-6	21.03.2024
67	OA461/15	Nanded	Adv.S S Thombre (Vijay L Tarode)	Appointment	Reply Filed by R-1 & R-2	16.04.2024
68	OA499/15	Nanded	Adv.Avinash Deshmukh (Dr.Maroti D Dake)	Appointment	Reply filed by R-1 & R-2	16.04.2024
69	OA635/15 with	A'bad	Adv.R P Bhumkar (Dr.Sachin R Phadnis)	Challenging G.R.(NPA)	Pending Before Hon'ble High Court	17.04.2024
70	OA21/16 With	P'bhani	Adv.M R Kulkarni Adv. M R Kulkarni has Filed Leave Note On 12.03.2024 (Dr.Shaikh Abdul Moiz Abdul Samad)	NPA G.R.	Pending Before Hon'ble High Court Reply filed by R-3	17.04.2024
71	OA618/16 With	Hingoli	Adv.M R Kulkarni Adv. M R Kulkarni has Filed Leave Note On 12.03.2024 (Dr.Sachin O Khakare)	Challenging Office Order(NPA)	Pending Before Hon'ble High Court	17.04.2024

72	OA619/16	Hingoli	Adv.M R Kulkarni Adv. M R Kulkarni has Filed Leave Note On 12.03.2024 (Dr.Anup R Naik)	Challenging Office Order(NPA)	Pending Before Hon'ble High Court	17.04.2024
73	OA636/15	Dhule	Adv.S B Talekar (Dr.Mukaraam Ahmed Khan Gulak Gauskhan)	Promotion	Reply Filed by R-1, R-3 & R-4	18.04.2024
74	OA689/15	O'bad	Adv.S B Talekar (Dr.Shrikant B Tambe) <u>Adv.Pradeep R Patil for R.No.5</u> <u>Adv.V B Wagh for R.No.6</u>	Selection	Reply Filed by R-1 to R-4 & R-6	18.04.2024
75	OA758/15	A'bad	Adv.S B Talekar (Dr.Tanuja S Kulkarni)	Regularisation	Reply Filed by R-1 to R-4	18.04.2024
76	OA184/18	A'bad	Adv.Vishwas B Wagh (Swamidas V Chobe)	Departmental Enquiry	Reply Filed by R-1	20.03.2024
77	OA205/18	Nanded	Adv.V B Wagh (Santosh K Trimanwar)	Reversion	Reply Filed by R-1 & R-2	21.03.2024
78	OA428/18	Nanded	Adv.V B Wagh (Sainath J Korpakwad & Ors.) <u>Adv.S B Mene for R.No.1</u>	Fixation of Pay & Consequential Benefits	Reply Filed by Respondent	12.04.2024
79	OA410/19	A'bad	Adv.Ajay Deshpande (Santosh R Jagdale) <u>Adv.M R Kulkarni For R.No.2</u> <u>Adv. M R Kulkarni has Filed Leave Note On 12.03.2024</u>	Appointment	Reply Filed by R-2	27.03.2024
80	OA1065/19	A'nagar	Adv.V B Wagh (Dr.Jahagirdar D Nizam)	Condonation of Technical Break/ Count the Past Service	Reply Filed by R-1 to R-3	12.04.2024
81	OA187/20	Dhule	Adv.S A Kulkarni (Basanti J Padavi)	Direction/ Declare Result	Reply Filed by R-2 & R-3	21.03.2024

Date: -12/03/2024

D.B.For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	CP15/23 In OA219/19	Jalna	Adv J S Deshmukh (Dr. Jasmina H Dekiwadiya)	Contempt Petition	For Filing Affidavit in Reply	18.04.2024
2	CP16/23 In OAS19/20	Jalna	Adv J S Deshmukh (Pralhad L Rathod)	Contempt Petition	For Filing Affidavit in Rejoinder	18.04.2024
3	CP17/23 In OA16/20	Jalna	Adv J S Deshmukh (Sahebrao S Kale)	Contempt Petition	For Filing Affidavit in Rejoinder	18.04.2024
4	CP18/23 In OA17/20	Jalna	Adv J S Deshmukh (Bapurao R Patil)	Contempt Petition	Fr Filing Affidavit in Rejoinder	18.04.2024
5	CP19/23 In OA18/20	Beed	Adv J S Deshmukh (Shivnath U Vyavhare)	Contempt Petition	For Filing Affidavit in Rejoinder	18.04.2024
6	CP30/23 In OA358/22	A'nagar	Adv.Amol N Kakade (Kiran V Jagdale)	Contempt Petition	Reply Filed By R-3	28.03.2024
7	CP56/23 In OA67/20	Jalna	Adv A B Rajkar (Bansi G Bangar)	Contempt Petition	For Filing Affidavit in Reply	28.03.2024
8	OA628/22	O'bad	Adv A G Ambetkar (Sunil C Ahire) <u>Adv Pradeep T Patil For R-5</u>	Interview	Reply Filed by R- 1 & R-5 One More Last Chance For Filing Affidavit in Reply	01.04.2024
9	OA782/22	A'nagar	Adv.Amol R Gaikwad (Bhausahab A Shelke)	Termination	Reply Filed by R-2 & R-4 For Filing Affidavit in Reply Ref Order <u>Dtd. 20.11.223</u>	08.04.2024

10	OA1047/22	Jalgaon	Adv C V Dharurkar (Nilesh B Rathod)	Departmental Enquiry	As a Last Chance For Filing Affidavit in Rejoinder	18.04.2024
11	OA1130/22	Nanded	Adv V P Kadam (Shivaji V Kale & Ors.)	Challenging Govt. Notification	As a Last Chance For Filing Affidavit in Reply	10.06.2024
12	OA610/23	Latur	Adv R D Biradar/ Adv S U Shaikh (Shridhar R Kundatwad)	Removal From Service	By way of Last Chance For Filing Affidavit in Reply <u>Ref Order Dtd.</u> <u>29.01.2024</u>	02.04.2024
13	OA909/23	A'nagar	Adv N B Narwade (Prashant S Fatak)	Service Benefits	For Filing Affidavit in Reply	24.04.2024
14	OA919/23	A'nagar	Adv Suchita Upadhyay (Bhausahab B Sable)	Compulsory Retirement	For Filing Affidavit in Rejoinder	15.04.2024
15	OA978/23	Latur	Adv D T Devane (Pooja P Bachpalle)	Selection Process	For Filing Affidavit in Reply	04.04.2024
16	OA70/24	A'nagar	Adv V B Wagh Adv V P Adkine (Dr. Prakash S Lalge)	Continuation of Service	For Filing Affidavit in Reply	21.03.2024
17	OA75/24	A'bad	Adv V B Wagh/ Adv V P Adkine/ Adv A S Therokar (Kailas B Khade)	Promotion	For Filing Affidavit in Reply	29.04.2024
18	OA113/24	Dhule	Adv Bharat R Waramaa (Mayur R Dahihande)	Appointment	For Filing Affidavit in Reply	04.04.2024

19	OA270/24	Jalna/A'nagar	Adv Ajay S Deshpande (Santosh M Jadhav & Ors.) <u>Adv M S Taur for Caveator</u>	Seniority List	Await Service	15.03.2024
Order Matters						
20	MA81/20 In OAS2435/19	Beed	Adv.A.D. Gadekar (Dipali N Kulkarni)	M.A. For Condonation of Delay	For Filing Affidavit in Rejoinder	27.03.2024
21	MA205/21 In OAS2467/19	A'bad	Adv.M.M. Bhokarikar (Vijaykumar B Rathi)	M.A. For Delay Condonation	For Filing Affidavit in Reply	05.04.2024
22	MA239/21 In OAS2366/21	Jalna	Adv.Sajitkhan M. Pathan (Nandu D. Bhalerao)	MA for Condonation of delay	Await Service	10.06.2024
23	MA430/22 In OAS21463/22	N'bar	Adv Y H Jadhav (Kana S Pawara & Ors.)	M.A For Condonation of Delay	For Filing Affidavit in Reply	10.06.2024
24	MA09/23 In OAS234/23	P'bhani	Adv.S.D. Joshi (Mahendra A Kadam)	M.A. For Condonation of Delay	Reply Filed by R-1 & R-2 For Filing Affidavit in Rejoinder	16.04.2024
25	MA12/23 In OAS2072/22	Latur	Adv A B Rajkar (Yograj V Pawar) <u>Adv S B Mene For R-3 & R-4</u>	M.A For Condonation of Delay	For Filing Affidavit in Reply	10.06.2024
26	MA13/23 In OAS2076/22	Latur	Adv A B Rajkar (Govind S Keshtraphale) <u>Adv Ajinkya S Reddy For R-3</u>	M.A For Condonation of Delay	For Filing Affidavit in Reply	10.06.2024
27	MASt297/24 In OAS2259/24	A'bad	Adv S D Joshi (Sharad D Khatke & Ors.)	M.A For Sue Jointly	Await Service	16.04.2024

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc.before Hon'ble Single Bench
Before: - THE HON'BLE JUSTICE SHRI V. K. JADHAV, MEMBER (J)

Date: -12/03/2024

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	OA370/21	A'bad	Adv J S Deshmukh (Jyoti K Mote)	Maternity Leave	Await Service & For Filing Affidavit in Reply	16.4.2024
2	OA725/21	P'rbn	Adv S B Ghatol Patil (Bhagwat R Borchate)	Police Patil	Reply Filed By R-2 & R-3 & Await Service R-5 to R-7	16.4.2024
3	OA708/22	A'bad	Adv Angad L Kanade (Sayyed Abeda Begum Wd/o. Sayyaed Ajaz Ahmed Quadri)	Family Pension	As a Last Chance For Filing Affidavit in Reply R-3	24.4.2024
4	OA913/22	A'nagar	Adv V B Wagh (Varsha V Gaikwad) <u>Adv D T Devane For R-3 & R-4</u>	Absorption	As a last chance for Filing Affidavit in Reply R-1 & R-2	3.6.2024
5	OA964/22	Nanded	Adv Avinash S Deshmukh (Vijaykumar M Nawale) <u>Adv V B Wagh For R-5</u>	Deemed Date of Appointment	For Filing Affidavit in Reply R-1, R-2 & R-5	16.4.2024

6	OA86/23 With	Nanded	Adv D K Rajput (Shyam M Yesmod)	Suspension/ Re-instatement	As a Last Chance for Filing Affidavit in Reply Ref Order Dtd. 19.12.2023	8.4.2024
7	OA73/23	P'rbn	Adv D K Rajput (Jyoti C Hatkar)	Suspension/ Re-instatement	For Filing Affidavit in Reply	8.4.2024
8	OA156/23	Latur	Adv S B Solanke (Anand B Karnawat)	Transfer/ Posting	For Filing Affidavit in Reply	16.4.2024
9	OA261/23	A'bad	Adv V G Salgare (Vidya S Ghorpade)	Recovery/ pension & Other Benefits	For Filing Affidavit in Rejoinder	8.4.2024
10	OA428/23	A'bad	Party in Person (Sanjiv P Bodkhe) Adv S B Mene For <u>R-2 & R-3</u>	Directions/ Transfer	Reply Filed By R-2 & R-3 & For Filing Affidavit in Reply R-1	26.3.2024
11	OA465/23	P'rbn	Adv Suchita Dhongde (Kuldip P Ambhore)	Transfer	For Filing affidavit in Reply	18.4.2024
12	OA736/23	A'bad	Adv Akshay S Tilve (Ushabai P Tupe)	Directions/ Compassionate Appointment Dispute between Legal Heirs	Reply Filed By R-1 & R-2 & Await Service	1.4.2024
13	OA784/23	A'nagar	Adv A D Sugdare (Smt Bibihazara G Pathan)	Family Pension	For Filing Affidavit in Rejoinder	16.4.2024
14	OA1016/23	A'nagar	Adv N B Narwade (Chandrakant V Sadakal & Ors.)	Minor Punishment	For Filing Affidavit in Reply	24.4.2024
15	OA1035/23	Beed	Adv Shashikant T Chalikwar (Asha Mohan Raut, Legal Heir/ widow of Late Mohan Bhanudasrao Raut)	Withdrawal Benefit of T.B.P/ Recovery	Await Service R-5	10.4.2024
16	OA1088/23	Pune	Adv G B Solanke (Yuvaraj A Nandre & Ors.)	Benefits old Pension Scheme	Await Service	16.4.2024

17	OA38/24	Dhule	Adv P S Kshirsagar (Mahesh C Dhayal & Ors.)	Old Pension Scheme	Await Service	26.4.2024
18	OA73/24	Jalna	Adv P V Suryawanshi (Dipak N Dongare & Ors.)	Sweeper Arrears of Pay	For Filing Affidavit in Reply	29.4.2024
19	OA84/24	A'bad	Adv D H Jadhavar / Adv S R Kedar (Ankush B Bedke)	Absorption/ Continuation in Service	For Filing Affidavit in Reply	16.4.2024
20	OA87/24	Beed	Adv Arvind K Tiwari (Jitendra S Raut)	Transfer	For Filing Affidavit in Reply R-1 to R-3	8.4.2024
Order Matters						
21	MA510/22 In OASSt571/22	Nanded	Adv H V Patil (Ashok G Jondhale & Ors.)	M.A For Condonation of Delay	Reply Filed By R-1 to R-3	17.9.2024
22	MA31/23 In OASSt89/23	Latur	Adv S B Patil (Dr. Bhagwan V Kendre)	M.A For Condonation of Delay	As a Last Chance For Filing Affidavit in Reply	25.9.2024
23	MA304/23 In OASSt864/23	Jalgaon	Adv V B Wagh (Vanil B Koli)	M.A For Condonation of Delay	For Filing Affidavit in Reply	25.4.2024
24	MA306/23 In OASSt666/23	A'bad	Adv Dr. Kalpalata Patil- Bharaswadkar (Ganesh R Gorde & Ors.)	M.A For Condonation of Delay	For Filing Affidavit in Reply	17.4.2024
25	MA470/23 In OASSt1971/23	Nanded	Adv R N Bharaswadkar (Amogh S.Moharil)	M.A For Condonation of Delay	Await Service	16.4.2024
26	MA10/24 In OASSt2341/23`	Ch.S. Nagar	Adv V B Wagh (Harichandra N Sapkal)	M.A For Condonation of delay	Await Service	16.4.2024

ORIGINAL APPLICATION NO. 782 OF 2022
(Bhausahab Angad Shelke Vs. State of Maharashtra & Ors.)

CORAM : **Shri Vinay Kargaonkar, Member (A)**

(This matter has been placed before the Single Bench due to non-availability of Division Bench.)

DATE : **12.03.2024**

ORAL ORDER :

Shri Amol R. Gaikwad, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 08.04.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

ORAL ORDER 12.03.2024-HDD

ORIGINAL APPLICATION NO. 1011 OF 2023
(Kanchan Mukesh Patil Vs. State of Maharashtra & Ors.)

CORAM : **Shri Vinay Kargaonkar, Member (A)**

(This matter has been placed before the Single Bench due to non-availability of Division Bench.)

DATE : **12.03.2024**

ORAL ORDER :

Shri M.V. Bhamre, learned counsel for the applicant, Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent authorities and Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for respondent No. 5, are present.

2. S.O. to 21.03.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

ORAL ORDER 12.03.2024-HDD

ORIGINAL APPLICATION NO. 859 OF 2023
(Aruna B. Kharat & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Shri Vinay Kargaonkar, Member (A)**

(This matter has been placed before the Single Bench due to non-availability of Division Bench.)

DATE : **12.03.2024**

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicants has tendered across the bar short affidavit and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 18.03.2024. This matter has already been treated as part heard.

MEMBER (A)

ORAL ORDER 12.03.2024-HDD

M.A. No. 143/2023 in O.A. St. No. 459/2023
(Harshal Sanjay Desale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Heard Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. There is a delay of 01 year and 09 days (374 days) caused in filing the accompanying Original Application.

3. Learned counsel for the applicant submits that the father of the applicant was initially appointed on 28.02.1994 as Unarmed Police Constable in State Reserve Police Force Group-6, Dhule. However, he was issued memorandum of the Departmental Enquiry in the year 2005 and the punishment was inflicted, wherein the father of the applicant was removed from the service vide order dated 08.11.2005. Being aggrieved by the same, the father of the applicant has preferred an appeal before the Director General of Police, State Reserve Police Force, Nagpur, but the said appeal was dismissed on

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M.A. 143/2023 in
O.A. St. 459/2023

12.06.2006. Thus he had preferred the Revision before the respondent No. 2 on 26.06.2006 and the respondent No. 2 has partly allowed the said Revision and converted the punishment of removal of service to compulsory retirement by order dated 17.01.2007. However, unfortunately the father of the applicant died during pendency of the Revision on 12.09.2006.

4. Learned counsel for the applicant further pointed out that the mother of the applicant has filed an application within time for compassionate appointment, however, by order dated 22.02.2008, the respondent No. 3 has rejected the same for the reason that the father of the applicant was not in service in terms of the order of removal. Learned counsel submits that however, respondent No. 3 has not considered that the revisionary authority has converted the punishment of removal from service into compulsory retirement.

5. Learned counsel for the applicant submits that the applicant was minor at that time and he has attained the age of majority on 11.02.2016. The

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M.A. 143/2023 in
O.A. St. 459/2023

applicant has thereafter submitted an application for compassionate appointment on 31.01.2017. By orders dated 14.03.2019 & 03.05.2019, two applications submitted by the applicant in this regard came to be rejected. Learned counsel submits that due to outbreak of COVID-19 pandemic and declaration of lockdown by the Government time to time, the applicant could not approach this Tribunal within time. Learned counsel further submits that the Hon'ble Supreme Court in Suo Motu Writ Petition (C) No. 3 of 2020 has considered the same and condoned the delay from 15.03.2020 to 28.02.2022. Learned counsel submits that there is no inaction on part of the applicant, nor there is intentional or deliberate delay as such. Thus, the application seeking condonation of delay deserves to be allowed.

6. Learned Presenting Officer has strongly resisted the application on the ground that there is an inordinate delay caused in filing the accompanying Original Application, since the father of the applicant died way back in the year 2006. Learned P.O. submits that the applicant has not

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M.A. 143/2023 in
O.A. St. 459/2023

given the satisfactory explanation for condonation of inordinate delay and as such, the application seeking condonation of delay is liable to be dismissed.

7. It appears that the applicant after attaining the age of majority has submitted application within time for his appointment on compassionate ground. However, by orders dated 14.03.2019 & 03.05.2019, both the applications submitted by the applicant came to be rejected. It further appears that the Hon'ble Supreme Court in Suo Motu Writ Petition (C) No. 3 of 2020 has passed the orders time to time in the backdrop of the outbreak of Covid-19 and the declaration of the lockdown in connection thereto and thus extended the period of limitation applicable to the proceedings before the Courts/ Tribunals. It appears that as per the order passed by the Hon'ble Supreme Court, the period from 15.03.2020 till 28.02.2022 has been excluded for the purpose of limitation as may be prescribed under any general or special laws in respect of all judicial or quasi-judicial proceedings.

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M.A. 143/2023 in
O.A. St. 459/2023

8. In view of above, I do not find any inaction on part of the applicant nor there is an intentional or deliberate delay as such. Thus considering the entire aspect of the case, I am inclined to condone the delay caused in filing the accompanying Original Application subject to payment of costs. Hence, the following order :-

ORDER

- (i) The Misc. Application No. 143/2023 is hereby allowed.
- (ii) The delay of 01 year and 09 days (374 days) caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned, subject to payment of costs of Rs. 200/- (Two Hundred Only) to be paid by the applicant. The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.
- (iii) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.
- (iv) The M.A. accordingly disposed of.

MEMBER (J)

O.A. St. No. 459/2023

(Harshal Sanjay Desale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Heard Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. After registration, issue notices to the respondents, returnable on 10.06.2024.
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 10.06.2024.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

M.A. No. 461/2023 in O.A. St. No. 58/2023
(Iqbal Ahmed Jangi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Heard Shri K.P. Rodge, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. There is a delay of 03 years and 11 months caused in filing the accompanying Original Application.

3. Learned counsel for the applicant submits that the applicant was appointed on the post of Clerk on 12.07.1976 on daily wages and thereafter his services came to be confirmed from 25.09.1978. He was promoted to the post of Time-keeper; however, the said promotion was on administrative grounds. Learned counsel submits that though the applicant was initially appointed as Clerk in regular cadre, however, the respondent authorities wrongly treated the posting given to the applicant as Time-keeper on promotional post. Consequently, the said issue was finally decided by this Tribunal at Nagpur Bench in O.A. No. 333/2003 vide order dated 11.10.2004. The

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M.A. 461/2023 in
O.A. St. 58/2023

applicant has completed 12 years of service on 01.10.1994 and further completed 12 years' service total 24 years' service on 01.10.2006. Thus he was entitled to get the time bound promotional scale, as well as, ACPS benefits. Further vide G.R. dated 27.12.2018, the Government has directed to extent the benefits of Time Bound Promotional Scale and ACPS to the employees, who retired during the period from 01.01.2006 to 26.02.2009. Thus the applicant's case is covered by the said G.R.

4. Learned counsel for the applicant submits that though the applicant has submitted representations on 24.01.2017 and 15.06.2022 to respondent No. 3, however, the respondent No. 3 has not considered the same. Consequently, the applicant has preferred an appeal before the respondent No. 2 i.e. the Commissioner, which appeal came to be finally decided on 28.07.2022 and the respondent No. 2 has dismissed the said appeal.

5. Learned counsel for the applicant submits that though the cause of action technically arose on the date on which the G.R. was issued i.e. on

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M.A. 461/2023 in
O.A. St. 58/2023

27.12.2018, however, only after the appeal is decided by order dated 28.07.2022, the applicant has preferred the Original Application, for which no delay has been occurred. Learned counsel submits that there is no intentional delay and there is no inaction on part of the applicant.

6. Learned Presenting Officer has strongly resisted the application on the ground that the delay caused in filing the accompanying O.A. has not been satisfactorily explained by the applicant. Learned P.O. submits that there is no substance in the application seeking condonation of delay and the same is liable to be dismissed.

7. In the instant case, it appears that the cause of action arose only after issuance of the G.R. dated 27.12.2018. Prima-facie, it appears that the case of the applicant is covered by the said G.R., the applicant has approached the respondent No. 3 by filing representations. However, it appears that the respondent No. 4 has not decided the said representations. The applicant thereafter constrained to approach the respondent No. 2 by

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M.A. 461/2023 in
O.A. St. 58/2023

way of preferring an appeal. However, by order dated 28.07.2022, the respondent No. 2 has also dismissed the said appeal. It thus appears that there is no inaction on part of the applicant and he has timely approached the respondent authorities for redressal of his grievance. There is no intentional or deliberate delay as such. Thus considering the entire aspect of the case, I am inclined to condone the delay caused in filing the accompanying Original Application subject to payment of costs to be paid to the applicant. Hence, the following order :-

ORDER

- (i) The Misc. Application No. 461/2023 is hereby allowed.
- (ii) The delay of 03 years and 11 months caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned, subject to payment of costs of Rs. 200/- (Two Hundred Only) to be paid by the applicant. The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.

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M.A. 461/2023 in
O.A. St. 58/2023

(iii) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

(iv) The M.A. accordingly disposed of.

MEMBER (J)

KPB ORAL ORDER 12.03.2024

O.A. St. No. 58/2023

(Iqbal Ahmed Jangi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Heard Shri K.P. Rodge, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. After registration, issue notices to the respondents, returnable on 11.06.2024.
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 11.06.2024.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

M.A. No. 460/2023 in O.A. St. No. 57/2023
(Baburao M. Suryakar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri K.P. Rodge, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 01.04.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 12.03.2024

ORIGINAL APPLICATION NO. 909 OF 2018
(Atmaram N. Mahide Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri Manoj Shelke / S.M. Mundik, learned counsel for the applicant (**Absent**).

Heard Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. None present for the applicant. Even though on last two occasions, the applicant and his counsel remain absent. This is old matter of the year 2018 challenging the impugned advertisement No. 1/2018 issued by respondent No. 3 for the recruitment of the post of Kotwal. It appears that due to passage of time, nothing survives for further consideration in the present O.A. and that is the reason that the applicant is now not interested in prosecuting the same.

3. In view of the same, the Original Application is dismissed in default. No order as to costs..

MEMBER (J)

ORIGINAL APPLICATION NO. 441 OF 2021
(Shriram S. Ghuge Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri S.S. Gangakhedkar, learned counsel for the applicant (**Absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 03.04.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 160 OF 2022
(Anant A. Kendrekar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri Jitendra Chawan, learned counsel holding for Shri Akshay Kulkarni, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 10.04.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 399 OF 2022
(Gopal G. Tawshikar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Smt. S.C. Thombre, learned counsel holding for Shri C.V. Thombre, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 12.06.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 904 OF 2022
(Bharti N. Madavi (Donekar) Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Heard Shri P.P. Deshmukh, learned counsel holding for Shri V.M. Maney, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer submits that though the communication has been sent to respondent Nos. 2 and 3 in compliance with the order dated 20.12.2023, however no instructions have been received. Learned P.O. thus seeks time to comply with the said directions given in the order dated 20.12.2023. Time granted.

3. It appears that despite the communication, the respondent Nos. 2 and 3 are not responded.

4. In view of the same, if till the next date of hearing no additional affidavit is filed, learned Presenting Officer is directed to keep the respondent Nos. 2 and 3 present before this Tribunal.

5. S.O. to 10.04.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 451 OF 2023
(Dr. Vidya B. Sarpe Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri Vishal Rathod, learned counsel holding for Shri Shamsunder B. Patil, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 15.04.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 900 OF 2023
(Ankush T. Patil Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri Atul Pawar, learned counsel holding for Shri B.S. Deshmukh, learned counsel for the applicant, Shri V.G. Pingle, learned Presenting Officer for the respondent authorities and Shri D.D. Dhemde, learned counsel holding for Shri S.P. Sartale, learned counsel for respondent No. 5, are present.

2. Learned counsel for the applicant submits that the copy of affidavit in reply filed on behalf of respondent Nos. 2 and 3 is not received.

3. Learned Presenting Officer has given the copy of the affidavit in reply to the learned counsel appearing for the applicant today itself.

4. Learned counsel for the applicant seeks time to go through the affidavit in reply and file rejoinder affidavit, if any. Time granted.

5. Learned counsel for respondent No. 5 also seeks time to file affidavit in reply. Time granted.

6. S.O. to 15.04.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 920 OF 2023
(Chandrakant V. Sadakal Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri N.B. Narwade, learned counsel for the applicant (**Absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, as a last chance, S.O. to 04.06.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 12.03.2024

ORIGINAL APPLICATION NO. 1069 OF 2023
(Prabhakar D. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri S.S. Kulkarni, learned counsel for the applicant (**Absent**). Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 04.06.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 12.03.2024

ORIGINAL APPLICATION NO. 555 OF 2018
(Nirmala S. Bhandari Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 13.06.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 862 OF 2018
(Kiran S. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri S.D. Dhongde, learned counsel for the applicant (**Leave Note**). Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note filed by learned counsel for the applicant, S.O. to 14.06.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 900 OF 2018
(Bhika M. Pathare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri A.B. Rajkar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 13.06.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 12.03.2024

ORIGINAL APPLICATION NO. 103 OF 2019
(Balkrishna R. Chhallare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri Sanket Suryawanshi, learned counsel for the applicant (**Absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 14.06.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 104 OF 2019
(Shaikh R. Shaifoddin Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri Sanket Suryawanshi, learned counsel for the applicant (**Absent**). Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 14.06.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 674 OF 2019
(Madhukar K. Brahmane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri A.M. Nagarkar, learned counsel for the applicant (**Absent**). Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 13.06.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 12.03.2024

ORIGINAL APPLICATION NO. 515 OF 2021
(Mansab Gaus Khan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

None present for the applicant. Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent Nos. 2 & 3, are present.

2. S.O. to 19.06.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 12.03.2024

ORIGINAL APPLICATION NO. 578 OF 2021
(Nanasaheb S. Patil Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Smt. Vinaya Muley-Dharurkar, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 19.03.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 708 OF 2022
(Bhagwat R. Borchate Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri Angad L. Kanade, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits affidavit in reply on behalf of respondent No.3. The same is taken on record and copy thereof is given to learned counsel for applicant.

3. Learned counsel for the applicant submits that the applicant is not willing to file any rejoinder.

4. Pleadings are completed. List the matter for admission hearing on 24.04.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 1066 OF 2019
(Vasant A. Manorkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant, Shri S.B. Patil, learned counsel for the respondent Nos. 3 & 4 and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. By consent of parties, S.O. to 10.06.2024 for hearing.

MEMBER (J)

sas ORAL ORDER 12.03.2024

**ORIGINAL APPLICATION NO. 67 OF 2021
(Prabhakar R. Chincholkar Vs. State of Maharashtra &
Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri S.G. Kulkarni, learned counsel for the applicant, Shri S.B. Patil, learned counsel for the respondent Nos. 2 & 3 and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time to file affidavit in rejoinder. Time granted.

3. S.O. to 19.06.2024.

MEMBER (J)

**ORIGINAL APPLICATION NO. 263 OF 2021
(Dattatraya S. Haral Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri S.B. Solanke, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 26.04.2024 for hearing.

MEMBER (J)

sas ORAL ORDER 12.03.2024

**ORIGINAL APPLICATION NO. 619 OF 2021
(Rahul R. Wakle Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits affidavit in rejoinder. The same is taken on record and copy thereof is given to other side today itself.

3. S.O. to 04.06.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 756 OF 2022
(Jitendra V. Kadam Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri Vinod D. Godbharle, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 06.06.2024 for hearing.

MEMBER (J)

sas ORAL ORDER 12.03.2024

ORIGINAL APPLICATION NO. 997 OF 2022
(Rekha D. Shinde & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri Vinod D. Godbharle, learned counsel holding for Shri S.N. Suryawashi, for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicants seeks time to file affidavit in rejoinder. Time granted.

3. S.O. to 29.04.2024 for filing rejoinder, if any/ for hearing.

MEMBER (J)

sas ORAL ORDER 12.03.2024

**ORIGINAL APPLICATION NO. 25 OF 2023
(Vijay N. Mithpalle Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri Vinod D. Godbharle, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 06.06.2024 for hearing.

MEMBER (J)

sas ORAL ORDER 12.03.2024

**M.A.MO. 93 OF 2024 IN O.A.ST.NO. 1879 OF 2023
(Ashok B. Gaikwad Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri Suvidh S. Kulkarni, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. Even though the circulation is sought, none present for the applicant.

3. S.O. to 03.06.2024.

MEMBER (J)

sas ORAL ORDER 12.03.2024

**M.A.NO. 99 OF 2024 IN O.A.ST.NO. 486 OF 2024
(Raju Trimbak Kamble Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents in M.A., returnable on 03.06.2024.

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.

//2// M.A. 99/2024 in
O.A.St. 486/2024

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. The learned P.O. appears for all the respondents and seeks time for taking instructions.
8. S.O. to 03.06.2024.
9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 280 OF 2024
(Shalini Raosaheb Deshmukh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Heard Shri V.P. Savant, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 22.04.2024.
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.

//2// O.A. 280/2024

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. The learned P.O. appears for all the respondents and seeks time for taking instructions.
8. S.O. to 22.04.2024.
9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

**ORIGINAL APPLICATION NO. 616 OF 2018
(Kokane G. Revana Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri V.P. Kadam, learned counsel holding for Smt. A.N. Ansari, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 06.06.2024 **in urgent admission category.**

MEMBER (J)

sas ORAL ORDER 12.03.2024

ORIGINAL APPLICATION NO. 81 OF 2018
(Sayyed Wali Abdul Khadar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri L.S. Shaikh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. This is a part heard matter.

3. In compliance with the directions given by order dated 05.02.2024, the learned P.O. submits affidavit in reply on behalf of respondent No.3. The same is taken on record and copy thereof is given to learned counsel for the applicant today itself.

4. Learned counsel for the applicant seeks time. Time granted.

5. S.O. to 19.03.2024 for further hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 89 OF 2020
(Madhukar G. Bhalerao Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri A.D. Sugdare, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. This is a part heard matter.

3. At the request of learned P.O., S.O. to 26.03.2024 for compliance of order dated 31.01.2024.

MEMBER (J)

sas ORAL ORDER 12.03.2024

**ORIGINAL APPLICATION NO. 517 OF 2022
(Shital A. Gundewad Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri M.B. Kolpe, learned counsel for the applicant, is **absent**. Shri V.G. Pingle, learned Presenting Officer for the respondent authorities and Shri K.B. Jadhav, learned counsel for respondent Nos. 6 to 8, are present.

2. This is a part heard matter.

3. In view of absence of learned counsel for the applicant, S.O. to 02.04.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 706 OF 2022
(Sahas T. Waghmare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri P.G. Rodge, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

Shri Shirish M. Kamble, learned counsel for respondent No.4, is **absent**.

2. This is a part heard matter.

3. Learned counsel for the applicant seeks time to place on record the G.R. of the year 1994 and further two judgments of Hon'ble High Court of Bombay.

4. Learned counsel for the applicant is requested to inform the learned counsel for respondent No.4 in writing about the next date of hearing.

5. S.O. to 20.03.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 913 OF 2022
(Varsha V. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned counsel for respondent Nos. 3 & 4, are present.

2. Even though the last chance is given, no affidavit in reply has been filed.

3. List the matter for admission hearing on 03.06.2024 with liberty to other sides to file reply till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 86 OF 2023
(Shyam M. Yesmod Vs. State of Maharashtra & Ors.)

WITH
ORIGINAL APPLICATION NO. 73 OF 2023
(Jyoti C. Hatkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri D.K. Rajput, learned counsel for the applicants in both the O.As. and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities in both the O.As, are present.

2. Even though the last chance is given, no affidavit in reply has been filed.

3. List the matters for admission hearing on 08.04.2024 with liberty to other sides to file reply till then.

MEMBER (J)

**ORIGINAL APPLICATION NO. 428 OF 2023
(Sanjiv P. Bodkhe Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri Sanjiv P. Bodkhe, party in person, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent Nos. 2 & 3, are present.

2. Learned P.O. submits that the respondent No.1 is adopting the affidavit in reply filed on behalf of respondent Nos. 2 & 3.

3. The party in person submits affidavit in rejoinder. The same is taken on record and copy thereof is given to other side today itself.

4. Pleadings completed. List the matter for admission hearing on 26.03.2024.

MEMBER (J)

**ORIGINAL APPLICATION NO. 465 OF 2023
(Kuldip P. Ambhore Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., time granted as a last chance for filing affidavit in reply.

3. S.O. to 18.04.2024.

MEMBER (J)

sas ORAL ORDER 12.03.2024

ORIGINAL APPLICATION NO. 1035 OF 2023
(Asha Mohan Raut, Legal Heir/widow of Late Mohan B.
Raut Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri V.S. Kande, learned counsel holding for Shri S.T. Chalikwar, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. appears for respondent No.5 and seeks time for taking instructions/for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 10.04.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 38 OF 2024
(Mahesh C. Dhayal & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri P.S. Kshirsagar, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicants submits that the respondents are duly served.

3. S.O. to 26.04.2024 for filing affidavit in reply on behalf of respondents.

MEMBER (J)

sas ORAL ORDER 12.03.2024

ORIGINAL APPLICATION NO. 73 OF 2024
(Dipak N. Dongare & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri P.V. Suryawanshi, learned counsel for the applicants, is **absent**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. submits affidavit in reply on behalf of respondent Nos. 2 to 4 along with spare copy for other side. The same is taken on record.

3. S.O. to 29.04.2024 for filing affidavit in rejoinder, if any.

MEMBER (J)

sas ORAL ORDER 12.03.2024

**M.A.NO. 510 OF 2022 IN O.A.ST.NO. 571 OF 2022
(Ashok G. Jondhale & Ors. Vs. State of Maharashtra &
Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri R.G. Dhale, learned counsel holding for Shri H.V. Patil, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 17.04.2024.

MEMBER (J)

sas ORAL ORDER 12.03.2024

**M.A.NO. 304 OF 2023 IN O.A.ST.NO. 864 OF 2023
(Vanil B. Koli Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., time granted for filing affidavit in reply as a last chance.

3. S.O. to 25.04.2024.

MEMBER (J)

sas ORAL ORDER 12.03.2024

**ORIGINAL APPLICATION NO. 489 OF 2019
(Vinod R. Kandere Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri A.R. Jadhav, learned counsel holding for Shri J.M. Murkute, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 07.06.2024 for final hearing.

MEMBER (J)

sas ORAL ORDER 12.03.2024

ORIGINAL APPLICATION NO. 45 OF 2019
(Sitaram M. Bhokare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri S.G. Kulkarni, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 11.06.2024 for final hearing.

MEMBER (J)

sas ORAL ORDER 12.03.2024

**ORIGINAL APPLICATION NO. 514 OF 2021
(Gautam G. Dhule Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. This is a part heard matter.

3. S.O. to 28.03.2024 for filing written notes of arguments by the parties.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1102 OF 2023
(Paresh D. Khosre Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. This is a part heard matter.

3. At the request of learned C.P.O., S.O. to 18.03.2024 for further hearing.

MEMBER (J)

sas ORAL ORDER 12.03.2024

**M.A.NO. 214/2022 WITH M.A.NO. 148/2021 IN
O.A.ST.NO. 481/2021
(Anita P. Gitey Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri S.B. Shirsath, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant to file synopsis of events till the next date of hearing since there is an inordinate delay of 23 years, 9 months and 24 days caused in filing the Original Application.

3. S.O. to 15.04.2024.

MEMBER (J)

sas ORAL ORDER 12.03.2024

**ORIGINAL APPLICATION NO. 1016 OF 2023
(Chandrakant V. Sadakal & Ors. Vs. State of Maharashtra
& Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri P.H. Sukale, learned counsel holding for Shri N.B. Narwade, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 24.04.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 28 OF 2019
(Suresh G. Sadavarte Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Shri V.P. Kadam, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 12.06.2024 for final hearing.

MEMBER (J)

sas ORAL ORDER 12.03.2024

**M.A.NO. 284 OF 2021 IN O.A.ST.NO. 823 OF 2021
(sandipan G. Kale Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Heard Shri R.A. Joshi, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. By this application the applicant is seeking condonation of delay caused in filing the accompanying Original Application.

3. There is a delay of 1345 days caused in filing the accompanying Original Application.

4. Learned counsel for the applicant submits that the applicant had worked as Mustering Assistant under employment guarantee scheme from 24.11.1986 to 09.12.1998. By filing the accompanying Original Application the applicant is seeking direction to respondent Nos. 1 to 3 for counting the said service as Mustering Assistant for grant of retiral/pensionary benefits. The Government subsequently issued G.R. dated 21.04.1999 and in terms of the said G.R., the applicant was absorbed as a Peon by order dated 30.11.1998. The applicant was possessing requisite

//2// M.A. 284/2021 in
O.A.St. 823/2021

qualification to hold the post in Group 'C' category. Under the G.R. of 1999 a person appointed in Group 'C' category, if possess requisite qualification can be appointed as a Clerk. By virtue of the said provisions, the applicant was appointed as a Clerk in Government Technical School at Latur.

5. Learned counsel for the applicant submits that for claiming the pensionary benefits by counting the service as a Mustering Assistant, one Ramchandra Kondiba Mahajan approached the Hon'ble High Court by Bombay by filing Writ Petition No. 2946 of 1997. The Hon'ble High Court has granted relief in his favour and further permitted the applicant to file representation for grant of pensionary benefits. The present applicant is also similarly situated employee also filed Writ Petition No. 8166/2015. The Hon'ble High Court of Bombay Bench at Aurangabad has disposed of the said W.P. No. 8166/2015 by directing the respondent No.3 to take decision on the representation submitted by the applicant on its own merits. Thereafter by order dated 26.04.2016, the respondent No.3 has rejected the claim of the applicant by communicating that

//3// M.A. 284/2021 in
O.A.St. 823/2021

the respondent is unable to consider his service as Mustering Assistant w.e.f. 24.11.1986.

6. Learned counsel for the applicant submits that the applicant has thereafter reviewed his requested by filing representations dated 14.12.2018 and 25.02.2019 with the hope that his representation will be considered by the department positively.

7. Learned counsel for the applicant submits that in terms of order dated 28.09.2020 by which the District Vocational Education Officers and Principals of Industrial Training Institute directed to submit the information of the Mustering Assistant joined in Vocational Education Department, the applicant is waiting for positive decision. Learned counsel for the applicant submits that thereafter due to Covid-19 pandemic and declaration of the lockdown throughout the State, the applicant could not take effective steps to approach this Tribunal. Learned counsel for the applicant submits that the delay is not intentional or deliberate and there is no inaction on the part of the applicant.

//4// M.A. 284/2021 in
O.A.St. 823/2021

8. Learned Presenting Officer has strongly resisted the application on the ground that there is an inordinate delay and the applicant has not tendered any satisfactory explanation for condoning the same.

9. Learned P.O. submits that in the event if the delay is condoned, then the said period for which the delay has been condoned may be considered at the time when the Original Application is decided.

10. It appears that the applicant was claiming the period worked as a Mustering Assistant from 24.11.1986 to 09.12.1988 to be counted for grant of pension. However, only after the order of the Division Bench of Hon'ble High Court of Bombay, Bench at Aurangabad in Writ Petition No. 8166/2015 dated 06.08.2015, the respondent No.3 has informed to the applicant by communication dated 26.04.2016 that he is unable to consider his said service as Mustering Assistant. Further it appears that even thereafter the applicant has approached the department particularly respondent No.3 by filing the various representations reiterating his request for making

//5// M.A. 284/2021 in
O.A.St. 823/2021

the Civil Services Rules applicable w.e.f. 01.10.1988. Further in terms of letter dated 28.09.2020 the applicant has reason to believe that the respondents are competent to consider his claim and grant appropriate relief to the applicant. Further due to outbreak of Covid-19 and declaration of the lockdown the delay has been caused. However, the said delay has been condoned by the Hon'ble High Court in **Suo Motu Writ Petition (C) No. 3 of 2020**. Thus prima-facie it appears that the grievance raised by the applicant is not considered on merits and in view of same, by imposing certain costs, the delay can be condoned. I compute the costs of Rs. 2000/- (Two Thousand only) on the applicant and proceed to pass the following order: -

ORDER

The Misc. Application No. 284/2021 is allowed in following terms:-

- (A) The delay of 1345 days caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to costs of Rs.

//6// M.A. 284/2021 in
O.A.St. 823/2021

2,000/- (Two Thousand only). The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.

- (B) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

MEMBER (J)

**ORIGINAL APPLICATION ST. NO. 823 OF 2021
(sandipan G. Kale Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 12.03.2024

ORAL ORDER :

Heard Shri R.A. Joshi, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Issue notices to respondents, returnable on 07.06.2024.

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.

//2// O.A.St. 823/2021

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 07.06.2024.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

sas ORAL ORDER 12.03.2024