

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

List of Cases set down for Physical Hearing/Admission/Order/etc. before Hon'ble Division Bench

DB is Not Available

Date: -12/10/2023

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Urgent Admission Matters						
1	OA867/23	Dhule	Adv.G.J. Karne (Dr. Anil P Ubale)	Departmental Enquiry		18.10.2023
2	OA876/23	J'gaon	Adv.Bharat R Waramaa (Umakant B Patil)	Selection Process		18.10.2023
3	OA895/23	P'bhani	Adv.Shrikrashna B Solanke (Vishwajit P Mathpati)	Appointment		17.10.2023
4	OAST1836/23	Beed	Adv.K.B. Jadhav (Afroj T Pathan)	Promotion	Circulation With Office Objection	25.10.2023
Order Matters						
5	MA456/18 In OAST1919/18	A'bad	Adv.Ajay S Deshpande (Lakshman K Nirmal) <u>Adv.S.R. Kedar for R.No.3</u>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R-2	19.10.2023
6	MA224/19 In OA236/19	Beed	Adv.K.B. Jadhav (Sanjay B Udhar)	M.A. For I.R.	For Hearing	20.10.2023
7	MA464/23 In OA549/23	Jalna	Adv.Ujwal S Patil (Asaram S Chormare)	M.A. For Briinging Legal Heirs On Record		19.10.2023
8	MASt1865/23 In OA384/23	Jalgaon	Adv S D Joshi (Vijaysing M Gavali)	M. A For Amendement	Ind Set of MA has Not Filed	18.10.2023
9	MA456/23 In OA858/23	A'bad	Adv.S.B. Patil (Avinash A Bagul & Ors.)	M.A. For I.R.		26.10.2023

Due Admission Matters						
10	CP43/19 In MA97/12 In OA817/11	P'bhani	Adv.Ashish B Rajkar (Dharamapal U Dethe) <u>Adv.D.T. Devane for R.No.3</u>	Contempt Petition	For Admission Reply Filed by R-3	3.11.2023
11	CP11/22 In OA621/17	Beed	Adv.V.B. Wagh (Shivnanda B Darade)	Contempt Petition	For Hearing Reply Filed by R-2 to R-3	20.11.2023
12	OA274/17	A'bad	Adv.Yogesh P Deshmukh (Anil A Beedkar & Ors.)	Termination	For Hearing Reply Filed by R-1 to R-4	19.10.2023
13	OA709/17	P'bhani	Adv.P.B. Rakhunde (Ramesh M Sonawane)	Departmental Enquiry/ Show Cause Notice/ Punishment	For Hearing Reply Filed by R-2 & R-3	19.10.2023
14	OA760/19	Jalna	Adv.Swapnil A Deshmukh (Vishnu B Jaybhaye)	Major Punishment	For Hearing Reply Filed by R-2 & R-3	1.11.2023
15	OA39/20 with	J'gaon	Adv.A.S. Deshmukh (Anil B Nikam)	Senirotiy/ Promotion	For Hearing Reply Filed by R-1 & R-2	30.11.2023
16	OA477/18 With	A'nagar	Adv.V.B. Wagh (Santosh U Mandage & Ors.)	Senirotiy/ Promotion	For Hearing Reply Filed by R-1 & R-2	30.11.2023
17	OA982/18 With	A'nagar	Adv.V.B. Wagh (Shakuntala S Kapoor)	Senirotiy	For Hearing Reply Filed by R-1 & R-2	30.11.2023
18	OA983/18	A'nagar	Adv.V.B. Wagh (Bharat L Kharat)	Seniority	For Hearing Reply Filed by R-1 & R-2	30.11.2023
19	OA328/20	Nanded	Adv.P.S. Anerao (Shaikh Shamshodin Hamidoddin) <u>Adv.V.C. Suradkar for R.No5</u> <u>Adv.B.G. Deshmukh for R.No.4</u>	Promotion	For Admission Reply Filed by R-1 to R-5	2.11.2023

20	OA354/20	Latur	Adv.Avinash S Deshmukh (Suresh L Kamthane) <u>Adv.V.B. Wagh for R.Nos.4, 6 & 7</u>	Challenging G.R./ Seniority	For Hearing Reply Filed by R-1 to R-3 & Reply Filed by R-4, R-6 to R-7	30.11.2023
21	OA387/20	A'bad	Adv.Nilesh J Patil (Ajay R More)	Interview	For Admission Reply Filed by R-2	2.11.2023
22	OA24/21	Beed	Adv.S.B. Patil (Dr.Vaishali S Garjewar)	Challengin Conditions of G.R.	For Hearing Reply Filed by R-1 to R-6	7.11.2023
23	OA122/21	P'bhani	Adv.M.A. Granthi/ Adv.M.K. Bhosale (Mohan B Rathod)	Promotion	For Hearing Reply Filed by R-2 & R-3	8.11.2023
24	OA246/21	J'gaon	Adv.S.B. Solanke (Pradeep B Bramhane)	Appointment	For Hearing	25.10.2023
25	OA497/21	A'nagar	Adv.V.B. Wagh (Nitin S Shelar)	Preliminary Enquiry	Reply Filed by R-1	25.10.2023
26	OA608/21	A'nagar	Adv.Avinash S Deshmukh (Pawansing R Bighot)	Termination	For Hearing Reply Filed by R-1 to R-4	1.12.2023
27	OA633/21	A'bad	Adv.S.B. Solanke (Sunil H Nirmal)	Selection/ Appointment	For Hearing Reply Filed by R-2 & R-3	25.10.2023
28	OA713/21	A'bad	Adv.S.S. Dambe (Yogesh C Gupta & Ors)	Selection/ Appointment	For Admission	20.11.2023
29	OA779/21	Nanded	Adv.J.P. Legal Associates (Datta A Tumram)	Seniority/ Continuity in Service	For Hearing Reply Filed by R-2 to R-6	20.11.2023
30	OA01/22	A'bad	Adv.K.G. Salunke (Vishnu B More)	Promotion	For Hearing Reply Filed by R-1 to R-3	1.11.2023
31	OA02/22	Jalna	Adv.K.G. Salunke (Shantilal D Hiwarale)	Promotion	For Hearing Reply Filed by R-1 to R-3	1.11.2023

32	TA18/22 WP9387/22	A'bad	Adv.P.R. Katneshwarkar (The Maharashtra Public Prosecutors Association, Through its President)	Benefits of Old Pension Scheme	For Hearing Reply Filed by R-1 to R-3	21.11.2023
33	OA291/22	A'nagar	Adv.S.S. Jadhavar (Manisha G Bargaje)	Resignation/ Departmental Enquiry	For Hearing Reply Filed by R-1 to R-4	22.11.2023
34	OA533/22	A'bad	Adv.V.B. Wagh (Sunil N Jahagirdar)	Major Punishment	For Hearing Reply Filed by R-1 & R-2	30.11.2023
35	OA586/22	N'bar	Adv.A.S. Shelke (Suvarna P Pawar)	Promotion	For Hearing Reply Filed by R-1 & R-2	20.10.2023
36	OA786/22	A'nagar	Adv.Ajay S Deshpande (Bapusaheb B Warale)	Promotion	For Hearing Reply Filed by R-1 & R-2	23.11.2023
37	OA142/23	Beed	Adv.A.N. Nagargoje (Deelipkumar B Khedkar)	Reversion	For Hearing Reply Filed by R-1 to R-3	23.11.2023
Final Hearing Matters						
38	OA74/18	A'nagar	Adv.S.S. Kulkarni/ Adv.A.S. Kulkarni (Bhagwan B Chemate)	Appointment	Reply Filed by R-1	20.11.2023
39	OA273/18	A'bad	Adv.Sandeep B Sontakke (Ganesh D Chavhan) <u>Adv.Pramod A Salvi for R.No.4</u>	Seniority	Reply filed by R-1 to R-5	21.11.2023
40	OA28/20	Beed	Adv.K.G. Salunke (Anil P Salve)	Promotion	Reply Filed by R-1 & R-2	21.11.2023
41	OA332/21	Beed	Adv.S.T. Chalikwar (Suraj B Mundhe)	Appointment on Compassionate Ground	Reply filed by R-1 to R-3	14.12.2023
42	OA489/22	O'bad	Adv.P.R. Bharaswadkar/ Adv.R.P. Adgaonkar (Dattatraya D Shinde)	Promotion	Reply Filed by R-1, R-3 to R-5	23.11.2023

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

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Division Bench

DB is Not Available

Date: -12/10/2023

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	CP49/23 In OA315/19	Nanded	Adv S L Bhapkar (Jeevan G Shinde)	Contempt Petition	For Filing Affidavit in Reply	19.10.2023
2	OA628/21	Latur	Adv.S.P. Urgunde (Swati G Swami)	Absorption	As a Last Chance For Filing Affidavit in Rejoinder	19.10.2023
3	OA700/21	Latur	Adv.Avinash S Deshmukh (Somnath S Reddy) <u>Adv.Ajay Deshpande</u> <u>for R.No.7</u>	Seniority Lists/ Promotion	One More Last Chance For Filing Affidavit in Rejoinder	22.11.2023
4	OA261/22	A'bad	Adv V R Jain (Dadarao U Phule)	Appointment	Last Chance For Filing Affidavit in Reply	26.10.2023
5	OA509/22	A'bad	Adv.Ajay S Deshpande (Groundwater Engineers Association Maha. State Through Its President Balasaheb D Patil)	Change In Nomenclatures	For Filing Affidavit in Reply R-1 & For Filing Affidavit in Rejoinder to Affidavit of Reply Filed By R-2 & R-3	1.11.2023
6	OA877/22	Dhule	Adv K B Jadhav (Deelip R Sonar)	Departmental Enquiry	Filing Affidavit in Rejoinder	23.11.2023

7	OA890/22	Nanded	Adv V B Wagh (Ganesh G Yerawar)	Departmental Enquiry	For Filing Affidavit in Reply	19.10.2023
8	OA115/23	Jalgaon	Adv S D Joshi (Satish S Kulkarni)	Promotion	For Filing Affidavit in Reply	18.10.2023
9	OA132/23	A'bad	Adv A S Deshpande (Haridas G Kamble & Ors.)	Promotion (Kotwal)	Await Service	1.11.2023
10	OA147/23	Beed	Adv R V Sundale (Ajit A Giri)	Promotion	Await Service	20.11.2023
11	OA240/23	A'bad	Adv Manoj M Kattu (Sayyed Rasul Sayyed Ahemad)	Departmental Enquiry	For Filing Affidavit in Reply	20.11.2023
12	OA347/23	Beed	Adv K B Jadhav (Baban R Zagade)	Counting of Earlier Temporary Service	For Filing Affidavit in Reply	21.11.2023
13	OA363/23	Jalgaon	Adv Sandip R Andhale (Bharat W Ware)	Promotion	By Way of Last Chance For Filing Affidavit in Reply	31.10.2023
14	OA458/23	Dhule	Adv V B Wagh (Chandrakant D Patil)	Seniority	Await Service	24.11.2023
15	OA673/23	Jalna	Adv V B Wagh/ Adv A S Therokar/ Adv V P Adkine (Gajanan B Darade)	Dismissal From Service	Await Service	24.11.2023
16	OA842/23	P'rbn	Adv R R Shinde (Santosh N Shendge & Ors.)	Advertisement/ Selection Process	Await Service	23.11.2023
Order Matters						
17	MA314/22 In OA793/92	O'bad	Adv Sandip C Swami Chakurkar (Devidas A Jadhav)	M.A For Condonation of Delay	For Filing Affidavit in Rejoinder	8.11.2023
18	MA121/23 In OAS417/23	P'rbn	Adv V G Pingle (SK Ayub Sk Amin)	M.A For Condonation of Delay	For Filing Affidavit in Reply	20.11.2023 3

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench

Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -12/10/2023

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Urgent Admission Matters						
1	OAS835/23	A'bad	Adv.R.B. Ade (Shuddhodhan R Sardar)	Allowances	With Office Objection	23.11.2023
2	OAS1949/23	A'nagar	Adv.V.B. Wagh/ Adv.A.S. Therokar (Suresh K Gholap)	Suspension	Circulation with Office Objection	21.11.2023
3	MASt1997/2 3 In OAS1802/23	A'bad	Adv.Suchita Upadhyay (Yashwant D Kulkarni)	M.A. For Condonation of Delay	Circulation with Office Objection	M.A. disposed of
4	OA575/20	Latur	Adv.K.M. Nagarkar (Kondabai R Ghadge & Ors.)	Regularisation of Service/ Continuation	Circulation Reply Filed by R-1 to R- 4	26.10.2023
Order Matters						
5	MA250/21 In OAS1999/21	A'nagar	Adv.J.B. Choudhary (Prmod P Narkhede)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R- 4	23.11.2023
6	MA251/21 In OAS1001/21	Dhule	Adv.J.B. Choudhary (Manohar J Patil)	M.A. For Condonation of Delay	Reply Filed by R-1 to R- 4	23.11.2023
7	MA284/21 In OAS1823/21	Latur	Adv.R.A. Joshi (Sandipan G Kale)	M.A. For Condonation of Delay	For Hearing	22.11.2023
8	MA420/21 In OAS1163/1 9	Latur	Adv.G.S. Shete (Khandu G Joshi)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R- 3	21.11.2023

9	MA131/22 In OAS528/22	P'bhani	Adv.V.B. Wagh (Sitaram V Inkare)	M.A. For Condonation of Delay	For Hearing	30.11.2023
10	MA156/22 In OAS621/21	P'bhani	Adv.M.L. Muthal (Bhimrao S Bilappatte)	M.A. For Condonation of Delay	For Hearing	22.11.2023
11	MA283/22 In OAS265/22	A'bad	Adv.Ramesh R Imale (Gulab H Imale)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-2 & R-3	23.11.2023
12	MA440/22 In OA314/21	Nanded	Adv.Talekar & Associates (Govind A Jadhav & Ors.)	M.A. For Taking Action	For Hearing	7.11.2023
13	MA245/23 In MA138/23 In OA1157/22	A'bad	Adv.R.A. Joshi (Smita M Chavan)	M.A. For Production of Order/Docume nt		22.11.2023
Due Admission Matters						
14	OA149/20 with	Nanded	Adv.S.L. Bhapkar (Vitthal S Ambatwad)	Extension in age/ Benefits of G.R./ Consequential Retirement Benefits	Part Heard For Hearing Reply Filed by R-1 to R-4 & R-6	O.As. disposed of
15	OA150/20 with	A'nagar	Adv.Sanjay L Bhapkar (Ramkrishna D Nagargoje)	Benefits of G.R./ Consequential Retirment Benefits/ Extension in age of Retirement	For Hearing Reply Filed by R-1 to R-4	
16	OA151/20	Beed	Adv.Sanjay L Bhapkar (Krantikumar V Penurkar)	Benefits of G.R./ Consequential Retirment Benefits/ Extension in age of Retirement	For Hearing Reply Filed by R-1 to R-4 & R-6	

17	OA621/23	Hingoli	Adv.V.B. Wagh (Chhandak G Lokhande) <u>Adv.R.N. Bharaswadkar for R.No.3</u>	Transfer	<u>High Court Time Bound</u> For Hearing Reply Filed by R-1 to R- 3	25.10.2023
18	OA525/21	O'bad	Adv.Suchita Dhongde (Guruling N Tanwade) <u>Adv.D.T. Devane for R.Nos.2 & 3</u>	Time Bound Promotion/ ACPS/ Recovery	For Hearing Reply Filed by R-5	3.11.2023
19	OA638/21	A'bad	Adv.V.G. Pingle (Ganesh R Admankar) <u>Adv.G.N. Patil for R.Nos.2 to 5</u>	Withdrawal of Adverse Remarks/ ACRS	For Hearing Reply Filed by R-1 to R- 5	28.11.2023
20	OA263/22	J'gaon	Adv.A.D. Sugdare (Bhaskar D Hire)	Recovery	For Hearing Reply Filed by R-1 to R- 3	26.10.2023
21	OA419/22	A'bad	Adv.S.D. Joshi (Dr.Bharat R Sonwane)	Annual Grade Pay	For Hearing Reply Filed by R-1 to R- 3	
22	OA420/22	A'bad	Adv.S.D. Joshi (Dr.Rajashri B Sonwane)	Annual Grade Pay	For Hearing Reply Filed by R-1 to R- 3	
23	OA644/22	Beed	Adv.B.S. Shinde (Dr.Bhauasaheb N Chalak)	Suspension Period	For Hearing Reply Filed by R-1 to R- 5	23.11.2023
24	OA1025/22	P'bhani	Adv.N.D. Sonavane (Azizkhan Yusufkhan Pathan)	Re Instatement	For Hearing	6.11.2023
25	OA1029/22	Latur	Adv.R.P. Adgaonkar (Wajeed Majeed Shaikh)	Minor Punishment/ Increment	For Hearing Reply Filed by R-1 to R- 4	1.11.2023
26	OA248/23	P'bhani	Adv.A.S. Deshmukh (Laxman S Chavhan)	Suspension/ Reinstatement	For Hearing Reply Filed by R-1 & R- 2	7.11.2023
27	OA292/23	A'nagar	Adv.S.D. Joshi (Sameer H Umralkar)	Transfer/ Deputation	For Hearing Reply Filed by R-2 & R- 3	30.10.2023

28	OA604/23	A'nagar	Adv.A.D. Sugdare (Bhagwan S Avhad)	Directions/ Benefit of G.R./ Pension	For Hearing Reply Filed by R-1 to R- 3	8.11.2023
29	OA605/23	A'nagar	Adv.A.D. Sugdare (Bhausahab N Falke)	Directions/ Benefit of G.R./ Pension	For Hearing Reply Filed by R-1 to R- 3	8.11.2023
30	OA606/23	A'nagar	Adv.A.D. Sugdare (Sudhir B Markad)	Directions/ Benefit of G.R./ Pension	For Hearing Reply Filed by R-1 to R- 3	8.11.2023
31	OA669/23	O'bad	Adv.J.S. Deshmukh (Manojkumar A Rathod)	Transfer	For Hearing Reply Filed by R-3	8.10.2023
32	OA792/23	Nanded	Adv.S.S. Thombre (Jyoti R Pawar)	Suspension	For Hearing Reply Filed by R-1 to R- 3	Reserve for orders
Final Hearing Matters						
33	OA830/18	Dhule	Adv.Shamsunder B Patil (Shailendra H Mali) <u>Adv.M.V. Bhamre for R.No.5</u>	Kotwal	<u>Part Heard</u> Reply filed by R-3 to R- 5	31.10.2023
34	OA387/16	Latur	Adv.Vinaya Muley Dharurkar (Dr. Nomani Muhammed Mufti Tahair)	Time Bound Promotion/ ACPS/ Continue Service of Technical Break	Reply Filed by R-1 & R- 2	20.10.2023
35	OA884/17 with	O'bad	Adv.Mohit Deshmukh (Prabhakar D Mali) <u>Adv.Vivek Deshmukh for R.No.5</u>	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	2.11.2023
36	OA885/17 with	O'bad	Party In Person (Shailesh S Patil)	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	2.11.2023
37	OA886/17 with	O'bad	Adv.Mohit Deshmukh (Manisha R Kadam) <u>Adv.N.K. Tungar for R.No.5</u>	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	2.11.2023

38	OA887/17 with	O'bad	Adv.Mohit Deshmukh (Sanjay V Kulkarni) <u>Adv.Abhijit More for R.No.5</u>	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	2.11.2023
39	OA888/17 with	O'bad	Adv.Mohit Deshmukh (Pratap K Kulkarni) <u>Adv.Vivek Deshmukh for R.No.5</u>	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	2.11.2023
40	OA889/17 with	O'bad	Adv.Mohit Deshmukh (Deepak M Gawali)	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	2.11.2023
41	OA890/17 with	O'bad	Adv.Mohit Deshmukh (Bibhishan S More)	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	2.11.2023
42	OA891/17 with	O'bad	Adv.Mohit Deshmukh (Shivaji P Kamble) <u>Adv.B.R. Sontakke Patil for R.No.5</u>	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	2.11.2023
43	OA892/17 with	O'bad	Adv.Mohit Deshmukh (Nagesh A Joshi) <u>Adv.Vivek Deshmukh for R.No.5</u>	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	2.11.2023
44	OA893/17 with	O'bad	Adv.Mohit Deshmukh (Avinash Y Deshmukh) <u>Adv.Vivek Deshmukh for R.No.5</u>	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	2.11.2023
45	OA894/17 with	O'bad	Adv.Mohit Deshmukh (Bhgwat M Zingade)	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	2.11.2023
46	OA895/17	O'bad	Adv.Mohit Deshmukh (Bharat D Salunke) <u>Adv.N.K. Tungar for R.No.5</u>	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	2.11.2023
47	OA776/18	Dhule	Adv.A.D. Sugdare (Nana B Salunke) <u>Adv.Sunita D Shelke for R.No.3</u>	Recovery/ Pay Fixation	Reply Filed by R-1 to R- 4	Disposed of

48	OA939/19	Hingoli	Adv.J.B. Choudhary (Dr. Yashwant S Chavan)	Minor Punishment	Reply Filed by R-1 to R-5	23.11.2023
49	OA954/19	Beed	Adv.Avinash S Deshmukh (Rameshwar R Chandak)	Provisional Pension	Reply Filed by R-1 to R- 4	24.11.2023
50	OA1087/19	A'bad	Adv.J.S. Deshmukh (Ravindra B Chobe)	Recovery/ Refund of Recovered Amount	Reply Filed by R-1 to R- 4	20.11.2023
51	OA137/20	A'nagar	Adv.A.S. Deshmukh (Lalit G Pandule)	Correction in Date of Birth	Reply Filed by R-1 to R- 3	28.11.2023
52	OA514/20	Beed	Adv.A.S. Deshmukh (Kamlakar B Kulkarni)	Increment/ Refixation of Pension	Reply Filed by R-3 to R- 5	28.11.2023
53	OA113/21	Nanded	Adv.V.B. Dhage (Vajinath B Navande)	Recovery/ Refund of Recovered Amount	Reply Filed by R-1, R-4 & R-5	21.11.2023
54	OA355/21	Beed	Adv.Kakasaheb B Jadhav (Laxman H Talekar)	Recovery/ Refund of Recovered Amount	Reply Filed by R-1 to R- 4	
55	OA357/21	Beed	Adv.Kakasaheb B Jadhav (Mirza Jamil Baig Mirza Hayat Baig)	Recovery/ Refund of Recovered Amount	Reply Filed by R-1 to R- 3	
56	OA610/21	P'bhani	Adv.Vivek G Pingle (Madhukar K Jadhav)	Recovery/ Refund of Recovered Amount	Reply Filed by R-1 to R- 3	20.11.2023
57	OA25/22	N'bar	Adv.JP Legal Associates (Shailesh V Gavit)	Minor Punishment	Reply Filed by R-1 to R- 3 & R-5	24.11.2023

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List of Cases set down for Physical Hearing/Admission/Order/etc.before Hon'ble Single Bench

Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -12/10/2023

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	OA491/19	P'rbn	Adv J M Murkute (Satish S More)	Minor Punishment Suspension Period	Await Service	1.11.2023
2	OA611/21	Beed	Adv Indranil Godsay (Sayyed Salim Sayyed Yaqub)	Withdrawal of Charge	For Filing Affidavit in Rejoinder	21.11.2023
3	OA643/21	A'bad	Adv Yuvraj S Choudhari (Tanaji M Narale)	Leave/Salary	For Filing Affidavit in Rejoinder	22.11.2023
4	OA238/22	A'bad	Adv S D Joshi (Rajabai R Kawadikar)	Counting of Service for Pensionery Benefits	Last Chance For Filing Affidavit in Reply	2.11.2023
5	OA431/22	P'rbn	Adv S S Thombre (Baliram B Chavan)	Pensionery Benefits	For Filing Affidavit in Rejoinder	2.11.2023
6	OA511/22	Jalgaon	Adv M G Patil (Sandeep R Patil)	Police Patil	For Reply	26.10.2023
7	OA595/22	N'bar	Adv S D Joshi (Dr. Dinesh S Ravtale)	Joining/ Salary & Allowances	By Way of Last Chance For Filing Affidavit Reply	3.11.2023
8	OA1048/22	Dhule	Adv Talekar & Asssociates (Ajaykumar B Chavan)	Transfer	Await Service	3.11.2023

9	OA161/23	O'bad	Adv H P Jadhav (Balu S Bharnale & Ors.)	Old Pension Scheme	For Filing Affidavit in Reply	25.10.2023
10	OA283/23	Beed	Adv S S Dambe (Anil S Patekar)	Recovery	Await Service	31.10.2023
11	OA437/23	A'nagar	Adv Poonam B Patil (Prakash G Kamble) <u>Adv Avinash D Aghav</u> <u>For R-5</u>	Transfer	For Filing Affidavit in Reply	27.10.2023
12	OA439/23	P'rbn	Adv Poonam B Patil (Vidyasagar R Patil) <u>Adv Ganesh V</u> <u>Mohekar For R-5</u>	Transfer	For Filing Affidavit in Reply	27.10.2023
13	OA440/23	Beed	Adv Poonam B Patil (Natharao N Phad)	Transfer	For Filing Affidavit in Reply Await Service R-2	27.10.2023
14	OA442/23	Jalna	Adv Poonam B Patil (Sudhakar G Latpate) <u>Adv P V Tapse Patil</u> <u>For R-5</u>	Transfer	For Filing Affidavit in Reply	27.10.2023
15	OA443/23	Nanded	Adv Poonam B Patil (Sanjay K Kasralikar) <u>Adv Yogita Thorat For</u> <u>R-4</u>	Transfer	For Filing Affidavit in Reply	27.10.2023
16	OA576/23	Jalgaon	Adv V B Wagh/ Adv A S Therokar (Dinesh S Thakur)	Minor Punishment	For Reply	29.11.2023
17	OA636/23	A'bad	Adv P V Suryawanshi (Sunanda R Lokhande & Ors.)	Arrears of Wages	For Filing Affidavit in Reply R-1 & R-2	29.11.2023

18	OA694/23	Jalgaon	Adv C V Dharurkar (Rosemerry M Walvi)	Pension/ Provisional Pension	For Filing Affidavit in Reply	7.11.2023
19	OA754/23	P'rbn	Adv D T Devane (Ramesh N Swami)	Minor Punishment	For Filing Affidavit in Reply	30.10.2023
20	OA797/23	P'rbn Etc.	Adv Vaibhav U Pawar (Ramrao K Yadav & Ors.)	Old Pension Scheme	For Filing Affidavit in Reply	25.10.2023
21	OA815/23	A'bad	Adv Swaraj S Tandale (Bijusing D Gusinge)	Posting	For Filing Affidavit in Reply	26.10.2023
22	OA855/23	A'bad	Adv V B Wagh/ Adv A S Therokar Adv V P Adkine (Ramesh G Pawar)	Pension & Other Benefits	For Filing Affidavit in Reply	30.11.2023
Order Matters						
23	MA217/21 In OASSt598/21	Beed	Adv V B Wagh (Vitthal S Lokhande & Ors.)	M.A For Condonation of Delay	For Filing Affidavit in Reply	30.11.2023
24	MA229/21 In OASSt655/21	Nanded	Adv Amol G Vasmatkar (Pundlik N Amberao Died through LRs. Anusaya P Amberao & Ors.)	M.A For Condonation of Delay	For Filing Affidavit in Reply	23.11.2023
25	MA485/22 In OASSt1748/22	A'nagar	Adv Arvind G Ambetkar (Gangadhar N Fasale & Ors.)	M.A For Condonation of Delay	For Filing Affidavit in Reply	20.10.2023
26	MA508/22 In OASSt1894/22	Nanded	Adv A B Rajkar (Eknath G Myskar)	M.A For Condonation of Delay	For Filing Affiavit in Reply	2.11.2023
27	MA31/23 In OASSt89/23	Latur	Adv S B Patil (Dr. Bhagwan V Kendre)	M.A For Condonation of Delay	For Filing Affidavit in Reply	21.11.2023
28	MA373/23 In OASSt1267/23	Beed	Adv S D Joshi (Rameshwar S Jadhav)	M.A For Condonation of Delay	Await Service	22.11.2023

DATE : 12.10.2023

ORIGINAL APPLICATION NO. 901 OF 2023

(Aitwar V. Sambayya Vs. The State of Maha. & Ors.)

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

1. Shri Anand D. Kawre, learned Advocate for the applicant and Smt. S.K. Deshmukh-Ghate, learned P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on **08.11.2023**. The case be listed for admission hearing on **08.11.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

DATE : 12.10.2023

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

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

1. Shri B.S. Deshmukh, learned Advocate for the applicant and Smt. M.S. Patni, learned P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on **08.11.2023**. The case be listed for admission hearing on **08.11.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

DATE : 12.10.2023

M.A. No. 485/2023 in O.A. St. No. 1450/2023

(Balbir Singh J. Tyagi Vs. The State of Maha. & Ors.)

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

1. Shri S.S. Tope, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned P.O. for the respondents, are present.

2. Circulation is granted. Issue notices to the respondents in M.A., returnable on **09.11.2023**. The case be listed for admission hearing on **09.11.2023**.

3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

ORIGINAL APPLICATIN NO. 673 OF 2023
(Gajanan B. Darade Vs. State of Maharashtra & Ors.)

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

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

DATE : 12.10.2023

ORAL ORDER :

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

2. Learned Presenting Officer has submitted affidavit in reply on behalf of respondent Nos. 1 to 4. Same is taken on record and copy of the same is given to other side.

3. S.O. to 24.11.2023 for filing rejoinder affidavit by the applicant.

VICE CHAIRMAN

KPB ORAL ORDER 12.10.2023

ORIGINAL APPLICATIN NO. 1025 OF 2022
(Azizkhan Y. Pathan Vs. State of Maharashtra & Ors.)

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

DATE : 12.10.2023

ORAL ORDER :

Shri N.D. Sonawane, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondent authorities, are present.

2. Learned counsel for the applicant has tendered a copy of W.P. No. 6354 of 2020. Same is taken on record and copy of the same is given to learned Presenting Officer.

3. S.O. to 06.11.2023 for hearing.

VICE CHAIRMAN

KPB ORAL ORDER 12.10.2023

ORIGINAL APPLICATIN NO. 669 OF 2023
(Manojkumar A. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 12.10.2023

ORAL ORDER :

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

2. When the present matter is taken up for consideration, learned Presenting Officer submits that the report of Police Establishment Board is required to be placed on record. However, the same is not received today. He has therefore sought time to place on record the said report. Time granted as prayed for.

3. S.O. to 18.10.2023 for hearing.

VICE CHAIRMAN

**ORIGINAL APPLICATIN NO. 792 OF 2023
(Jyoti R. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 12.10.2023

ORAL ORDER :

Heard 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 respondent authorities.

2. The present matter is closed for order.

VICE CHAIRMAN

KPB ORAL ORDER 12.10.2023

ORIGINAL APPLICATIN NO. 830 OF 2018
(Shailendra H. Mali Vs. State of Maharashtra & Ors.)

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

DATE : 12.10.2023

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned counsel for the applicant, Shri I.S. Thorat, learned Presenting Officer for respondent authorities and Shri M.V. Bhamre, learned counsel for respondent No. 5.

2. In the present matter, the arguments are heard for quite some time. It, however appears that procedural aspects are required to be explained by the respondents more particularly in whose custody the answer sheets were kept after the examination was over and what is the procedure being adopted for giving copy of answer sheet of one candidate to any other candidate appearing for the said examination without informing the said candidate. The procedure in regard to the checking of the answer sheets also needs to be explained in the affidavit. The respondents are also directed to place on record further information, if any received relating to the subject matter in respect of the applicant, as well as, respondent No. 5, after filing of the present Original Application. The respondents shall file the affidavit on the aforesaid aspects by the next date.

3. S.O. to 31.10.2023.

VICE CHAIRMAN

**M.A. ST. NO. 1997/2023 IN O.A. ST. NO. 1802/2023
(Shri Yashwant D. Kulkarni Vs. State of Maharashtra & Ors.)**

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

DATE : 12.10.2023

ORAL ORDER :

Heard Smt. Suchita S. Dhongde, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions seeks leave to withdraw the present Misc. Application with liberty to file fresh application for condonation of delay raising therein the appropriate grounds. In view of the submission so made by learned counsel, the following order is passed :-

ORDER

- (i) Present Misc. Application stands disposed of since withdrawn with liberty as prayed for.
- (ii) No order as to costs.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 586/2022
(Smt. Suvarna P. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 12.10.2023

ORAL ORDER :

Shri G.R. Jadhav, learned counsel holding for Shri A.S. Shelke, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 20.10.2023 for hearing.

3. Interim Relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 576/2023
(Shri Dinesh S. Thakur Vs. State of Maharashtra & Ors.)

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

DATE : 12.10.2023

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer has tendered across the bar the affidavit in reply on behalf of respondent no. 1.
3. S.O. to 29.11.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 419/2022

(Dr. Bharat R. Sonwane Vs. State of Maharashtra & Ors.)

AND

ORIGINAL APPLICATION NO. 420/2022

(Dr. Rajashri B. Sonwane Vs. State of Maharashtra & Ors.)

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

DATE : 12.10.2023

ORAL ORDER :

Heard Shri S.D. Joshi, learned counsel for the applicants in both the matters and S/shri I.S. Thorat & S.K. Shirse, learned Presenting Officers for the respondent authorities in respective matters.

2. In both these applications, since the issues raised and prayers made are identical, I have heard both these applications together and deem it appropriate to decide these applications by common reasoning.

3. Learned counsel for the applicants at the beginning of his argument pointed out that similar issue has been dealt with by this Tribunal in **O.A. No. 651/2021 (Dr. Shivaji s/o Dadarao Birare Vs. the State of Maharashtra & Ors.)** decided on 17.4.2023. Learned counsel pointed out that same prayers as are made in the present applications were made in

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**O.A. NO. 419 & 420 BOTH
OF 2022**

the said O.A. and the same defense, which has been raised by the respondents in the present matters, was raised therein. Learned counsel submitted that in such circumstances the present applications being covered by the judgment of this Tribunal delivered in O.A. No. 651/2021 on 17.4.2023, present O.As. also be allowed.

4. Facts as are stated by the learned counsel for the applicants are not disputed by the learned Presenting Officer appearing for State authorities. Shri Thorat, learned P.O. fairly submitted that the facts in the present applications and prayer made in the present matters are identical with O.A. No. 651/2021.

5. Learned counsel for the applicants thereafter pointed that the order passed in O.A. No. 651/2021 is based on one earlier judgment delivered by principal Bench of this Tribunal at Mumbai and said judgment has not been challenged before any higher forum.

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6. I have gone through the pleadings in the OAs, as well as, prayers made therein. I have also perused the judgment rendered by this Tribunal in O.A. No. 651/2021. It is the contention of the applicant that as per clause 3(a)(xii) of G.R. dated 10.11.2009, the Associate Professors on completing 03 years substantive service is entitled to draw Grade Pay of Rs. 10,000/- in the pay scale of Rs. 37,400/- to Rs. 67,000/-. It is not in dispute that the applicants in both these cases have secured regular promotion to the post of Associate Professor in their respective branches and have successfully completed 03 years' period of service on the said post. Applicants had made representations to respondent no. 1 seeking implementation of G.R. dated 10.11.2009 and to extend Grade Pay of Rs. 10,000/- to them w.e.f. year 2013. However, since the respondents have not responded to the said representations, the applicants have preferred the present O.As.

7. In O.A. No. 651/2021 decided by this Tribunal on 17.4.2023 similar request was made seeking

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directions against the respondents to extend Grade Pay of Rs. 10,000/- in light of G.R. dated 10.11.2009 from the date the applicants therein completed 03 years' service in substantive capacity with Grade Pay of Rs. 9000/-. In the said O.A. it was the contention raised on behalf of the respondents that unless Associate Professor is given substantial appointment on the post of Professor, he cannot claim Grade Pay of Rs. 10000/-. At the time of hearing of said O.A. the reliance was placed on behalf of the applicants on the judgment rendered by this Tribunal at principal seat in O.A. no. 829/2015 with O.A. No. 830/2015, wherein also the similar issue was for consideration of this Tribunal. I deem it appropriate to reproduce para nos. 5 & 6 from the judgment in O.A. no. 651/2021, which read thus:-

"5. I have duly considered the submissions advanced on behalf of the applicant, as well as, on behalf of the respondent authorities. I have perused the documents filed on record and more particularly relevant G.R. In O.A. No. 829/2015 with O.A. No. 830/2015 the Division Bench of Principal Seat of this Tribunal at Mumbai has dealt with the provisions under the said G.R. and I deem it appropriate to reproduce paragraph No. 3, as well

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as, paragraph No. 5 of the said judgment, which read thus:

“3. Learned Counsel for the Applicants stated that the Applicants were working as Associate Professors in Government Medical College, Nanded and Ambejogai respectively. The Pay Band for the post of Associate Professor is Rs. 37400-67000 with grade pay of Rs. 9000/-. Learned Counsel for the Applicants stated that the Government had issued a G.R dated 10.11.2009, to implement the Sixth Pay Commission for Teachers in Government Medical /Dental and Ayurvedic Colleges. As per clause 3(a)(xii) of this G.R, an Associate Professor on completing 3 years of service in the Academic Grade Pay (AGP) of Rs. 9000/- and possessing a M.D/M.S/D.N.B/D.B/M.Ch/Ph. D degree in the relevant discipline shall be eligible to be appointed and designated as Professor, subject to other conditions of academic performance as laid down by the U.G.C and, if any, by the University. A.G.P for Professor is Rs. 10,000/-. Learned Counsel for the Applicants argued that the Applicants fulfilled the requirement of the aforesaid G.R and were granted A.G.P of Rs. 10,000/- after completion of three years as Associate Professor. However, by the impugned orders dated 22.6.2011 the Applicants were informed that they were not eligible to get A.G.P of Rs. 10,000/- after completion of 3 years’ service as Associate Professor and were asked to refund the ‘excess’ payment. Learned Counsel for the Applicants argued that the impugned orders have been passed

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on the basis of letter dated 29.3.2010 from the Respondent no. 2. This letter has attachment giving guidelines regarding how to implement the recommendations of the University Grants Commission (U.G.C) for medical teachers. In item no. 11, it is clarified that clause 3(a)(xii) in G.R dated 10.11.2009, prescribes the qualifications for an Associate Professor for promotion to the post of Professor. A person is eligible to be promoted after 3 years of service as Associate Professor, subject to his being found fit, availability of post etc. Learned Counsel for the Applicants argued that this is complete misreading of the G.R dated 10.11.2009, which is regarding revision of pay scale for inter-alia, medical teachers and not about promotion. This will be clear from the scheme of this G.R. In clause 2(2)(iii), it is stated that there will be different stages of Academic Grade Pay, which shall ensure that teachers will have multiple opportunities for upward movement during their career. Also in para 2(3)(a) of the aforesaid G.R, an Assistant Professor after 4 years of service and having M.D / M.S etc. qualification moves to A.G.P of Rs. 7000/-. Learned Counsel for the Applicants stated that the Respondent no. 3 had issued a letter dated 30.6.2016 to all Government Medical Colleges, wherein two earlier Government letters, regarding grant of AGP to Associate Professors in Government Ayurvedic Colleges of Rs. 10,000/- after 3 years of service in terms of G.R dated 10.11.2009 is mentioned. Learned Counsel for the Applicants stated that G.R dated 10.11.2009 is applicable to Government

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Medical, Dental and Ayurvedic Colleges. If on the basis of this G.R, Associate Professors in Ayurvedic Colleges were given A.G.P of Rs. 10,000/- after 3 years of service, the same cannot be denied to the Applicants.

5. We have carefully perused the G.R dated 10.11.2009. It is regarding 'Revision of Pay Scales of Medical Education and Drugs Department-Teachers in Government Medical/Dental and Ayurvedic Colleges. In para 12, it is stated that:-

"1.2 The question of implementing Government of India's scheme of revision of pay scales of teachers and equivalent cadres in colleges and other relevant guidelines was under active consideration of the State Government. The State Government has now decided to implement the revise pay scales of all teachers and equivalent cadres w.e.f 1.1.2006 as per the Central Government (U.G.C) scheme while other allowances as per the State Government employees; to keep the age of superannuation and leave package unchanged and the terms and conditions of services are as detail below for medical education." Para 2(2)(iii) reads:-

"(iii) The pay of teachers and equivalent positions in Colleges shall be fixed according to their designations in two pay bands of Rs. 15600-39100 and Rs. 37400- 67000 with appropriate

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“Academic Grade Pay” (AGP in short). Each Pay Band shall have different stages of Academic Grade Pay which shall ensure that teachers and other equivalent cadres covered under this Scheme subject to other conditions of eligibility being satisfied, have multiple opportunities for upward movement during their career.”

Two things are clear, viz. the State Government had decided to implement the U.G.C package regarding pay scales in toto, except the age of superannuation, and the scheme envisaged multiple opportunities for upward movement during the career of a teacher. This ‘multiple opportunities’ will clearly mean, that there will be opportunities for financial upgradation, other than actual promotion. This interpretation is strengthened if the provisions of clause 2(3)(a) are considered as a whole. In sub clause (ii), it is mentioned that an Assistant Professor, on completion of 4 years, will be eligible to get AGP of Rs. 7000/- from earlier AGP of Rs. 6000/-. Only condition is that he should have a degree of M.D/M.S etc. Sub clause (xi) reads:-

“(xi) Assistant Professors completing 3 years of teaching in AGP of Rs. 8000 shall be eligible, subject to other conditions that may be prescribed by the UGC and the university, to move to the Pay Band of Rs. 37400-67000 with AGP of Rs. 9000 and to be designated as Associate Professor.”

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It is clear that an Assistant Professor, who has worked for 3 years in AGP of Rs. 8000/- is designated as Associate Professor and his AGP is increased to Rs.9000/-. Sub clause (xii), relied upon by the Applicant is logical extension of the scheme that an Associate Professor, after 3 years, will be designated as Professor and his grade pay would be enhanced to Rs. 10,000/- of course, at this stage, Government can place conditions of academic performance as laid down by U.G.C and University. However, the State Government does not seem to have implemented U.G.C guidelines in this regard viz. condition of academic performance. In fact, no affidavit has been filed by the Respondent no. 2 or 3 in these Original Applications and the task has been left to the Dean of the Government Medical College, who is unlikely to be acquainted with the matter, which is in the domain of the Respondent no. 2, i.e. the Government in Medical Education & Drugs Department. However, if there were any conditions of academic performance before an Associate Professor on completion of 3 years, could be given grade pay of Rs. 10,000/- it was for the Respondents to ensure that such conditions were satisfied. However, the Respondents have taken a stand that clause 3(3)(a)(xii) of the G.R dated 10.11.2009 is regarding promotion to the post of Professor. Looking into scheme of G.R dated 10.11.2009, this stand of the Government does not appear to be correct and is rejected. The view taken by us is strengthened by the letter dated 30.6.2016 issued by the Respondent no. 3 to all

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Government Medical Colleges. The relevant portion reads:-

“शासनाच्या संदर्भ ३ व ४ येथील पत्रान्वये आयुर्वेद संचालनालयच्या नियंत्रणात असलेल्या आयुर्वेद तसेच अनुदानित महाविद्यालय यात कार्यरत असलेल्या सहयोगी प्राध्यापकांना ज्यांची रू ९,०००/- शैक्षणिक ग्रेडवेतनात तीन वर्षे किंवा पेक्षा जास्त सेवा झालेली आहे अश्या सहयोगी प्राध्यापकांना रू १०,०००/- शैक्षणिक ग्रेड वेतन देऊन नामाभिधानित प्राध्यापक म्हणून संबोधण्यात यावे असे नमूद केलेले आहे.”

It is clear that Associate Professors in Ayurvedic Colleges on completion of three years have been given AGP of Rs. 10,000/-. There is no reason, why the same should not be done for Associate Professors in Government Medical Colleges, when the same G.R is applicable to both set of teachers.”

6. In view of the interpretation made by the Division Bench of the aforesaid circular, there remains no doubt that the applicant is entitled for the Grade Pay as has been claimed by him. The Division Bench has elaborately dealt with the intention behind issuance of the said G.R. It is submitted by learned counsel for the applicant that the decision in the aforesaid OAs has not been challenged by the State before the Hon'ble High Court. Learned counsel further submitted that on the contrary the Government has executed the orders passed in O.A. No. 829/2015 with O.A. No. 830/2015. In view of the fact as aforesaid, the Government cannot take any contrary view in the matter of present applicant. In the circumstances, I see no substance in the objections as are raised by the respondents in their affidavit in reply, as well as, in their arguments.”

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8. As has been submitted by the learned counsel for the applicants, common judgment delivered in O.A. No. 829/2015 with O.A. NO. 830/2015 has not been challenged before any higher forum meaning thereby that the said judgment had attained the finality. In premise of the facts as aforesaid, I see no difficulty in allowing both these applications for the same reasons recorded in O.A. No. 651/2021, relevant portion of which is reproduced hereinabove.

9. In view of the facts as aforesaid, the present Original Applications are allowed in terms of prayer clause (B) in respective applications. No order as to costs.

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO. 835 OF 2023
(Shuddhodhan Rambhau Sardar Vs. The State of Maharashtra & Ors.)

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

DATE : 12.10.2023

ORAL ORDER :

Shri R.B. Ade, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 23.11.2023.

VICE CHAIRMAN

ORAL ORDERS 12.10.2023 sas

ORIGINAL APPLICATION NO. 621 OF 2023
(Chhandak G. Lokhande Vs. The State of Maharashtra & Ors.)

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

DATE : 12.10.2023

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri R.N. Bharaswadkar, learned counsel for respondent No.3, are present.

2. Learned P.O. submits that during course of the day additional reply on behalf of respondent Nos. 1 & 2 to the amended portion of O.A. will be filed. If it is filed, the same be take in record and copy be given to learned counsel for the applicant.

3. Learned counsel appearing for respondent No.3 has submitted affidavit in reply on behalf of said respondent. The same is taken on record and copy is given to learned counsel for the applicant.

4. Learned counsel for applicant submitted short affidavit. The same is taken on record and copies are given to other sides.

5. List the matter for hearing on 25.10.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 842 OF 2023
(Santosh Nagnath Shendge & Ors. Vs. The State of Maharashtra & Ors.)

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

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

DATE : 12.10.2023

ORAL ORDER :

Heard Shri R.R. Shinde, learned counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicants submits that inadvertently the notices could not be collected in the present matter and hence has prayed for re-issuance of notices to the respondents.

3. At the request of learned counsel for the applicants, re-issue notices to the respondents, returnable on 23.11.2023.

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

5. 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

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O.A.842/2023

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

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

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

8. S.O. to 23.11.2023.

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

VICE CHAIRMAN

ORAL ORDERS 12.10.2023 sas

M.A.NO. 485/2022 IN O.A.ST.NO. 1748/2022
(Gangadhar N. Fasale & Ors. Vs. The State of Maharashtra & Ors.)

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

DATE : 12.10.2023

ORAL ORDER :

Shri Ketan Pote, learned counsel holding for Shri A.G. Ambetkar, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has submitted affidavit in reply on behalf of respondent Nos. 1 to 3. The same is taken on record and copy of it is given to other side.

3. Learned P.O. is directed to verify the fact whether the applicant did retire on 30th June of his retirement and any departmental enquiry or criminal proceeding etc. is pending against him at the time of his retirement.

4. S.O. to 20.10.2023 for hearing.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 437 OF 2023
(Dr. Prakash G. Kamble Vs. State of Mah. & Ors.)**

**ORIGINAL APPLICATION NO. 439 OF 2023
(Dr. Vidyasagar R. Patil Vs. State of Mah. & Ors.)**

**ORIGINAL APPLICATION NO. 440 OF 2023
(Dr. Nathrao N. Phad Vs. State of Mah. & Ors.)**

**ORIGINAL APPLICATION NO. 442 OF 2023
(Dr. Sudhakar G. Latpate Vs. State of Mah. & Ors.)**

**ORIGINAL APPLICATION NO. 443 OF 2023
(Dr. Sanjay K. Kasralikar Vs. State of Mah. & Ors.)**

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

DATE : 12.10.2023

ORAL ORDER :

Ms. Poonam Bodke Patil, learned counsel for the applicants in all these O.As., S/Shri M.S. Mahajan, S.K. Shirse, B.S. Deokar & Smt. Deepali S. Deshpande, learned Chief Presenting Officer & Presenting Officers for the respective respondent authorities in respective OAs, S/Shri Avinash D. Aghav, learned counsel for respondent No. 5 in O.A. No. 437/2023 and Shri Ganesh V. Mohekar, learned counsel for respondent No. 5 in O.A. No. 439/2023, Shri P.V. Tapse Patil, learned counsel for respondent No.5 in O.A.No. 442/2023 and Smt. Sunita Shelke, learned counsel holding for Smt. Yogita Thorat, learned counsel for respondent No.4 in O.A.No. 443/2023, are present.

2. At the request made on behalf of respondents, time is granted for filing affidavit in reply till 27.10.2023.

VICE CHAIRMAN

ORAL ORDERS 12.10.2023 SAS

ORIGINAL APPLICATION NO. 525 OF 2021
(Mr. Guruling N. Tanwade Vs. The State of Maharashtra & Ors.)

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

DATE : 12.10.2023

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned counsel for respondent Nos. 2 & 3, are present.

2. Learned P.O. has sought time to file affidavit in reply on behalf of respondent Nos. 1 & 4. Time is granted by way of last chance till 03.11.2023.

3. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDERS 12.10.2023 sas

ORIGINAL APPLICATION NO. 877 OF 2022
(Deelip R. Sonar Vs. The State of Maharashtra & Ors.)

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

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

DATE : 12.10.2023

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has tendered rejoinder affidavit. The same is taken on record and copy is given to other side.

3. S.O. to 23.11.2023.

VICE CHAIRMAN

ORAL ORDERS 12.10.2023 sas

ORIGINAL APPLICATION NO. 511 OF 2022
(Sandeep Raghunath Patil Vs. The State of Maharashtra & Ors.)

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

DATE : 12.10.2023

ORAL ORDER :

Shri M.G. Patil, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has sought two weeks time to file affidavit in reply.

3. Learned counsel for the applicant submitted that due opportunities are already availed and there is some urgency in the matter since the fresh process is already commenced.

4. In the circumstances, time granted by way of last chance. It is clarified that if the reply is not filed within the given time, the matter will be heard without reply of the respondents.

5. S.O. to 26.10.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 458 OF 2023
(Chandrakant Dayaram Patil Vs. The State of Maharashtra & Ors.)

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

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

DATE : 12.10.2023

ORAL ORDER :

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

2. Learned P.O. has tendered affidavit in reply on behalf of respondent Nos. 1 & 2. The same is taken on record and copy of it is given to other side.

3. S.O. to 24.11.2023 for filing affidavit in rejoinder, if any.

VICE CHAIRMAN

ORAL ORDERS 12.10.2023 sas

ORIGINAL APPLICATION NO. 01 OF 2022
(Vishnu B. More Vs. The State of Maharashtra & Ors.)

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

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

DATE : 12.10.2023

ORAL ORDER :

Shri K.G. Salunke, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 01.11.2023 for hearing. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDERS 12.10.2023 sas

ORIGINAL APPLICATION NO. 02 OF 2022
(Shantilal D. Hiwarale Vs. The State of Maharashtra & Ors.)

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

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

DATE : 12.10.2023

ORAL ORDER :

Shri K.G. Salunke, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 01.11.2023 for hearing. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDERS 12.10.2023 sas

ORIGINAL APPLICATION NO. 263 OF 2022
(Bhaskar D. Hire Vs. The State of Maharashtra & Ors.)

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

DATE : 12.10.2023

ORAL ORDER :

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

2. S.O. to 26.10.2023 for hearing. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDERS 12.10.2023 sas

ORIGINAL APPLICATION NO. 815 OF 2023
(Bijusing Dharamsing Gusinge Vs. The State of Maharashtra & Ors.)

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

DATE : 12.10.2023

ORAL ORDER :

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

2. Learned P.O. has sought time to file affidavit in reply stating that the para-wise reply is already forwarded for approval and is likely to be received within two weeks and therefore has sought two weeks time to file affidavit in reply.

3. Learned counsel for the applicant has strongly objected for giving any more time for filing affidavit in reply stating that due opportunities are already availed by the respondents. Learned counsel for the applicant submitted that the applicant has not been paid salary for the past about five months. Learned counsel for the applicant has sought direction against the respondents to remit the amount of salary to the applicant.

4. Learned P.O. has sought information from the officer who is present before the court and he has

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O.A. 815/2023

confirmed that the salary has not been paid to the applicant.

5. In view of above, the respondents are directed to remit entire salary of the applicant within two weeks from the date of this order.

6. S.O. to 26.10.2023.

VICE CHAIRMAN

ORAL ORDERS 12.10.2023 sas

M.A.NO.456/2023 IN O.A.NO.858/2023
(Avinash A. Bagul & Ors. Vs. State of Maharashtra & Ors.)

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

(This case is placed before Single Bench
due to non-availability of Division Bench)

DATE : 12-10-2023

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The applicants have filed the present application thereby praying for an interim relief seeking direction against the respondents not to declare the result of departmental promotion examination which was held on 17-09-2023 till the decision of this O.A. Interim relief is also sought seeking directions against the respondents, more particularly, respondent no.4 not to issue promotion orders till final decision of the O.A.

3. Learned CPO has sought time to file reply to the present M.A. Learned CPO submitted that respondents are yet to file their affidavit in reply to the O.A. also. Learned CPO submitted that the

applicants have unnecessarily filed the present application when the said process will be taking some time during which entire O.A. can be finally heard and disposed of. Learned CPO submitted that within two weeks the affidavit in reply will be filed by the respondents and the respondents may not have any objection to take the matter for hearing immediately thereafter.

4. Learned CPO further pointed out that yet the result of the written examination is not declared. After the result is declared, successful candidates will be required to appear for practical test and then the interviews will be taken and only thereafter the list of the candidates to be promoted will be declared. Learned CPO submitted that within the time which is likely to be consumed for completing all such processes, the present O.A. would be disposed of. Learned CPO in the circumstances has prayed for rejecting the present application. Learned CPO further submitted that otherwise also the Tribunal has sufficiently protected the interest of the present applicants by making promotion orders, if made, subject to outcome of the present O.A. and

=3= M.A.456/23 IN O.A.858/23

in view of that no further order requires to be passed.

5. Grievance of the applicant is that the respondents have unreasonably enlarged the scope of feeder cadre by allowing several such officers who having regard to the existing rules cannot be permitted to compete for the post of Police Sub Inspectors. Some such names are pointed out by the learned Counsel.

6. After having heard learned Counsel for the applicant and the learned CPO, it appears to me that unless the explanation and authentic information comes on record through respondents as about the contentions raised in the O.A., the Tribunal may not be in a position to arrive at any concrete conclusion.

7. Learned CPO has undertaken to file the affidavit in reply within 2 weeks from today. Time is granted to file the affidavit in reply in M.A. as well as the O.A. till 26-10-2023. If the time is required for filing the rejoinder etc. by the applicant, it may be granted for 1 or 2 days and not more than that.

=4= M.A.456/23 IN O.A.858/23

8. In any case, present petition will be disposed of before 04-11-2023. By the said time, it does not appear to me that the stage will come for declaring the names of recommended candidates. It has to be further stated that even if the said stage comes the entire process is made subject to outcome of the present O.A. which has sufficiently protected the interest of the present applicant. However, it is impressed upon the parties that before the result is declared, endeavor be made for disposing of the O.A. finally.

9. Learned CPO shall provide copy of their affidavit in reply one day advance to the learned Counsel for the applicant so that he can file rejoinder, if he so desires, immediately on the next day.

10. S.O. to 26-10-2023.

VICE CHAIRMAN

YUK ORAL ORDER 10.10.2023

ORIGINAL APPLICATION NO. 575/2020

(Smt. Kondabai R. Ghadge & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 12.10.2023

ORAL ORDER :

Heard Shri K.M. Nagarkar, learned counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. After having heard the present Original Application for some time, it is transpired that the relevant documents are required to be there on record. It is the contention of the applicants that they have been working with respondent no. 3 and respondent no. 4 for the period of more than 10 years and in each year they have rendered services for 240 days and, as such, they are entitled for regularization of their services. Learned counsel for the applicants pointed out that similarly situated 336 workers working at J.J. Hospital were regularized by G.R. dated 17.12.22015. Learned counsel further pointed out that remaining workers working in J.J. Hospital having worked for more than 10 years have approached the principal Bench

of this Tribunal at Mumbai by filing O.A. No. 756/2020 and the Tribunal has passed order on 14.2.2022 in their favour thereby directing the respondents therein to regularize the services of said applicants.

3. In the present matter the respondents have come out with a defense that none of the applicants have worked for 240 days in each year and are not complying with the criteria. However, no record is produced by the respondents of the services rendered by the present applicants. When respondents have taken a defense that none of the applicants have worked for 240 days in each year, the respondents must be possessing such record with them and on the basis of said record said statement is made. The applicants cannot be expected to have such record.

4. In view of above, I direct respondent nos. 3 & 4 to produce the data in regard to the services rendered by the applicants during the period from 1995 onwards. Learned counsel pointed out that dates of entry in service of the applicants are

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O.A. NO. 575/2020

different starting from year 1995. Respondents shall produce the record in that regard by the next date.

5. S.O. to 26.10.2023.

VICE CHAIRMAN

ARJ ORAL ORDERS 12.10.2023