

M.A. NO. 188/2023 IN M.A. NO. 343/2021 IN O.A. NO. 892/2017
(Bhanudas Watane Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 12.04.2024

ORAL ORDER :

Shri A.D. Gadekar, learned counsel holding for Shri V.G. Pingle, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 7.5.2024. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ARJ ORAL ORDER 12.04.2024

M.A. NO. 336/2023 IN O.A. NO. 185/2021
(Subhash Khote Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 12.04.2024

ORAL ORDER :

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

2. The learned Presenting Officer has tendered affidavit in reply on behalf of respondents in M.A. Same is taken on record and copy thereof has been supplied to other side.

3. S.O. to 30.4.2024 for filing rejoinder affidavit, if any, by the applicant.

VICE CHAIRMAN

ARJ ORAL ORDER 12.04.2024

M.A. NO. 496/2023 IN O.A. NO. 222/2023
(Vijay U. Awadhane & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 12.04.2024

ORAL ORDER :

Shri S.G. Kulkarni, learned counsel holding for Shri Ajay Deshpande, learned counsel for the applicants and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 6.5.2024. Till then the interim arrangement shall continue.

VICE CHAIRMAN

ARJ ORAL ORDER 12.04.2024

M.A. NO. 504/2023 IN O.A. NO. 579/2021
(Sunanda P. Khobragade Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 12.04.2024

ORAL ORDER :

Shri G.R. Ladhay, learned counsel holding for Shri A.S. Shelke, learned counsel for the applicant in M.A., Shri V.R. Bhumkar, learned Chief Presenting Officer for the respondent authorities and Shri S.G. Kulkarni, learned counsel holding for Shri Ajay Deshpande, learned counsel for the applicant in O.A., are present.

2. S.O. to 30.4.2024. The interim relief granted earlier in O.A. to continue till then.

VICE CHAIRMAN

ARJ ORAL ORDER 12.04.2024

ORIGINAL APPLICATION NO. 339/2021
(Arun S. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 12.04.2024

ORAL ORDER :

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

2. S.O. to 8.5.2024. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ARJ ORAL ORDER 12.04.2024

ORIGINAL APPLICATION NO. 694/2021
(Avinash G. Chonde Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 12.04.2024

ORAL ORDER :

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

2. S.O. to 8.5.2024. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ARJ ORAL ORDER 12.04.2024

ORIGINAL APPLICATION NO. 208/2023
(Suryabhan E. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 12.04.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 6.5.2024. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ARJ ORAL ORDER 12.04.2024

ORIGINAL APPLICATION NO. 548 OF 2022
(Dilip R. Bari Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Heard Shri Avinash Deshmukh, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities at length.

2. Learned counsel for the applicant has pointed out that though by order dated 13.10.2016 the applicant was given promotion as Naib Tahsildar on ad-hoc basis, however by order dated 10.08.2020 the applicant came to be transferred from the post of Naib Tahsildar, Bhusawal to Resident Naib Tahsildar, Jalgaon for the reason that he has completed his three years tenure. Learned counsel submits that considering the tenor of the said order dated 10.08.2020, in fact the applicant's promotion considered as on regular basis and he has been transferred to Jalgaon on completion of his tenure. Learned counsel submits that by order dated 24.06.2020 the applicant came to be transferred from Jalgaon to Malegaon, Dist. Nashik on administrative grounds. Learned counsel has

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pointed out that the respondent Nos.1 & 2 have filed joint affidavit in reply, wherein they have considered the impugned order as transfer order of the applicant, may be on the basis of the proposal submitted by the respondent No. 3 to 2 and onward transmission to respondent No. 1. On the other hand the respondent No. 3 i.e. the Collector, Jalgaon has filed affidavit in reply, wherein it is stated that the impugned order is about the regularization of the promotion and the applicant has been given the posting at Malegaon, Dist. Nashik, since the Departmental Enquiry was initiated against him and it was pending.

3. Learned Chief Presenting Officer as directed by this Tribunal has shown this Tribunal record and proceedings and on perusal of the same, I find that in the meeting of the Civil Services Board dated 31.05.2022, there are no reasons mentioned as against the transfer of the applicant specifically in terms of the allegations made against him and the Departmental Enquiry came to be initiated against the applicant.

4. Learned counsel for the applicant submits that in view of the contradictory affidavits in reply on

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behalf of respondent Nos. 1 and 2 on one side and respondent No. 3 on the other hand and in the minutes of the Civil Services Board there is no reference with the special reasons transferring the applicant from Jalgaon to Malegaon, Dist. Nashik, the impugned order has been stayed by this Tribunal by order dated 29.06.2022. Learned counsel submits that the applicant is suffering from physical deformity of 51% and the applicant is going to be retired in the month of April 2025.

5. Thus considering the entire aspect of the case,

Admit.

6. Interim relief by way of order dated 29.06.2022 stands continue till disposal of the present Original Application

7. Learned C.P.O. waives notices for all the respondents on admission.

8. S.O. to 26.07.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 908 OF 2024
(Indurao B. Sarode Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Heard Shri Avinash Khedkar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions from the applicant submits that the applicant has already filed representation before the Divisional Commissioner (Revenue), Aurangabad against the order of suspension and the same is still pending. Learned counsel submits that the said Divisional Commissioner (Revenue) is the appellate authority. Learned counsel submits that the said representation submitted by the applicant may be treated as an appeal and the Divisional Commissioner (Revenue) may be directed to decide the said representation / appeal as expeditiously as possible.

3. In the light of the office objection raised in this regard, learned counsel for the applicant has made

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O.A. St. No. 908/2024

the aforesaid submissions. However, the Divisional Commissioner (Revenue), Aurangabad is not impleaded as party respondent to the present Original Application.

4. In view of above, the applicant may file an appeal in proper format before the appropriate appellate authority and in the event of filing of the appeal before the appropriate authority; the appellate authority may decide the said appeal as expeditiously as possible. It is needless to say that in case any adverse order is passed, the applicant would be at liberty to approach this Tribunal again. The Original Application accordingly disposed of. No order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 311 OF 2024
(Dr. Namdev V. Korde Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri A.V. Thombre, learned counsel for respondent No. 5, are present. Shri S.B. Gute, learned counsel for respondent No. 4, is **absent**.

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

3. S.O. to 19.04.2024. Status quo granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 290 OF 2024
(Asha B. Garud Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 19.04.2024. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDER 12.04.2024

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

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

DATE : 12.04.2024

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 27.06.2024 for final hearing.

MEMBER (J)

T.A. No. 08/2024 (W.P. No. 693/2024)
(Bhimrao K. More Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

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

2. Learned Presenting Officer submits that during the course of the day affidavit in reply on behalf of respondent Nos. 3 & 4 will be filed.

3. List the matter for filing rejoinder affidavit, if any and for admission hearing on 25.06.2024.

MEMBER (J)

KPB ORAL ORDER 12.04.2024

ORIGINAL APPLICATION NO. 708 OF 2023
(Kapurchand F. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

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

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

3. S.O. to 24.06.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 665 OF 2023
(Suhas J. Mandlik Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Shri M.R. Kulkarni, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 19.04.2024 for filing affidavit in reply on behalf of respondents.

MEMBER (J)

KPB ORAL ORDER 12.04.2024

ORIGINAL APPLICATION NO. 353 OF 2024
(Atmaram L. Bondre Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, Shri Pradeep Shahane, learned counsel for respondent No. 2 and Shri A.B. Rajkar, learned counsel for respondent No. 4, are present.

2. Learned counsel for respondent No. 2 submits affidavit in reply. Same is taken on record and copy thereof is given to other side.

3. At the request of learned Presenting Officer and learned counsel for respondent No. 4, time is granted for filing affidavit in reply.

4. S.O. to 24.04.2024. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 763 OF 2022
(Shivram N. Dhapate Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Shri P.M. Shinde, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 09.05.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 12.04.2024

ORIGINAL APPLICATION NO. 1097 OF 2023
(Balchandra D. Tejinkar Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Shri Avinash Deshmukh, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 and 2. Same is taken on record and copy thereof is given to other side.

3. List the matter for filing rejoinder affidavit, if any and for admission hearing on 24.06.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 109 OF 2024
(Kisan R. Gawali Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Shri V.S. Panpatte, learned counsel for the applicant and Shri Rakesh Jain, learned counsel for respondent Nos. 5 to 7, are **absent**. Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 2. Same is taken on record along with spare copy for the other side.

3. At the request of learned Presenting Officer, S.O. to 26.06.2024 for filing affidavit in reply on behalf of respondent No. 1.

MEMBER (J)

ORIGINAL APPLICATION NO. 173 OF 2024
(Ravindranath S. Deepak Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

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

2. Learned Presenting Officer submits affidavit in reply on respondent No. 3. Same is taken on record along with spare copy for the applicant. Learned P.O. on instructions submits that the other respondents are adopting the affidavit in reply filed on behalf of respondent No. 3.

3. List the matter for filing rejoinder, if any and for admission hearing on 24.04.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 699 OF 2023
(Abhimanyu V. Khade Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

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

2. Learned Presenting Officer submits affidavit in reply on respondent No. 3. Same is taken on record along with spare copy for the applicant. Learned P.O. on instructions submits that the other respondents are adopting the affidavit in reply filed on behalf of respondent No. 3.

3. List the matter for filing rejoinder, if any and for admission hearing on 24.04.2024.

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 356 OF 2024
(Dattatraya M. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 19.04.2024 for filing application for condonation of delay.

MEMBER (J)

KPB ORAL ORDER 12.04.2024

ORIGINAL APPLICATION NO. 278 OF 2024
(Chandrakant N. Hajari Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 15.04.2024 for hearing in **urgent admission category**.

MEMBER (J)

M.A. St. No. 438/2024 in O.A. No. 118/2024
(Balaji N. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Shri V.M. Maney, learned counsel for the applicant in the present M.A. / intervenor, Shri Avinash Deshmukh, learned counsel for the applicant in O.A. and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant in O.A. submits rejoinder affidavit. Same is taken on record and copy thereof is already given to learned P.O. and learned counsel for intervenor.

3. Learned counsel for intervenor seeks time to go through the rejoinder affidavit. Time granted.

4. At the request of learned counsel for intervenor, S.O. to 18.04.2024. Interim relief granted earlier in O.A., if any to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 232 OF 2023
(Anjali B. Narhare Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Heard Shri K.B. Bhise, learned counsel holding for Shri V.D. Gunale, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri K.P. Rodge, learned counsel for respondent No. 3.

2. The present matter is reserved for orders.

MEMBER (J)

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

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

DATE : 12.04.2024

ORAL ORDER :

Heard Shri P.G. Rodge, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri S.M. Kamble, learned counsel for respondent No. 4

2. It is a part heard matter. By consent, S.O. to 15.04.2024 for further hearing.

MEMBER (J)

KPB ORAL ORDER 12.04.2024

ORIGINAL APPLICATION NO. 188 OF 2022
(Gorakh M. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Shri G.L. Awale, learned counsel for the applicant (**Absent**). Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 03.07.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 12.04.2024

ORIGINAL APPLICATION NO. 596 OF 2022
(Kantabai B. Phad Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Shri M.U. Shelke, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri M.L. Paithane, learned counsel holding for Shri M.A. Golegaonkar, learned counsel for respondent No. 5, are present.

2. By consent, S.O. to 25.04.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 79 OF 2023
(Satish S. Gungale Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

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

2. Learned counsel for the applicant submits that in light of the affidavit in reply filed on behalf of respondent Nos. 2 and 3 particularly Annexure R-3 collectively, it is necessary for the applicant to challenge the said order dated 01.02.2019 by way of amending the Original Application so also prayer clause. Learned counsel thus seeks time to file appropriate application seeking amendment. Time granted.

3. S.O. to 07.05.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 110 OF 2023
(Balkrushna S. Lanjewar Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present. Shri R.T. Deshmukh, learned counsel for respondent No. 5, is **absent**.

2. At the request of learned counsel for the applicant, S.O. to 20.06.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 125 OF 2023
(Milind D. Shah Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 20.06.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 12.04.2024

ORIGINAL APPLICATION NO. 511 OF 2023
(Shankar W. Kale Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Heard Shri O.D. Mane, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer submits that the affidavit in reply of respondent No. 1 is necessary, for which the learned counsel for the applicant has also agreed.

3. Learned Presenting Officer is directed to keep respondent No. 1 or his authorized representative present in person on the next date of hearing with the explanation as to why the affidavit in reply has not been filed despite communications from the office of CPO in this regard.

4. S.O. to 09.05.2024 for hearing.

MEMBER (J)

Later on :-

5. Learned Presenting Officer submits that already instructions have been received from the

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O.A. No. 511/2023

respondent No. 1, however, inadvertently the learned P.O. didn't notice the same. Learned P.O. has assured this Tribunal that the affidavit in reply will be filed on behalf of respondent No. 1 on the next date of hearing.

6. In view of above submissions, it is not necessary to keep respondent No. 1 or his authorized representative present in person on the next date of hearing, nor any explanation is needed from him.

7. S.O. to 09.05.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 545 OF 2023
(Vaishali A. Salve Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 16.04.2024 for taking instructions in terms of the order dated 15.03.2024. Interim relief granted earlier to continue till then.

MEMBER (J)

O.A. No. 586/2023 with O.A. No. 618/2023
(Umesh R. Kavle & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicants in both the O.As. and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in both the O.As., are present.

2. At the request of learned counsel for the applicants, S.O. to 24.04.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 12.04.2024

ORIGINAL APPLICATION NO. 502 OF 2017
(Public Prosecutors Association Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

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

2. S.O. to 24.06.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 597 OF 2020
(Amol S. Shidore Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Shri S.R. Andhale, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 10.06.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 51 OF 2021
(Devidas F. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

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

2. As none present for the applicant, S.O. to 27.06.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 114 OF 2022
(Dr. Bhausaheb S. Randhe Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present. Shri U.S. Mote, learned counsel for respondent No. 3, is **absent**.

2. At the request of learned counsel for the applicant, S.O. to 07.05.2024 for final hearing.

MEMBER (J)

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

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

DATE : 12.04.2024

ORAL ORDER :

Shri Ajinkya Mirajgaonkar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present. Shri Amit Savale, learned counsel for respondent No. 2, is **absent**.

2. At the request of learned Presenting Officer, S.O. to 25.04.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 12.04.2024

ORIGINAL APPLICATION NO. 274 OF 2022
(Vajnath P. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

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

2. S.O. to 07.05.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 402 OF 2022
(Maroti C. Panchal Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

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

2. S.O. to 07.05.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 12.04.2024

O.A. Nos. 324, 325, 326, 327, 328, 329 & 330 all of 2024

(Dr. Manohar T. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicants in all these O.As. and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. Learned counsel for the applicants submits rejoinder affidavit in all these O.As. except O.A. No. 324/2024. Same is taken on record and copy thereof is given to other side.

3. At the request of learned counsel for the applicants, time is granted for filing rejoinder affidavit in O.A. No. 324/2024.

4. Pleadings completed. List the matters for admission hearing on 19.04.2024. Status quo granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 498 OF 2023
(Ratnakala M. Mohite Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Heard Shri Avinash Deshmukh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer submits that in compliance with the order dated 01.04.2024, Dr. Ramtake, Dy. Director of Health Services, Chhatrapati Sambhajnagar and Dr. Santosh Kadle, Principal, HFWTC, Ch. Sambhajnagar, are present today in person along with record.

3. By order dated 10.04.2024, the respondent No. 4 i.e. the Principal, Health & Family Welfare Training Centre, Aurangabad has completed the exercise of pay fixation of the applicant. Learned counsel for the applicant submits that the applicant has some grievance about the same including the grievance that though the proposal has been submitted to the office of respondent No. 2 i.e. the Director, Commissionerate of Health Services, Mumbai and

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O.A. No. 498/2023

the said order dated 10.04.2024 is now placed before this Tribunal which has been passed by respondent No. 4. Learned counsel submits that may be as it is, however though the applicant came to be retired way back in the year 2021, neither provisional pension has been granted to the applicant nor other pensionary benefits except GPF and GIS have been paid to her.

4. Learned Presenting Officer on instructions from the officers, who are present before this Tribunal submits that the said pay fixation by communication dated 10.04.2024 has been forwarded to the Joint Director, Commissionerate of Health Services, Mumbai for approval and the approval is yet not received. Learned Presenting Officer undertakes to take specific instructions from the office of respondent No. 2 in this regard and make appropriate submissions on the next date of hearing.

5. S.O. to 15.04.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 123 OF 2024
(Dr. Chitralekha Sharad Patil Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Shri Avinash Deshmukh, learned counsel for the applicant and Shri Sachin B. Munde, learned counsel for respondent Nos. 5 to 7, are **absent**.

Heard Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer submits that the applicant has filed the present Original Application for posting and during pendency the same, she has been given posting on 29.02.2024.

3. S.O. to 16.04.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 653 OF 2022
(Mankha Gulab Tadvi Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Heard Shri M.U. Shelke, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that the applicant was a Driver on the vehicle with the respondent authorities and he came to be retired on 31.05.2016 by attaining the age of superannuation. During the service tenure of the applicant, he was subjected to Departmental Enquiry for his absentism for a substantial period from 01.12.2006 to 31.05.2016. The applicant was appointed on 21.09.1993 and as such, he has completed the qualifying service of 12 years and 10 months. Even considering the same, the respondent authorities have granted him provisional pension from 01.06.2016 to 30.11.2016.

3. Learned counsel for the applicant submits that by order dated 04.01.2020, the disciplinary authority has inflicted the punishment of deducting 5% amount of his pension for a period of one year

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O.A. 653/2022

and further the said absentism period has been considered as extraordinary leave. However, the same is also not considered for any purposes. Learned counsel submits that the applicant has not challenged the said order dated 04.01.2020.

4. Learned counsel for the applicant submits that the applicant is entitled for the pensionary benefits in terms of the G.R. dated 30.10.2009 and in view of the provisions of Rule 110(2)(b) of the Maharashtra Civil Services (Pension) Rules, 1982, since the applicant has completed more than 10 years' service but less than 20 years.

5. Learned Presenting Officer is hereby directed to take specific instructions in this regard and file short affidavit of the concerned respondent/s as to why the pensionary benefits have not been granted to the applicant.

6. S.O. to 26.04.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 593 OF 2021
(Gajanan P. Joshi Vs. State of Maharashtra & Ors.)

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

DATE : 12.04.2024

ORAL ORDER :

Shri S.G. Kulkarni, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned counsel for respondent Nos. 2 & 3, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 5. Same is taken on record and copy thereof is given to other side.

3. At the request of learned Presenting Officer, S.O. to 18.06.2024 for filing affidavit in reply on behalf of respondent No. 4.

MEMBER (J)