

**ORIGINAL APPLICATION NO.183/2021**  
**(Satyajeet Ambhore Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.04.2022**

**ORAL ORDER :**

Heard Shri Vishal P. Bakal, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents.

2. In the present matter, one Mininath Ambhore died during the course of service in the year 2010. His wife claimed compassionate appointment on the place of her husband. The case was pending for consideration and in the meanwhile, the present applicant became major who is son of deceased Mininath Ambhore. After the applicant became major, his mother Smt. Sunanda Mininath Ambhore gave up her claim and made a request to substitute the name of the present applicant and claimed compassionate appointment for him. The respondent authorities refused the claim on the ground that in the G.R. dated 21-09-2017, there is no such provision allowing

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the substitution of one candidate for another unless the candidate who has first applied expires.

3. Learned Counsel for the applicant submitted that deceased Mininath Ambhore who was working as Constable and posted at Aurangabad City Police died in an accident on 04-01-2010. The present applicant is the son of deceased Mininath Ambhore. In the year 2010, the applicant was minor. The mother of the applicant had submitted an application with the respondents to consider the name of her son i.e. present applicant for compassionate appointment after applicant attained the age of majority. It is the contention of the applicant that the respondents without considering the request so made by his mother periodically used to call her in the office with the relevant documents required for the appointment. The learned Counsel further submitted that after becoming major, applicant moved an application seeking appointment on compassionate ground. Respondent no.3 rejected the application filed by the present applicant on the ground that as per the G.R. dated 21-09-2017, there is

no provision allowing substitution of one candidate for another unless the candidate who has first applied expires. The said communication dated 28-08-2018 has given rise for filing the present application. Even after the rejection, the applicant and his mother continued the efforts to persuade the respondents to consider the claim of the applicant. Ultimately, the applicant approached the Hon'ble High Court by filing Writ Petition bearing No.918/2020. The applicant was required to withdraw the said Writ Petition with liberty to file the same before the Tribunal and accordingly the present O.A. has been filed.

4. Learned Counsel relying upon the judgments of the Hon'ble Bombay High Court in case of **Dnyaneshwar s/o. Ramkishan Musane V/s. State of Maharashtra & Ors.** in **Writ Petition No.6267/2018** submitted that Hon'ble Division Bench has turned down the clause in the G.R. dated 20-05-2015 which imposes prohibition for substitution of legal representative of the deceased

employee, has been turned down. According to the learned Counsel, in view of the aforesaid judgment of the Hon'ble Bombay High Court the impugned order dated 28-08-2018 deserves to be set aside. Learned Counsel has also relied upon the judgment delivered by another Division Bench of the Hon'ble Bombay High Court in case of **Prashant Bhimrao Desai & Anr. V/s. The State of Maharashtra & Anr.** in **Writ Petition No.11697/2019**, wherein the Division Bench has observed that in view of the decision rendered in **Dnyaneshwar Musane's** case (cited supra), the State must have framed a proper policy to avoid further petitions on the said issue. The respondent authorities refused the claim on the ground that in the G.R. dated 21<sup>st</sup> September, 2017, there is no such provision allowing the substitution of one candidate for another unless the candidate who has first applied expires.

5. Learned P.O. in view of the judgment relied upon by the learned Counsel for the applicant submitted for passing appropriate order.

6. It is not in dispute that the mother of the present applicant namely, Smt. Sunanda Ambhore, had filed an application seeking compassionate appointment after the death of Police Constable deceased Mininath Ambhore. It is further not in dispute that while application filed by Smt. Sunanda Ambhore was pending for consideration, the present applicant attained the age of majority and he applied for the compassionate appointment and a request was made that his name be substituted in place of his mother Smt. Sunanda Ambhore, whose application was pending for consideration. It is further not in dispute that only reason which has been assigned by the respondent no.3 for rejecting the request of the present applicant on the ground that as per the Government Resolution dated 21-09-2017, there is no provision allowing substitution of one candidate for another unless the candidate who has first applied expires.

7. In the case of **Dnyaneshwar Musane** cited supra, similar facts were involved as are existing in the instant

matter. In the said matter also, initially, the wife of the deceased had applied for compassionate appointment and after her son became major, a request was made to substitute his name in her place considering his name for compassionate appointment. The Chief Executive Officer, Zilla Parishad relied on the Government Resolution dated 20-05-2015 which lays down that name of any legal representative of the deceased employee would not be substituted. The Division Bench while disposing of the W.P.No.6267/2018, turned down the objection so raised with the following observations (p.b.p.79-80):

*“5. After hearing learned advocates for the parties and going through the Government Resolution dated 20.05.2015, we are of the view that the prohibition imposed by the Government Resolution dated 20.05.2015 that name of any legal representative of deceased employee would not be substituted by any other legal representative seeking appointment on compassionate ground, is arbitrary, irrational and unreasonable and violates the fundamental rights guaranteed by Article 14 of the Constitution of India. As the per the policy of the State Government, one legal representative of deceased employee is entitled to be considered for appointment on compassionate ground. The prohibition imposed by the Government*

*Resolution dated 20.05.2015 that if one legal representative of deceased employee stakes claim for appointment on compassionate ground, then name of another legal representative of that deceased employee cannot be substituted in the list in place of the other legal representative who had submitted his/her application earlier, does not further the object of the policy of the State Government regarding appointments on compassionate grounds. On the contrary, such prohibition frustrates the object for which the policy to give appointments on compassionate grounds is formulated. It is not the case of respondent no.2 that petitioner's mother was given appointment on compassionate ground and then she resigned and proposed that petitioner should be given appointment. The name of petitioner's mother was in waiting list when she gave up her claim and proposed that the petitioner should be considered for appointment on compassionate ground.*

*6. In this view of the matter, we find that the restriction imposed by the Government Resolution dated 20.05.2015 that name of legal representative of deceased employee cannot be considered in place of another legal representative of that deceased employee whose name happens to be in the waiting list for giving appointment on compassionate ground, is unjustified.”*

Hon'ble High Court held the restriction imposed by the Government Resolution dated 20-05-2015 for substitution of one legal heir by another to be unjustified and directed that the said restriction be deleted and held

the petitioner in the said matter entitled for appointment on the compassionate.

8. In the case of **Prashant Bhimrao Desai and Anr. (Writ Petition No.11697/2019)**, judgment in the case of **Dnyaneshwar Musane** was referred whereupon a direction was issued by the Division Bench of the Hon'ble High Court to frame appropriate policy to avoid further petitions on the said issue. Order passed in the said Writ Petition on 24-09-2021 reveals that the Government has, in principle, accepted the said suggestion and has assured for formulating the comprehensive policy to avoid the further litigation on the issue.

9. After having perused the aforesaid judgments there remains no doubt that the respondent no.3 has erroneously rejected the request of the applicant vide communication dated 28-08-2018. The said decision, therefore, deserves to be set aside and is accordingly set aside.



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10. The respondent no.3 is directed to include the name of the present applicant in the waiting list of the persons seeking appointment on compassionate ground in place of his mother. Respondent no.3 shall consider the claim of the applicant for appointment on compassionate ground on the post commensurate with his qualification and treating his seniority as per the seniority of his mother.

11. The O.A. stands allowed in the aforesaid terms. There shall be no order as to costs.

**MEMBER (A)**

YUK ORAL ORDERS 12.04.2022

**MEMBER (J)**

**REVIEW ST. NO.211/2022 IN O.A.NO.490/2021  
(Ninad A. Lande Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri H.H.Padalkar, learned Advocate for the applicant (Review) is **absent**.

Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri Avinash Khedkar, learned Advocate for the applicant in O.A.No.490/2021, are present.

2. Today when the matter was taken up for consideration, none has caused appearance for the applicant in Review Application, moreover, the court time is also over. However, learned Counsel for the respondent nos.4 and 5, who is present before the Tribunal submits that there is some urgency in the matter since interim relief is passed which is adversely affecting the said respondents. In the circumstances, the matter stands adjourned to 19-04-2022.

3. S.O. to 19-04-2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.122/2012 & 123/2012  
WITH  
T.A.NO.02/2012 IN W.P.NO.9902/2011  
(Jalindar K. Rathod, Datta K. Darade & Radha Choure Vs.  
State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P. R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri S.S.Jadhavar, learned Advocate for the applicants and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents.

2. The arguments are heard. The present matter pertains to the recruitment carried out in the year 2011 for the post of Police Constable. After having heard the arguments, we felt it necessary to have the vacancy position on record in so far as the recruitment carried out in the year 2011.

3. Learned CPO shall place on record such information in respect of the seats filled in reserved for Home Guards and Sports Persons and number of post reserved for Home Guards and Sports Persons which are vacant at the point

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O.A.NO.122/2012 & 123/2012 WITH T.A.NO.02/2012 IN  
W.P.NO.9902/2011

of time of conclusion of recruitment process along with date of occurrence of vacancies. The learned CPO shall also place on record information whether any other candidate, besides the present applicants, has raised any grievance in respect of the recruitment process carried out in the year 2011 and, whether the posts vacant out of those notified by advertisement dated 30-09-2011 had been incorporated in next recruitment process, if any.

4. S.O. to 27-04-2022.

**MEMBER (A)**

YUK ORAL ORDERS 12.04.2022

**MEMBER (J)**

**ORIGINAL APPLICATION NO.190/2017**  
**(Dattatray Zombade Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.04.2022**

**ORAL ORDER :**

Shri Shamsundar B. Patil, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. S.O. to 19-04-2022. **High on Board.**

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.716/2018, 634/2018,  
635/2018 & 636/2018  
(Atul Shirke & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri Onkar Gholap, learned Advocate holding for Shri S.D.Joshi, learned Advocate for the applicants and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. In the present matter the respondents were expected to place on record the necessary information in pursuance of the order passed by this Tribunal on 23-03-2022. The learned P.O. has sought some more time to place the said information on record.

3. If the order is not complied with, the matter will be decided on the basis of material available on record.

4. S.O. to 02-05-2022. **High on Board.**

**MEMBER (A)**

**MEMBER (J)**

**C.P.NO.01/2022            IN            M.A.NO.01/2022            IN  
T.A.NO.02/2021 IN W.P.NO.2612/2021  
(Smt. Samiksha Chandrakar & Anr. Vs. State of Maharashtra  
& Ors.)**

**WITH**

**M.A.NO.337/2021 & M.A.NO.309/2021  
(Smt. Pratibha Ingle Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri Ajay Deshpande, learned Advocate for the applicants in C.P.01/2022, M.A.01/2022 & M.A.NO.309/2021, Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri U.S.Patil, learned Advocate for applicant in M.A.No.337/2021, are present.

2. S.O. to 21-04-2022.

**MEMBER (A)**

**MEMBER (J)**

**T.A.NO.01/2021 IN W.P.NO.4908/2021  
(Shivaji T. Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri A.S.Deshmukh, learned Advocate for the applicant, Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, Shri C.V.Dharurkar learned Advocate for respondent nos.6 to 8 and Shri Ujjwal S. Patni, learned Advocate for respondent nos.3 to 5, are present.

2. S.O. to 21-04-2022.

**MEMBER (A)**

**MEMBER (J)**



**C.P.NO.03/2020            IN            C.P.NO.47/2018            IN**  
**O.A.NO.138/2016**  
**(Dr. Shaikh Faiz Mohammad Noor Mohammad**  
**Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.04.2022**

**ORAL ORDER :**

Shri I.D.Maniyar, learned Advocate for the applicant,  
Shri N.U.Yadav, learned Presenting Officer for the  
respondent authorities and Shri D.T.Devane, learned  
Advocate for respondent no.4, are present.

2. Learned Advocate for the applicant has filed affidavit  
in rejoinder. It is taken on record. Copy served on the  
other side.

3. S.O. to 10-06-2022.

**MEMBER (A)**

**MEMBER (J)**

**C.P.NO.21/2021 IN O.A.NO.355/2017**  
**(Rajendra T. Dawange Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents, are present.

2. Learned Counsel for the applicant placed on record the G.R. dated 7th October, 2016, same is taken on record. Matter be listed for hearing on 26th April, 2022.

3. S.O. to 26-04-2022.

**MEMBER (A)**

**MEMBER (J)**

**C.P.NO.03/2022 IN O.A.NO.80/2021  
(Bhimrao N. Kokate Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

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

2. S.O. to 27-04-2022.

**MEMBER (A)**

**MEMBER (J)**

YUK ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO.37/2017**  
**(Balasaheb Raut & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.04.2022**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant has filed a short affidavit. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 02-05-2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.13/2019  
(Tufansing Shele Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

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

2. S.O. to 07-06-2022.

**MEMBER (A)**

**MEMBER (J)**

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

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.04.2022**

**ORAL ORDER :**

Shri Ajay Deshpande, learned Advocate for the applicant, Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri Onkar Gholpa, learned Advocate holding for Shri S.D.Joshi, learned Advocate for respondent no.6, are present.

Shri S.P.Salgar, learned Advocate for respondent nos.3 to 5 is **absent**.

2. S.O. to 07-06-2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.264/2021  
(Sapna Nikam Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri S.B.Solanke, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 06-06-2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.282/2021  
(Seema Jaybhaye Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**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 06-06-2022.

**MEMBER (A)**

**MEMBER (J)**



**O.A.NO.48/2022, 49/2022, 50/2022, 51/2022 &  
52/2022  
(Suhas D. Vasave & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri T.M.Venjane, learned Advocate for the applicants  
and Shri M.S.Mahajan, learned Chief Presenting Officer for  
the respondents, are present.

2. S.O. to 02-05-2022.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO.154/2018 IN O.A.ST.NO.576/2018  
(Samta R. Lokhande Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri Shailesh S. Kulkarni, learned Advocate for the applicant has filed **leave note**. Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents is present.

2. S.O. to 24-06-2022.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO.35/2019 IN O.A.ST.NO.47/2019  
(Balraj Lanjile Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. S.O. to 17-06-2022.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO.601/2019 IN O.A.ST.NO.2211/2019  
(Maharashtra Rajya Rekhachitra Shakha Karmachari  
Snaghatna, Through its President Zaki Ahmed Jafri  
Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri Avinash S. Khedkar, learned Advocate for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondents, are present.

2. S.O. to 06-06-2022.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO.239/2020 IN O.A.NO.323/2020  
(Mangala Naik Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri Govind R. Ingole, learned Advocate for the applicant is **absent**. Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents is present.

2. S.O. to 06-06-2022.

**MEMBER (A)**

**MEMBER (J)**

YUK ORAL ORDERS 12.04.2022

**M.A.NO.51/2021 IN O.A.ST.NO.184/2021**  
**(Sangameshwar M. Kadam Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Ku. Preeti R. Wankhade, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. S.O. to 09-06-2022.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO.308/2021 IN O.A.NO.492/2021**  
**(Ganesh K. Chate & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri V.B.Wagh, learned Advocate for the applicants  
and Shri M.S.Mahajan, learned Chief Presenting Officer for  
the respondents, are present.

2. S.O. to 19-04-2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.111/2013  
(Gajanan Shikare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri S.S.Halkude, learned Advocate for the applicant, Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, Shri G.J.Kore, learned Advocate for respondent no.3 and Shri S.K.Sawangikar, learned Advocate for respondent no.4, are present.

2. S.O. to 17-06-2022.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO.899/2017**  
**(Dr. Vandana S. Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri G.N.Khanzode, learned Advocate for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondent authorities, are present.

Shri Gunratn Sadavarte, learned Advocate for respondent no.4 is **absent**.

2. S.O. to 04-05-2022.

**MEMBER (A)**

**MEMBER (J)**

**T.A.NO.05/2018 IN W.P.NO.9261/2018**  
**(Pravin Janjal Vs. State of Maharashtra & Ors.)**  
**T.A.NO.06/2018 IN W.P.NO.9314/2018**  
**(Prasanna R. Raut & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.04.2022**

**ORAL ORDER :**

Shri Nitin S. Kadarale, learned Advocate for the applicant (T.A.05/2018), Shri Abhay R. Rathod, learned Advocate for the applicants (T.A.06/2018) and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. S.O. to 20-06-2022.

**MEMBER (A)**

**MEMBER (J)**

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

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.04.2022**

**ORAL ORDER :**

Shri A.S.Deshmukh, learned Advocate for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondents, are present.

2. S.O. to 15-06-2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.57/2018**  
**(Uttam T. Dabhade & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.04.2022**

**ORAL ORDER :**

Shri S.D.Dhongde, learned Advocate for the applicants and Smt. M.S.Patni, learned Presenting Officer for the respondents, are present.

2. S.O. to 13-06-2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.423/2018**  
**(Rameshwar S. Gopal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri S.S.Pidgewar, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

Shri N.R.Suryawanshi learned Advocate for respondent no.4 is **absent**.

2. S.O. to 21-06-2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.847/2018**  
**(Ananda N. Kolewad Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.04.2022**

**ORAL ORDER :**

Ku. Anagha Pandit, learned Advocate holding for Shri S.B.Talekar, learned Advocate for the applicant, Shri N.U.Yadav, learned Presenting Officer for the respondent authorities and Shri M.R.Wagh, learned Advocate for respondent no.4, are present.

2. S.O. to 22-06-2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.212/2019, 213/2019,  
214/2019, 355/2019, 439/2019 & M.A.NO.17/2020 IN  
O.A.NO.1072/2019  
(Sunder S. Waghmare & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri D.R.Irale Patil, learned Advocate for the applicants in all O.As., Shri Ajay Deshpande learned Advocate for the applicant in M.A.No.17/2020 and Shri V.R.Bhumkar, learned Presenting Officer for the respondents, are present.

2. S.O. to 09-06-2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.359/2019  
(Shantaram Sonwane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri S.D.Dhongde, learned Advocate for the applicant  
and Shri M.P.Gude, learned Presenting Officer for the  
respondents, are present.

2. S.O. to 17-06-2022.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO.531/2019**  
**(Nagnath V. Hatkar & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

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

2. S.O. to 27-04-2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.28/2020  
(Anil Salve Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri K.G.Salunke, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents, are present.

2. S.O. to 17-06-2022.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 83/2022 in O.A. St. No. 1621/2021  
(Sopan P. Chavan Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri Mayur Subhedar, learned Advocate holding for Shri S.G. Kulkarni, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 14.06.2022.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 307 OF 2022**  
**(Chandrabhan V. Veer Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri K.B. Jadhav, learned Advocate for the applicant (**Absent**). Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 14.06.2022.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION ST. NO. 282 OF 2022**  
**(Balaji S. Shrikhande Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri S.A. Wakure, learned Advocate for the applicant (**Absent**). Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 15.06.2022.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 357 OF 2019**  
**(Trimbak G. Kautkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri J.M. Murkute, learned Advocate for the applicant (**Absent**). Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Record shows that nobody is appearing on behalf of the applicant since last so many dates i.e. on 03.12.2021, 10.01.2022, 24.02.2022 and 15.03.2022. In view of the same, it appears that the applicant is not interested in prosecuting the matter. Hence, the O.A. stands dismissed in default.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 358 OF 2019**  
**(Prem H. Kagade Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri J.M. Murkute, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 25.04.2022.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 99 OF 2021**  
**(Shrikant V. Mundhe Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri V.M. Maney, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. Pleadings are complete. The present matter is pertaining to suspension. Hence, the O.A. is admitted and it be kept for final hearing on 07.06.2022.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 104 OF 2021**  
**(Chandrakant L. Shrikhedkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Smt. Suchita A. Dhongde, learned Advocate for the applicant (**Leave Note**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 07.06.2022.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 289 OF 2021**  
**(Madhukar L. Pradhan Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 08.06.2022.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 590 OF 2021**  
**(Rajendra N. Dhangare Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri Vinod Patil, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri M.R. Kulkarni, learned Advocate for respondent No. 5.

2. Pleadings are complete. The present matter is pertaining to transfer. Hence, the O.A. is admitted and it be kept for final hearing on 10.06.2022.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 674 OF 2021  
(Pravin J. Rasal Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri P.D. Suryawanshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Pleadings are complete. The present matter is pertaining to Transfer. Hence, the O.A. is admitted and it be kept for final hearing on 04.05.2022.

3. Learned Advocate for the applicant submits that during pendency of the present Original Application, the applicant has made representation dated 08.04.2022 to the respondent Nos. 2 and 3 requesting for posting at Beed against mutual request made by another Senior Clerk, who is presently working at Beed. In view of the same, he seeks permission to place on record the subsequent development by amending the present Original Application.

4. Leave as prayed for by the applicant is granted. The applicant shall carry out the necessary amendment in the O.A. forthwith and to supply the amendment copy of the O.A. to the other side.

5. S.O. to 04.05.2022 for final hearing.

**MEMBER (J)**

**M.A. No. 36/2020 in O.A. No. 940/2019  
(Ashok D. Phadnis Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri Onkar Gholap, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 08.06.2022.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**M.A. No. 137/2020 in O.A. St. No. 46/2020  
(Sagar A. Zinjurde Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri L.V. Sangit, learned Advocate for the applicant (**absent**). Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 16.06.2022.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**M.A. No. 204/2020 in O.A. St. No. 678/2020  
(Ramdas N. Sangle Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. During the course of arguments, learned Advocate for the applicant submits that he will produce on record the order showing that the applicant retired on 30.06.2015 and therefore, he seeks time. Time granted.

3. S.O. to 09.06.2022.

**MEMBER (J)**

**M.A. No. 205/2020 in O.A. St. No. 680/2020  
(Ravindra G. Barde Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. During the course of arguments, learned Advocate for the applicant submits that he will produce on record the order showing that the applicant retired on 31.07.2017 and therefore, he seeks time. Time granted.

3. S.O. to 09.06.2022.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 930 OF 2016**  
**(Chudaman D. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri Shrikant Patil, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

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

3. By consent of both the sides, S.O. to 29.04.2022.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 335 OF 2020  
(Arjun N. Pache Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. The present matter has already been treated as part heard.
3. By consent of both the sides, S.O. to 21.04.2022.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 543 OF 2021  
(Sanjay G. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. The present matter has already been treated as part heard.
3. By consent of both the sides, S.O. to 18.04.2022.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 395 OF 2017**  
**(Shobha R. Pathak Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri Onkar Gholap, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent No. 1 and Shri S.B. Mene, learned Advocate for respondent Nos. 2 and 3.

2. By consent of both the sides, S.O. to 05.05.2022 for final hearing.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 810 OF 2018**  
**(Somnath G. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri Yogesh Jadhav, learned Advocate for the applicant (**Absent**). Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 14.06.2022 for final hearing.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 830 OF 2018**  
**(Shilendra H. Mali Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 to 4. Shri M.V. Bhamre, learned Advocate for respondent No. 5, **absent**.

2. By consent of both the sides, S.O. to 28.04.2022 for final hearing.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

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

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri J.S. Deshmukh, learned Advocate for the applicant (**Absent**). Heard Shri B.S. Dokar, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 14.06.2022 for final hearing.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 406 OF 2019**  
**(Dayanand V. Kadam Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri Girish Awale, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 29.04.2022 for final hearing.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022



**ORIGINAL APPLICATION NO. 422 OF 2019**  
**(Syed Khaja Syed Meeran Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Smt. Suchita A. Dhongde, learned Advocate for the applicant (**Leave Note**). Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 08.06.2022 for final hearing.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 691 OF 2019**  
**(Rajendra B. Potdar Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri S.P. Dhoble, learned Advocate holding for Shri A.N. Gaddime, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 13.06.2022 for final hearing.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 731 OF 2019**  
**(Bhalchandra H. Bangar Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Ms. Preeti Wankhade, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 22.04.2022 for final hearing.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 961 OF 2019**  
**(Sham S. Thorat Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri V.S. Panpatte, learned Advocate for the applicant (**Absent**). Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 18.04.2022 for re-hearing.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 233 OF 2020**  
**(Arun A. Ghate Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri V.G. Pingle, learned Advocate for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri S.B. Mene, learned Advocate for respondent No. 4.

2. By consent of all the parties, S.O. to 14.06.2022 for final hearing.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 103 OF 2021**  
**(Dr. Harishchandra T. Kokani Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri Onkar Gholap, 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 Nos. 1 and 2. Shri Rakesh Jain, learned Advocate for respondent No. 3, **absent**.

2. By consent of both the sides, S.O. to 18.04.2022 for final hearing.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 151 OF 2021**  
**(Dattatraya A. Ubale Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri R.D. Khadap, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 29.04.2022 for final hearing.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 771 OF 2021  
(Sunil A. Thete Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri M.B. Bharaswadkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 25.04.2022 for final hearing.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022



**ORIGINAL APPLICATION NO. 800 OF 2021  
(Sunil A. Thete Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri M.B. Bharaswadkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 25.04.2022 for final hearing.

**MEMBER (J)**

KPB ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 414 OF 2018**  
**(Vranda P. Sadgure Vs. State of Maharashtra & Ors.)**  
**WITH**  
**ORIGINAL APPLICATION NO. 613 OF 2018**  
**(Sonelben D. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

**O.A. No. 414/2018**

Heard Shri V.B. Wagh, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 3 and Ms. Preeti Wankhade, learned Advocate for respondent No. 4.

**O.A. No. 613/2018**

Heard Shri N.S. Kadarale, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri A.S. Deshmukh, learned Advocate for respondent No. 4.

2. By consent of all the parties, S.O. to 20.04.2022 at 3.00 P.M.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.874 OF 2019  
(Sahedabegum Shaikh Younus Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri M.B. Humane, learned Advocate holding for Shri Sanjay Kolhare, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., one more last chance is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 and 3.

3. S.O. to 16.06.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.1011 OF 2019**  
**(Vitthal S. Lokhande Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Smt. Amruta Pansare, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Affidavit-in-rejoinder filed on behalf of the applicant is taken on record and copy thereof has been served on the other side.

3. S.O. to 13.06.2022 for admission.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.4 OF 2020  
(Chhya S. Shinde Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri Dilip Mutalik, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Record show that the affidavit-in-rejoinder is filed by the applicant on 08.10.2021.
3. Thereafter, many opportunities were given to the respondents to file affidavit-in-sur-rejoinder.
4. Till date, no affidavit-in-sur-rejoinder is filed by the respondents.
5. In view of above, S.O. to 09.06.2022 for admission.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.114 OF 2020  
(Dagdu G. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Ms. Tejal Mankar, learned Advocate holding for Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, time is granted for filing service affidavit.
3. S.O. to 13.06.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.298 OF 2020  
(Ramraje G. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time for complying the order dated 20.01.2021. Time is granted.

3. S.O. to 09.06.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.106 OF 2021  
(Manoj C. Salgar Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri Umakant P. Giri, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. S.O. to 09.06.2022.

**MEMBER (J)**



**ORIGINAL APPLICATION NO.160 OF 2021  
(Mayur R. Sonawane Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of the learned P.O. for the respondents, time is granted for filing affidavit-in-reply.

3. S.O. to 10.06.2022.

**MEMBER (J)**

SAS ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO.321 OF 2021**  
**(Dr. Pramod U. Wawdhane Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri Mayur Subhedar, learned Advocate holding for Shri S.V. Kurunkar, learned Advocate for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent Nos.1 to 3 and Shri Ashish B. Shinde, learned Advocate for the respondent No.4.

2. Learned Advocate for the applicant submits that till date, the applicant has not received even provisional pension though the submissions were made on behalf of the respondent on 15.03.2022 that the provisional pension is granted for the period of 01.07.2021 to 31.12.2021.

3. In view of same, the respondents to place on record status report as regards the grant of provisional pension as well as status report of Pay Verification Unit.

4. S.O. to 09.06.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.343 OF 2021**  
**(Raosaheb B. Neharkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri Gokul M. Shingae, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Await service of notice on the respondent No.2.
3. At the request of the learned Advocate for the applicant, time is granted for filing service affidavit in respect of respondent No.2.
4. S.O. to 09.06.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.344 OF 2021  
(Mohan N. Komwatwar Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri Gokul M. Shingare, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of the respondent Nos.1 and 2 is taken on record and copy thereof has been served on the other side.

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

4. S.O. to 09.06.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.362 OF 2021  
(Usha A. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri H.P. Jadhav, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Record shows that two last chances were granted to the respondents to file affidavit-in-reply.
3. Today also the learned P.O. for the respondents seeks time for filing affidavit-in-reply as one more last chance.
4. In view of above, subject to payment of costs of Rs.1,000/- (One Thousand Only), one more last chance is granted to the respondents to file affidavit-in-reply.
5. S.O. to 06.06.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.368 OF 2021**  
**(Nanda M. Paul & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri K.G. Salunke, learned Advocate for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Record shows that affidavit-in-reply is only filed on behalf of the respondent No.4.
3. The respondent No.4 has stated in the affidavit-in-reply that the case of the applicant is under consideration.
4. In view of same, at the request of the learned P.O., one more last chance is granted to the respondent Nos.1 to 3 for filing affidavit-in-reply.
5. S.O. to 07.06.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.457 OF 2021  
(Sahil A. Kankal Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Smt. Pratibha R. Jamdhade, learned Advocate holding for Smt. M.R. Jamdhade, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. S.O. to 10.06.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.458 OF 2021  
(Mahendra K. Yangade Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Smt. Pratibha R. Jamdhade, learned Advocate holding for Smt. M.R. Jamdhade, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

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

3. S.O. to 10.06.2022.

**MEMBER (J)**

SAS ORAL ORDERS 12.04.2022



**ORIGINAL APPLICATION NO.570 OF 2021**  
**(Shivkumar B. Chamkure Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri Suresh S. Pidgewar, learned Advocate holding for Shri C.V. Thorat, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of the respondent Nos.1,2 and 4 is taken on record and copy thereof has been served on the other side.
3. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent No.3.
4. S.O. to 10.06.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.625 OF 2021**  
**(Yogesh J. Korade Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri O.D. Mane, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Affidavit-in-rejoinder filed on behalf of the applicant is taken on record and copy thereof has been served on the other side.

3. S.O. to 09.06.2022 for admission.

**MEMBER (J)**

SAS ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO.749 OF 2021  
(Rajendra B. Bachate Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri R.N. Bharaswadkar, learned Advocate holding for Smt. Priya R. Bharaswadkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant on instructions received from the applicant seeks permission to withdraw the present Original Application.

3. I have no reason to refuse the permission to withdraw the Original Application when the withdrawal is sought unconditionally.

4. In view of above, the present Original Application stands disposed of as withdrawn. No order as to costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.777 OF 2021  
(Mohd Usman Khan Mohd. Jafar Khan Vs. State of  
Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri G.J. Dahad, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned P.O. for the respondents submits that the para-wise remarks are received and sent for approval. He seeks time for filing the same. Time is granted.

3. S.O. to 09.06.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.817 OF 2021  
(Vilas K. Dhole Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri K.N. Shermale, learned Advocate for the applicant, is **absent**. Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Await service of notice on the respondents.

3. In view of absence of learned Advocated for the applicant, S.O. to 13.06.2022 for taking necessary steps.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.145 OF 2022  
(Bhimrao V. Mhaske Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri P.M. Gaikwad, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent Nos.1 to 4.

2. Shri D.A. Karnik, learned Advocate holding for Shri Sadashiv S. Shete, learned Advocate files VAKALATNAMA on behalf of the respondent No.5. The same is taken on record.

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

4. S.O. to 13.06.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.147 OF 2022  
(Bhaskar D. Nelte Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri Dilip Mutalik, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of the learned P.O. for the respondents, time is granted for filing affidavit-in-reply.

3. S.O. to 10.06.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.179 OF 2022  
(Raju J. Somvanshi Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri P.B. Jadhav, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of the learned P.O. for the respondents, time is granted for filing affidavit-in-reply.

3. S.O. to 13.06.2022.

**MEMBER (J)**



**ORIGINAL APPLICATION NO.231 OF 2022**  
**(Bharat L. Rudrawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri R.P. Bhumkar, learned Advocate for the applicant, is **absent**. Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of the learned P.O. for the respondents, time is granted for filing affidavit-in-reply.

3. S.O. to 13.06.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.232 OF 2022**  
**(Sudhakar Y. Dandge Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Ms. Kajal Angarkhe, learned Advocate holding for Shri Rahul O. Awasarmol, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of the learned P.O. for the respondents, time is granted for filing affidavit-in-reply.
3. S.O. to 14.06.2022.

**MEMBER (J)**

SAS ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO.233 OF 2022**  
**(Sudhakar Y. Dandge Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Ms. Kajal Angarkhe, learned Advocate holding for Shri Rahul O. Awasarmol, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of the learned P.O. for the respondents, time is granted for filing affidavit-in-reply.

3. S.O. to 14.06.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.287 OF 2022**  
**(Pratibha M. Lohar Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri H.P. Jadhav, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 06.05.2022 for filing service affidavit.

**MEMBER (J)**

SAS ORAL ORDERS 12.04.2022

**M.A.NO.135 OF 2020 IN O.A.ST.NO.336 OF 2020  
(Khurshid Begum Mohd. Moosa Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri A.G. Dalal, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of the learned P.O. for the respondents, time is granted for filing affidavit-in-reply in M.A.
3. S.O. to 07.06.2022.

**MEMBER (J)**

SAS ORAL ORDERS 12.04.2022

**M.A.NO.337 OF 2020 IN O.A.ST.NO.1240 OF 2020  
(Nitin A. Shete Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Smt. Shilpa Jahagirdar, learned Advocate holding for Shri N.K. Tungar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of the learned P.O. for the respondents, time is granted as a last chance for filing affidavit-in-reply in M.A.
3. S.O. to 07.06.2022.

**MEMBER (J)**

SAS ORAL ORDERS 12.04.2022

**M.A.NO.4 OF 2021 IN O.A.ST.NO.1401 OF 2020  
(Sampat B. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri P.G. Gunale, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos.5 & 6 and Shri S.P. Pandit, learned Advocate for the respondent Nos.1 to 4.

2. Learned Advocate for the respondent Nos.1 to 4 submitted that affidavit-in-reply filed by Dhananjay Garbadsing Pawar is affidavit-in-reply on behalf of the respondent Nos.1 to 4.

3. Learned Advocate for the respondent Nos.1 to 4 further submits that some annexures in O.A. are referred in M.A. but those are not annexed.

4. Learned Advocate for the applicant submits that he would furnish the copy of those annexures to learned Advocate for the respondent Nos.1 to 4 and learned P.O.

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5. Record shows that separate affidavit-in-reply is filed on behalf of the respondent No.5.
6. Learned P.O. seeks time for filing affidavit-in-reply on behalf of the respondent No.6. Time is granted.
7. S.O. to 08.06.2022.

**MEMBER (J)**



**M.A.NO.9 OF 2021 IN O.A.ST.NO.5 OF 2021  
(Vilas B. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. S.O. to 08.06.2022.

**MEMBER (J)**

SAS ORAL ORDERS 12.04.2022

**M.A.NO.12 OF 2021 IN O.A.ST.NO.34 OF 2021  
(Gorakh B. Dhakane Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri D.A. Mane, learned Advocate for the applicant, is **absent**. Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of the learned P.O. for the respondents, time is granted for filing affidavit-in-reply in M.A.

3. S.O. to 09.06.2022.

**MEMBER (J)**

SAS ORAL ORDERS 12.04.2022

**M.A.NO.282 OF 2021 IN O.A.ST.NO.1101 OF 2021  
(Shivram N. Dhapate Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri P.B. Jadhav, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of the learned P.O. for the respondents, time is granted as a last chance for filing affidavit-in-reply in M.A.
3. S.O. to 09.06.2022.

**MEMBER (J)**

SAS ORAL ORDERS 12.04.2022

**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 Shri V.D. Dongre, Member (J)**

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri R.A. Joshi, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of the learned P.O. for the respondents, time is granted as a last chance for filing affidavit-in-reply in M.A.
3. S.O. to 10.06.2022.

**MEMBER (J)**

SAS ORAL ORDERS 12.04.2022

**M.A.NO.358 OF 2021 IN O.A.ST.NO.313 OF 2021  
(Sarita V. Rode Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri V.S. Undre, learned Advocate for the applicant, is **absent**. Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.
3. As none present on behalf of the applicant, S.O. to 13.06.2022 for taking necessary steps.

**MEMBER (J)**

SAS ORAL ORDERS 12.04.2022

**M.A.NO.34 OF 2022 IN O.A.ST.NO.861 OF 2021  
(Ankush B. Bedke Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri D.H. Jadhavar, learned Advocate for the applicant, is **absent**. Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of the learned P.O. for the respondents, time is granted for filing affidavit-in-reply in M.A.
3. S.O. to 13.06.2022.

**MEMBER (J)**

SAS ORAL ORDERS 12.04.2022

**M.A.NO.49 OF 2022 IN O.A.ST.NO.37 OF 2022  
(Dipak S. Sherkhane Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri D.A. Karnik, learned Advocate holding for Shri G.J. Kore, learned Advocate for the applicant and Smt M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of the learned P.O. for the respondents, time is granted for filing affidavit-in-reply in M.A.

3. S.O. to 14.06.2022.

**MEMBER (J)**

SAS ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO.772 OF 2021**  
**(Prakash J. Salve & Anr. Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Heard Shri Pranav P. Phadnis, learned Advocate holding for Smt. Neha B. Kamble/Shri S.D. Tangade, learned Advocates for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 14.06.2022
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicants are 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.



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O.A.No.772/21

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. Applicants are directed to file affidavit of compliance and notice.

7. S.O. to 14.06.2022.

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

**MEMBER (J)**

SAS ORAL ORDERS 12.04.2022

**ORIGINAL APPLICATION NO. 307/2019**  
**(Raju D. Sathe & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.4.2022**

**ORAL ORDER :**

Shri R.D. Khadap, learned Counsel for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 17.6.2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 792/2019**  
**(Datta Prasad H. Galphade Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.4.2022**

**ORAL ORDER :**

Shri P.D. Suryawanshi, learned Counsel for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri V.B. Wagh, learned counsel for respondent no. 3, are present.

2. S.O. to 17.6.2022 for filing affidavit in reply by the respondents.

**MEMBER (A)**

**MEMBER (J)**

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

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri A.S. Deshmukh, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 17.6.2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 546/2020**  
**(Vinayak P. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri K.B. Jadhav, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. The learned P.O. has sought time for filing affidavit in reply. Time granted.

3. S.O. to 20.6.2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 31/2021**  
**(Sattar Khan Jamal Khan Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri Asif Ali, learned counsel holding for Smt. A.N. Ansari, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. The learned P.O. has sought time for filing affidavit in reply. Time granted.

3. S.O. to 20.6.2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 259/2021**  
**(Megharani P. Tarkase & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.4.2022**

**ORAL ORDER :**

Shri C.V. Dharurkar, learned Counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. The learned P.O. has sought time for filing affidavit in reply. Time granted.

3. S.O. to 21.6.2022. The interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 350/2021  
(Shaikh Chand Badshaha Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri A.B. Rajkar, learned Counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. The learned P.O. has sought time for filing affidavit in reply. Time granted.

3. S.O. to 21.6.2022.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 482/2021**  
**(Kishor U. Chaudhari Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri H.P. Randhir, learned Counsel for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities and Smt. Sunita D. Shelke, learned counsel for respondent no. 5, are present.

2. S.O. to 22.6.2022 for filing affidavit in reply by the respondents.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 606/2021**  
**(Tambe S. Govind Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri Taher Ali Quadri, learned Counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. The learned P.O. has sought time for filing affidavit in reply. Time granted.

3. S.O. to 22.6.2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 631/2021**  
**(Shamsundar K. Suryawanshi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri A.B. Rajkar, learned Counsel for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri V.C. Solshe, learned counsel for respondent nos. 2 & 3, are present.

2. S.O. to 22.6.2022 for filing affidavit in reply by the respondents.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 724/2021  
(Sunil S. Mate Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri P.S. Gaikwad, learned Counsel for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri Ganesh Kedar, learned counsel for respondent no. 8, are present.

2. Shri Kedar, learned counsel has tendered across the bar affidavit in reply of respondent no. 8. It is taken on record and copy thereof is supplied to other side.

3. The learned P.O. has sought time for filing affidavit in reply of concerned respondents. Time granted.

4. S.O. to 22.6.2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 783/2021  
(Gulab S. Jondhale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri A.S. Khedkar, learned Counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri Shamsunder B. Patil, learned counsel for respondent no. 3, are present.

2. S.O. to 23.6.2022 for filing affidavit in reply by the respondents.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 787/2021  
(Raosaheb B. Gunjal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri A.S. Khedkar, learned Counsel for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent authorities and Shri Shamsunder B. Patil, learned counsel for respondent nos. 3 to 5, are present.

2. S.O. to 23.6.2022 for filing affidavit in reply by the respondents.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 788/2021  
(Sunil D. Kulkarni Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri A.S. Khedkar, learned Counsel for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent authorities and Shri Shamsunder B. Patil, learned counsel for respondent nos. 3 & 4, are present.

2. S.O. to 23.6.2022 for filing affidavit in reply by the respondents.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 803/2021**  
**(Parmeshwar D. Bellale & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.4.2022**

**ORAL ORDER :**

Shri M.A. Golegaonkar, learned Counsel for the applicants (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. The learned P.O. has tendered across the bar affidavit in reply of respondent nos. 1 to 4. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 15.6.2022 for filing rejoinder, if any.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 816/2021**  
**(Ramkisan J. Nampalle & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

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

2. The learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 23.6.2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 28/2022**  
**(Girish A. Bibave & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.4.2022**

**ORAL ORDER :**

Shri P.G. Tambde, learned counsel holding fro Shri S.S. Jadhavar, learned Counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing affidavit in reply. Time granted. If the reply is not filed on before the next date, the matter will be heard without the reply.

3. S.O. to 23.6.2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 42/2022**  
**(Surendranath B. Shinde Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.4.2022**

**ORAL ORDER :**

Shri S.S. Kulkarni, learned Counsel for the applicant (**leave note**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri S.D. Kotkar, learned counsel for respondent no. 17, are present.

2. Await service of notice for res. nos. 6 to 8, 13, 14, 16, 18, 27, 29, 32, 33, 37, 39 to 45, 48, 51, 53, 61 & 68.
3. S.O. to 24.6.2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 47/2022**  
**(Sanjay V. Sonwane Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.4.2022**

**ORAL ORDER :**

Shri S.D. Joshi, learned Counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has tendered across the bar affidavit in reply for respondent nos. 1 & 2. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 24.6.2022 for filing rejoinder, if any.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 64/2022**  
**(Bhimrao K. Gaikwad Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.4.2022**

**ORAL ORDER :**

Shri A.S. Deshmukh, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 24.6.2022. The interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 93/2022  
(Vidya S. Sudane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri A.S. Deshmukh, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 24.6.2022. The interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 100/2022  
(Rakesh A. Salunke Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri V.B. Wagh, learned Counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has tendered across the bar affidavit in reply for respondent nos. 1 & 2. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 24.6.2022 for filing rejoinder, if any.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 237/2022**  
**(Vinayak U. Banchod Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri P.G. Tambde, learned counsel holding for Shri S.S. Jadhavar, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Await service.
3. S.O. to 24.6.2022.

**MEMBER (A)**

**MEMBER (J)**



**M.A. 273/2020 IN M.A. 344/2021 IN O.A. ST. 684/2020  
(Vasant B. Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri M.R. Kulkarni, learned Counsel for the applicant, Smt. M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent no. 4, are present.

2. S.O. to 16.6.2022.

**MEMBER (A)**

**MEMBER (J)**

**M.A. 27/2021 IN O.A. ST. 47/2021**  
**(Ramesh L. Kamble Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri Sajitkhan M. Pathan, learned Counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present.

2. Await service.
3. S.O. to 17.6.2022.

**MEMBER (A)**

**MEMBER (J)**

**M.A. 181/2021 IN O.A. ST. 1208/2020**  
**(Groundwater Engineers Association M.S. through its**  
**president Balasaheb D. Patil Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.4.2022**

**ORAL ORDER :**

Shri S.G. Kulkarni, learned counsel holding for Shri Ajay Deshpande, learned Counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 20.6.2022.

**MEMBER (A)**

**MEMBER (J)**

**M.A. 12/2022 IN O.A. ST. 1746/2021**  
**(Keshvrao W. Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri Shamsunder B. Patil, learned Counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing affidavit in reply of the respondents except respondent no. 5. Time granted.

3. S.O. to 20.6.2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.573 OF 2021**  
**(Ramesh M. Shirsth Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.04.2022**

**ORAL ORDER :**

Shri M.V. Thorat, learned Advocate for the applicant, is **absent**. Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 14.06.2022.

**MEMBER (J)**

SAS ORAL ORDERS 12.04.2022

**Date :12.04.2022**

**ORIGINAL APPLICATION NO.355 OF 2022  
(Basveshwar Jagannath Warad V/s The State  
of Maharashtra & Ors.)**

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

1. Shri P.P. Dama, learned Advocate for the applicant and Shri V.R. Bhumkar, ld. P.O. for the respondents, are present
2. Circulation is granted. Issue notices to the respondents, returnable on 07.06.2022. The case be listed for admission hearing on **07.06.2022**.
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 :12.04.2022**

**ORIGINAL APPLICATION NO.351 OF 2022**

**(Taher Ali Mohd. Ali Shah V/s The State of Maharashtra & Ors.)**

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

1. Shri M.R. Kulkarni, learned Advocate for the applicant and Shri M.P. Gude, Id. P.O. for the respondents, are present
2. Circulation is granted. Issue notices to the respondents, returnable on 07.06.2022. The case be listed for admission hearing on **07.06.2022**.
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**

**ORIGINAL APPLICATION NO. 276 OF 2022**  
**(Trupti K. Tayade Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.4.2022**

**ORAL ORDER :**

Shri D.B. Shinde, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. By consent of both the parties, S.O. to 4.5.2022.

**MEMBER (A)**

**MEMBER (J)**



**REV.NO. 2/2021 IN O.A.NO. 654/2018**  
**(Somnath B. Bagul & Ors. Vs. State of Maharashtra & Ors.)**

**WITH**

**REV.NO. 3/2021 IN O.A.NO. 653/2018**  
**(Gorakshanath N. Londhe & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.4.2022**

**ORAL ORDER :**

Shri Suresh D. Dhongde, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in both these cases, are present.

2. At the request of learned counsel for the applicants, S.O. to 10.6.2022.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 12.4.2022-HDD

**ORIGINAL APPLICATION NO. 736 OF 2012  
(Devidas R. Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
**AND**  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 12.4.2022

**ORAL ORDER :**

Shri Sudhir Patil, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 23.6.2022.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 198/2020 IN O.A.ST.NO. 667/2020  
(Pratibha G. Ahire Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri A.M. Hajare, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 16.6.2022.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 12.4.2022-HDD

**ORIGINAL APPLICATION NO. 818 OF 2019**  
**(Sonali P. Pansare Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.4.2022**

**ORAL ORDER :**

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 13.4.2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 412 OF 2021  
(Chetan K. Thakare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

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

3. List the matter for hearing on 22.6.2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 128 OF 2021  
(Pradeep M. Thakkarwad Vs. State of Maharashtra & Ors.)**

**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 12.4.2022

**ORAL ORDER :**

Shri Ganesh V. Mohekar, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has prayed for time by way of last chance to file affidavit in reply. Granted.

3. S.O. to 9.6.2022. It is clarified that if the reply is not submitted on or before the next date, the matter will be heard without reply.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 41 OF 2021  
(Bharat B. Sangale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri S.R. Kedar, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Learned counsel for the applicant opposes the request stating that due opportunities are already availed. In the interest of justice by way of last chance time is granted. It is clarified that if no reply is filed on or before the next date, the matter will be heard without reply.

3. S.O. to 10.6.2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 68 OF 2020  
(Shivaji S. Chemte Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri M.P. Gondle, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondents, is present.

2. When the present matter is taken up for consideration the applicant and his counsel are absent. The record shows that even on the previous occasion the applicant and his counsel both were absent. In the interest of justice, S.O. to 5.5.2022 by way of last chance.

**MEMBER (A)**

**MEMBER (J)**



**M.A.NO. 158/2022 IN O.A.ST.NO. 1221/2021  
(Azroddin Maheboob Pinjari Vs. State of Maha. & Ors.)**

**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 12.4.2022

**ORAL ORDER :**

Heard Shri Pindgaonkar, learned counsel holding for Shri N.L. Choudhary, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in delay condonation application, returnable on 13.6.2022.
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. Applicants are directed to file affidavit of compliance and notice.
7. S.O. to 13.6.2022.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 166 OF 2022**  
**(Dharamsing V. Singal Vs. State of Maharashtra & Ors.)**

**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
**AND**  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 12.4.2022

**ORAL ORDER :**

Shri V.M. Chate, learned counsel for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.

2. Since none appears for the applicant, S.O. to 28.4.2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 189 OF 2022**  
**(Sangita D. Mundage Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.4.2022**

**ORAL ORDER :**

Shri R.S. Patil, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. Since none appears for the applicant, S.O. to 2.5.2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 334 OF 2022  
(Gajendra T. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 12.4.2022**

**ORAL ORDER :**

Shri S.R. Patil, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. At the request of learned Chief Presenting Officer, S.O. to 13.4.2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 139 OF 2020  
(Shravan P. Pawara Vs. State of Maharashtra & Ors.)**

**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
**AND**  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 12.4.2022

**ORAL ORDER :**

Shri Chaitanya C. Deshpande, learned counsel for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.

2. In the present matter on the previous date the following order was passed :-

*“2. Since none appears for the applicant, S.O. to 12.4.2022.”*

3. Previous to the said date the matter was on board of 17.3.2020 and on that date also no one has caused appearance for the applicant and hence, the following order was passed: -

*“2. Since nobody appears for the applicant, S.O. to 01.04.2020 for passing necessary order.”*

4. Today also no one has caused appearance on behalf of the applicant in the matter. In the interest of justice, S.O. to 20.4.2022 by way of last chance. It is clarified that if the matter is not proceeded further, the same shall be dismissed for want of prosecution on the given date.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 340 OF 2019**  
**(Dr. Kishor Shrimant Ubale Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.4.2022**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. In view of the decision rendered today i.e. on 12.4.2022 in the O.A. No. 339/2019, learned counsel on instructions submits that the applicant is not pressing the present O.A. and, therefore, he submits that the same may kindly be disposed of.

3. In view of the above, the present O.A. stands disposed of being not pressed without any order as to costs.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 339 OF 2019**  
**(Dr. Kishor Shrimant Ubale Vs. State of Maharashtra & Ors.)**

**CORAM :** **Hon'ble Justice Shri P.R. Bora, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE :** **12.4.2022**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. The facts involved in the present Original Application stated in brief are thus: -

Respondent No. 2 i.e. the Maharashtra Public Service Commission had published an advertisement No. 4/2016 dated 22.1.2016 for the post of Sales Tax Inspector. The preliminary examination for the said post was conducted on 19.6.2016 at all 37 Centers of Maharashtra and the results of the preliminary examination 2015 were declared on 28.9.2016. The applicant secured required marks in the said preliminary examination to qualify for appearing in the next i.e. for final examination. The main examinations were held on 1.10.2016 and the results were declared on 8.3.2017. The cut-off marks were prescribed as 111. The applicant duly scored the said marks. The applicant was, therefore, qualified to be considered for the appointment. The applicant was seeking the benefit available for the

persons having disability, he was having disability of Low Vision. After having secured cut-off marks in the main examination the applicant's name was included in the waiting list candidates. Subsequently, on 11.9.2017 the applicant was provided recommendation letter for the post of Sales Tax Inspector. The G.S.T Office Mazgaon then issued the letter to the applicant for the purpose of document verifications, which was to be conducted on 5.12.2017. The applicant appeared at the G.S.T. Office at Mazgaon for the said purpose i.e. for the purpose of verification of documents. The applicant was thereafter directed to appear before the board of Referees – Sir J.J. Hospital at Mumbai. After receiving the said letter the applicant filed the present O.A. at Principal Seat of this Tribunal at Mumbai. It was his contention that when he was holding a valid certificate issued by the competent board in accordance with the provisions of Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act, 1995 and rules thereunder and when there are circulars in existence precluding the re-verification of the disability certificate issued by the competent authority, the respondents could not have directed the applicant to appear before the board of referees-Sir J.J. Hospital, Mumbai. However, by way of abundant precaution the applicant appeared before the board of referees as was directed and the said board has certified the percentage of the disability of the applicant to



the extent of 30%. The respondents after having received the said certificate declared the applicant to be unfit to be appointed from the quota meant for the disable persons. The applicant, therefore, amended the OA and has challenged the said order also.

3. Shri Avinash S. Deshmuh, learned counsel appearing for the applicant assailed the impugned order on various grounds. He submitted that the Competent Medical Board at Government Medical College & Hospital at Aurangabad on 8.10.2008 had issued the disability certificate certifying percentage of disability in case of the applicant to be 40%. He further submitted that Section 4 of the 'Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act, 1995' provides that the disability certificate shall be issued by Medical Board duly constituted by the State Government. He submitted that the respondents have not disputed that the certificate placed on record by the applicant at page-47 of the compilation has been issued by the Medical Board duly constituted by the State Government. He thereafter referred to Office Memorandum dated 29.12.2005 issued by the Ministry of Personnel, Public Grievances and Pensions, Department of Personnel & Training Government of India, wherein the consolidated instructions are provided on the subject of reservation for the persons with disability. He invited our attention to clause No. 10 of the said Office

Memorandum, which provides that the competent authority to issue Disability Certificate shall be a Medical Board duly constituted by the Central or State Government, which further provides that Central or State Government may constitute Medical Board consisting of at least three members out of which at least one shall be a specialist in the particular field for assessing locomotor / cerebral / visual / hearing disability; as the case may be. He submitted that the Medical Board which certified the disability of the applicant to be 40% was consisting of specialist i.e. District Ophthalmic Surgeon.

4. Learned counsel further submitted that the Government of Maharashtra has issued a circular dated 16.5.2009 providing therein that the disability certificate issued by the District Civil Surgeon shall be held valid for all Government facilities and concessions and there shall not be verification of the certificate so issued by the District Civil Surgeon. He submitted that the said circular further specifically provides that before issuing order of appointment in favour of person with disability he may be physically examined and the board appointed for the said purpose shall on his physically examination certify whether he would be able to perform the duties of the post on which he is going to be appointed, however, verification of the disability certificate is not expected at the said time. He also referred to one more circular issued by the State

Government on 14.1.2011. He more particularly referred to clause Nos. 5 & 6 of the said circular to support his contention that a person with disability if selected for any appointment under the State Government, his physical examination shall be conducted as if he is a general candidate and at the said stage it is impermissible to raise any issue about the validity of the disability certificate held by the said person. He submitted that in view of the provisions under the Act of 1995 and two circulars referred to by him it was impermissible for the respondents to indulge in directing verification of the disability certificate possessed by the applicant.

5. The learned counsel further submitted that by "SADM" (Software For Assessment of Disability, Maharashtra) method the Competent Board has assessed the disability of the applicant to be 40%. He further submitted that the act of the respondents to direct the applicant to appear before the referee board at Sir J.J. Hospital, Mumbai was illegal, without having any authority and against the provisions of the Act and the circulars issued by the State Government. He further submitted that when the applicant was possessing the disability certificate issued in his favour by the Competent Medical Board there was no propriety in asking the applicant to appear before the J.J. Medical Board. He referred to and relied upon the judgment delivered by the Hon'ble Division Bench of the

Bombay High Court Bench at Aurangabad in W.P. No. 3972/2015 (Maheshkumar S/o. Balasaheb Naik Vs. State of Maharashtra & Others) decided on 21.9.2015 and submitted that similar issue was raised in the matter before the Hon'ble Division Bench. He submitted that in the said judgment the Hon'ble Division Bench has referred to Government Circular dated 14.1.2011 and has recorded a finding that the directions given by the respondents in the said W.P. asking the petitioner of the said W.P. of his reexamination and asking a fresh Medical Certificate from him were without any legal basis.

6. The learned counsel further submitted that the respondents though have raised contention that there was complaint that the applicant has obtained false disability certificate, the copy of the said complaint is not placed on record by the respondents. He submitted that as is revealing from the letter dated 29.1.2018 under the signature of Deputy Secretary, M.P.S.C. written to the Principal Secretary, Finance, the complaint against the applicant was that without there being SADM certificate with the applicant he has produced false documents pertaining to the disability. He submitted that the applicant has very well produced on record SADM certificate also which falsifies the complaint against the applicant. He submitted that the respondents have illegally declared the applicant ineligible for his appointment on the

post of Sales Tax Inspector. He, therefore, prayed to quash and set aside letter dated 27.4.2018. He also prayed for the directions against the respondents to issue the appointment in his favour.

7. Respondent No. 1 only has filed the affidavit in reply. In the said affidavit in reply respondent No. 1 has admitted that MPSC has recommended the name of the applicant who was in the waiting list and accordingly he was called for scrutiny and the verification of the original documents on 5.12.2017. It is further contended that on 4.12.2017 a letter was received from the Government regarding the complaint received against the applicant alleging therein that disability certificate possessed by the applicant is forged one. It is further contended that, that was the reason that the applicant was asked to appear before the medical referee board J.J. Hospital at Mumbai. It is further contended that the referral board certified the percentage of disability of the applicant as 30%. It is further contended that as per the G.R. dated 6.10.2012, to be eligible for the benefits under physically handicapped quota, the candidate must be having minimum 40% of disability. According to the respondents, the applicant was, therefore, not appointed though was recommended by the MPSC. According to the respondent No. 1, no illegality has been committed in rejecting name of the applicant for his

appointment on the post reserved for physically handicapped person.

8. Learned Presenting Officer reiterated the contentions raised in the affidavit in reply filed by the respondent No. 1 in his arguments and prayed for dismissal of the O.A. being devoid of any merit.

9. We have carefully considered the submissions advanced by the learned counsel for the applicant and the learned Presenting Officer. We have also gone through the pleadings of the parties and the documents filed on record. It is not in dispute that MPSC has recommended name of the present applicant from the quota of physically handicapped persons. It is further not in dispute that the applicant was selected on the post reserved for the persons falling in 'Low Vision' category. As is revealing from the pleadings of the parties, name of 5 candidates were recommended by MPSC, who were falling in the category of the persons having disability. It is also not in dispute that except the present applicant, other 4 persons were asked to undergo physical examination so as to confirm whether they were able to work on the post on which their appointment was made, but their disability certificates were not questioned and no verification was sought for the said certificates. It was only the applicant, who was asked to appear before the referral board of J.J. Hospital at Mumbai.

10. The reason as is revealing from the affidavit in reply filed on behalf of the respondent No. 1 is that the complaint was received against the applicant alleging that the disability certificate possessed by him was forged one. Respondent No. 1 has annexed the relevant documents along with his affidavit in reply. The said documents revealed that one D.R. Gaikwad had made complaint with MPSC on 12.12.2017 that the applicant has filed false disability certificate. The copy of the said letter dated 12.12.2017 allegedly written by said D.R. Gaikwad has not been placed on record. In fact, the respondents must have filed the said letter on record. The letter dated 29.1.2018 written by the Deputy Secretary of MPSC to the Principal Secretary, Finance (ADM-2) of the State Government is filed on record. In the said letter it is stated that the complaint is received against the applicant that without there being SADM certificate in his possession the applicant has filed the false disability certificate. From the documents filed on record, it has become clear that the allegation against the applicant that he has submitted false disability certificate was based on the ground that he was not holding SADM certificate. The applicant has placed on record the SADM certificate at Annexure 'A-4' along with his rejoinder affidavit. The SADM certificate filed by the applicant is dated 8.3.2017, wherein the percentage of disability possessed by the applicant is assessed to be 40%. The

SADM certificate placed on record by the applicant has not been disputed by the respondents.

11. Learned counsel for the applicant submitted that SADM method of assessing disability has been introduced sometimes in the year 2012. According to the learned counsel, the applicant was obviously, therefore, not holding the said certificate when he was issued the disability certificate by the Medical Board of Government Medical College and Hospital at Aurangabad. Learned counsel for the applicant has placed on record the general instructions for the candidates appearing for the competitive examination, the clause 2.2.5.2 of which reveals that vide G.R. dated 6.10.2012 the Government has made it compulsory to file on record a disability certificate issued by SADM method. The learned counsel submitted that the Government had taken the said decision with an intention that there should not be any manipulation in obtaining the disability certificates and to have accurate assessment of the percentage of the disability, the SADM method has been introduced. Learned counsel submitted that the applicant has produced on record the disability certificate issued in his favour by SADM method certifying percentage of disability held by him as 40%.

12. It appears to us that when there was a complaint against the applicant that the disability certificate



submitted by him is false or forged one the course which the respondents were expected to adopt was to verify whether the certificate produced on record by the applicant was in fact issued by the medical board of Government Medical College and Hospital, Aurangabad. The genuineness of the said certificate could have been ascertained by the respondents by forwarding the said certificate to the said board. However, instead of following the said course the respondents asked the applicant to appear before the referral board at J.J. Hospital, Mumbai. The circular dated 16.5.2009 issued by the Social Justice Department of the State is filed on record by the applicant. We deem it appropriate to reproduce the said circular as it is in vernacular.

“राज्यातील अपंग व्यक्तींना अपंगत्वाचे फायदे घेण्यासाठी आवश्यक असलेले अपंगत्वाचे वैद्यकीय प्रमाणपत्र निर्गमित करणेबाबत...

महाराष्ट्र शासन

सामाजिक न्याय व विशेष सहाय्य विभाग  
शासन परिपत्रक क्र.अपंग २००९/प्र.क.५९/सुधार-३  
मंत्रालय विस्तार भवन, मुंबई - ४०० ०३२  
दिनांक १६ मे २००९

- वाचा:- १) शासन परिपत्रक सामान्य प्रशासन विभाग क्र.अपंग १००३/प्र.क. १२७/ २००३/१६-इ, दिनांक ६-५-२०१४  
२) आयुक्त अपंग कल्याण यांचे पत्र क्र.अकअ/प्र.क. ७/वेतनश्रेणी/देशमुख/२००८-०९/३९, दिनांक ९-४-२००९

परिपत्रक

राज्यातील अपंग व्यक्तींना राज्य शासनाच्या सोयी सवलतीचा लाभ घेण्यासाठी व अपंग व्यक्ती (समान संधी हक्काचे संरक्षण व संपुर्ण सहभाग) अधिनियम १९९५ अन्वये अपंगत्वाचे लाभ घेण्यासाठी महासंचालक, आरोग्य सेवा, मुंबई यांनी दिनांक ३०-८-२००४ अन्वये जिल्हा शल्य चिकित्सक यांचे अध्यक्षतेखाली वैद्यकीय मंडळाची नियुक्ती करून सदर मंडळाला अपंगत्वाचे प्रमाणपत्र देण्यासाठी वैद्यकीय प्राधिकारी घोषित केले आहे.

२. जिल्हा शल्य चिकित्सकांनी दिलेले अपंगत्वाचे वैद्यकीय प्रमाणपत्र हे सर्व शासकीय सोयी सवलतीसाठी ग्राह्य असून सदर प्रमाणपत्राची पडताळणी करण्याची आवश्यकता नाही. त्यामुळे जिल्हा शल्य चिकित्सकांनी दिलेले अपंगत्वाचे वैद्यकीय प्रमाणपत्राची पडताळणी करण्याचा आग्रह कोणत्याही प्राधिका-याने करू नये. मात्र अपंग उमेदवारांना सेवेत नियुक्ती देण्यापूर्वी शासनाने नियुक्त केलेल्या तज्ञ वैद्यकीय मंडळाने तो उमेदवार संबंधित पदावर काम करू शकेल असे प्रमाणपत्र दिल्यानंतरच त्याची नियुक्ती करावी. थोडक्यात संबंधित उमेदवाराची शारीरिक तपासणी करणे अनिवार्य राहिल. तथापि वैद्यकीय प्रमाणपत्राची पडताळणी करणे अभिप्रेत नाही.

३. शंकास्पद प्रकरणी अथवा प्राप्त तक्रारीच्या अनुषंगाने सदर प्रमाणपत्र जिल्हा शल्य चिकित्सकांनी निर्गमित केलेले आहे किंवा कसे, याबाबतची शहानिशा करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने.

सही/-

(एन.आरुमुगम)

सचिव, महाराष्ट्र शासन

प्रति,

सर्व मंत्रालयीन विभाग

सर्व जिल्हाधिकारी

सर्व मुख्य कार्यकारी अधिकारी जिल्हा परिषद

सर्व आयुक्त, महानगरपालिका

सर्व जिल्हा शल्य चिकित्सक अधिकारी

निवडनस्ती का.सुधार-३”

13. The plain reading of the aforesaid circular reveals that the disability certificate issued by the District Civil Surgeon shall be held valid for the purpose of securing appointment on the post reserved for the physically handicapped persons and the appointing authority before issuing the appointment to a handicapped person can only ascertain his suitability to work on the post on which the appointment is given to the said person by referring such candidate for his physical examination, but the said candidate shall not be insisted for verification of his disability certificate.

14. The Government Circular dated 14.1.2011 is also material for deciding the controversy arose in the present matter. Clause Nos. 5 & 6 thereof are relevant. We reproduce the said clauses as it is in vernacular. They read thus: -

“5. अपंग आरक्षणाचा फायदा घेउन सदर प्रवर्गात निवड झालेल्या अपंग उमेदवारांची नियुक्तीपूर्वी वैद्यकीय तपासणी करताना नियुक्ती प्राधिका-याने संबंधीत वैद्यकीय आधिका-याला पत्राद्वारे स्पष्ट सुचना द्यावी की, सदर उमेदवाराची निवड अपंग आरक्षणाद्वारे अपंगाच्या अंध/अस्थिव्यंग/मुकबधिर प्रवर्गात झालेली आहे व त्या अनुषंगाने सदर उमेदवारांची वैद्यकीय तपासणी सर्वसाधारण निवड झालेल्या उमेदवारासारखीच करण्यात यावी. सदर उमेदवाराच्या अपंग प्रमाणपत्राच्या किंवा त्याच्या अपंगत्वाबाबत मुद्दे उपस्थित करू नयेत. शासनाने निर्धारित केलेल्या प्रमाणपत्रात नमूद केलेल्या सर्व बाबी तपशिलवार तपासून दिल्यास नियुक्ती प्राधिकारी सदर व्यक्ती अपंग आरक्षणास पात्र आहे किंवा नाही याबाबत निर्णय घेईल.

६. यापूर्वी अपंग व्यक्तींना देण्यात आलेले अपंगत्वाचे प्रमाणपत्र, अपंग आरक्षण व अन्य बाबींसाठी ग्राह्य धरण्यात यावे. मात्र त्याचे

*नूतनीकरण करताना/गहाळ झाल्यानंतर नवीन निर्गमित करताना नवीन विहित नमुन्यातच देण्यात यावे.”*

15. The instructions in the aforesaid clauses are quite unambiguous. It is stated that while asking physically handicapped candidate, who has been recommended for his appointment for his physical examination before his appointment, his appointing authority shall give explicit directions to the Medical Officer that the said candidate has been selected from the category of physically handicapped persons but his physical examination shall be conducted alike other normal candidates and further that no issue shall be raised as about the disability certificate held by the said candidate or the disability incurred by the said candidate. It is evident that for avoiding embarrassment likely to be caused to a handicapped person, such provision is made vide the aforesaid circular. In the present matter the respondents have, however, acted contrary to the said circular.

16. Under Section 4 of the Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act, 1995, the disability certificate shall be issued by a Medical Board duly constituted by the State Government. The applicant has placed on record the disability certificate issued in his favour by the Board in Government Medical College and Hospital, Aurangabad.

The applicant has also placed on record the disability certificate issued by the District Ophthalmic Surgeon., Civil Hospital, Aurangabad dated 11.7.2006. In both these certificates the disability of the applicant is assessed to 40%. As referred herein above the certificate obtained by SADM method also prescribes the disability of the applicant as 40%.

17. Learned counsel appearing for the applicant has referred to and relied upon the judgment delivered by the Hon'ble Division Bench of the Bombay High Court Bench at Aurangabad in W.P. No. 397/2015. In the said petition the petitioner therein had taken an exception to the letter dated 3.1.2015 written by the Chief Executive Officer, Zilla Parishad, Ahmednagar to the Dean Medical Board, Sasun Hospital, Pune, for physical examination and verification of the disability certificate possessed by the said petitioner. The Hon'ble Division Bench after having considered the facts involved in the said matter was pleased to turn down the said letter by observing that letter so issued was contrary to the spirit of the provisions of the Act of 1995 and the Government Resolution, as well as, the Circulars issued in that regard. The Hon'ble Division Bench has specifically referred to the Circular dated 14.1.2011 and the clause 5 thereof which we have reproduced hereinabove.

18. In the present matter also it appears to us that when the applicant was duly possessing the disability certificate issued by the competent authority i.e. Medical Board and was also possessing SADM certificate certifying the disability to the same extent and also there was one more certificate issued by the District Ophthalmic Surgeon again certifying the disability to the same extent of 40%, respondent No. 1 shall not have asked the applicant to appear before the board of referee J.J. Hospital at Mumbai as held by the Hon'ble Division Bench in the aforesaid WP (cited supra). The direction given by the respondent No. 1 was without any legal basis and cannot be sustained. Consequently, the final action of the respondent No. 1 to declare the applicant ineligible for appointment on the post of Sales Tax Inspector communicated to the applicant vide letter dated 27.4.2018 also cannot be sustained. For the reasons stated above, the following order is passed: -

**ORDER**

- (i) The decision dated 27.4.2018 communicated to the applicant by respondent No. 1 declaring the applicant unfit for appointment on the post of Sales Tax Inspector is quashed and set aside.
- (ii) Respondent No. 1 shall consider the applicant for his appointment as per the recommendations of MPSC within 8

weeks from the date of this order. It would be open for respondent No. 1 to refer for his medical examination only for testing his suitability to work on the post of appointment but not for verification of his disability certificate.

(iii) The Original Application stands disposed of with the directions as above however, without any order as to costs.

**MEMBER (A)**

**MEMBER (J)**