

**Date : 12.01.2024**

**ORIGINAL APPLICATION NO. 44/2024**

**(Smt. Bhanupriya Bhikanrao Suryawanshi V/s State of Maharashtra & Ors.)**

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

1. Smt. Archana J. Pawar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on **12.02.2024**. The case be listed for admission hearing on **12.02.2024**.
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.

**I/C REGISTRAR**

**C.P. ST. NO. 2366/2023 IN O.A. NO. 838/2022**  
**(Shri Asif Abdul Rauf Mulla Vs. State of Mah. & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri Ganesh Mohemar, learned counsel for the petitioner and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. When the present matter is taken up for consideration, learned counsel for the petitioner submits that the order of which contempt is alleged in the present Contempt Petition has been complied with. The document in that regard is produced on record. Same is taken on record. In view of the submission so made by the learned counsel, following order is passed :-

**ORDER**

The Contempt Petition stands disposed of without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 878/2023**  
**(Shri Avadhut S. Waghmode Vs. State of Mah. & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri R.N. Bharaswadkar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer has tendered the affidavit in reply on behalf of respondent nos. 3 & 4. Same is taken on record and copy thereof has been supplied to other side.

3. S.O. to 20.2.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 608/2021**  
**(Shri Pawansing R. Bighot Vs. State of Mah. & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Arguments of both the parties are completed.  
The matter is closed for orders.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 206/2023**  
**(Shri Anil R. Jadhav Vs. State of Mah. & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri A.B. Rajkar, learned counsel holding for Shri J.B. Choudhary, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 15.1.2024. The interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 12.01.2024

**ORIGINAL APPLICATION NO. 207/2023**  
**(Shri Baliram T. Barhe Vs. State of Mah. & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri A.B. Rajkar, learned counsel holding for Shri J.B. Choudhary, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 15.1.2024. The interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 12.01.2024

**M.A. NO. 16/2024 WITH M.A. 584/2023 IN O.A. NO. 1042/2023**  
**(Shri Yogesh S. Dawle Vs. State of Mah. & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri R.J. Nirmal, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Perused the application, whereby the applicant has sought amendment in the O.A. The applicant is intending to incorporate some additional information, contextual prayers, as well as, impleadment of necessary parties. After having gone through the contents of the Misc. Application, it does not appear to us that the nature of the O.A. will be changed if the applicant is allowed to amend the O.A. We are, therefore, inclined to allow the Misc. Application. Hence the following order :-

**O R D E R**

- (i) The Misc. Application stands allowed.
- (ii) Necessary amendment be carried out within two weeks and amended copy be supplied to the learned P.O.
- (iii) No order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 1042/2023**  
**(Shri Yogesh S. Dawle Vs. State of Mah. & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri R.J. Nirmal, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. After the amendment is carried out, issue notice to the added respondents, returnable on 5.2.2024.

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

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

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

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

7. S.O. to 5.2.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 652/2021**  
**(Shri Sadashiv N. Pohandulkar Vs. State of Mah. & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Arguments of both the sides are completed.  
The matter is closed for orders.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 12.01.2024

**ORIGINAL APPLICATION NO. 22/2021**  
**(Shri Muktyarsing R. Theng Vs. State of Mah. & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri M.P. Gude, learned Chief Presenting Officer for the respondent authorities.

2. Arguments of both the parties are completed.  
The matter is closed for orders.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A. NO. 455/2023 IN O.A. ST. 1772/2023**  
**(Shri Yeshwant K. Khade Vs. State of Mah. & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri Kishor Ingole, learned counsel for Shri Anand Chawre, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicant, reissue notice to the respondents in M.A., returnable on 20.3.2024.

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

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

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

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

7. S.O. to 20.3.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**O.A. NOS. 487 & 488 BOTH OF 2022**  
**(Shri Rajesh J. Gangurde & Anr. Vs. State of Mah. & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicants in both the matters and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in both the matters, are present.

2. S.O. to 5.2.2024. The status quo granted earlier in both the matters to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 12.01.2024

**ORIGINAL APPLICATION NO. 01/2022**  
**(Shri Vishnu B. More Vs. State of Mah. & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri A.B. Rajkar, learned counsel holding for Shri K.G. Salunke, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 7.02.2024. The interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 02/2022**  
(Shri Shantilal D. Hiwarale Vs. State of Mah. & Ors.)

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri A.B. Rajkar, learned counsel holding for Shri K.G. Salunke, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 7.02.2024. The interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 12.01.2024

**ORIGINAL APPLICATION ST. NO. 1978 OF 2023**  
(Bhaskar K. Dabhade Vs. State of Maharashtra & Ors.)

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri Sanjya Kolhare, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits that during course of the day the short affidavit in reply will be filed.

3. S.O. to 28.02.2024.

**MEMBER (J)**

ORAL ORDER 12.01.2024 sas

**M.A.NO. 12 OF 2024 IN O.A.ST.NO. 2388 OF 2023  
(Vaijinath S. Hange Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

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

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

3. Learned counsel for the applicant submits that the applicant is assailing the order dated 01.03.2021 refusing to grant him the benefit of 3<sup>rd</sup> revised Assured Career Progression Scheme by filing the accompanying Original Application which is delayed by 517 days. Learned counsel for the applicant submits that the applicant came to retired on 31.07.1919 by attaining the age of superannuation. Learned counsel for the applicant submits that due to outbreak of Covid-19 and since the applicant is above the age of 60 years, the Original Application could not be filed within time. The applicant had already filed the representation before the respondent No.2 on 15.07.2021 and 28.03.2023 but



//2// M.A. 12/2024 in  
O.A.St. 2388/2023

till today no action is taken in connection with the said representations. Learned counsel for the applicant submits that the delay is not intentional and deliberate one and as such, the application may be allowed.

4. Learned P.O. has strongly resisted the application on the ground that there is an inordinate delay in filing the Original Application which is not satisfactorily explained. There is no substance in the Misc. Application and the same is liable to be dismissed.

5. It appears that the applicant is retired employee and though he has filed the representation twice for grant him the benefits of 3<sup>rd</sup> revised Assured Career Progression Scheme, the respondents have not considered the same. However, the applicant could not approach to this Tribunal due to outbreak of Covid -19. There is no inaction on the part of the applicant nor there is intentional delay in filing the Original Application. In view of same, I am inclined to condone the delay caused in filing the accompanying Original by imposing moderate costs upon the applicant. I

//3// M.A. 12/2024 in  
O.A.St. 2388/2023

compute the costs of Rs.200/- (Two Hundred only) on the applicant and proceed to pass the following order: -

**ORDER**

The Misc. Application No. 12/2024 is allowed in following terms:-

- (A) The delay caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to costs of Rs. 200/- (Two Hundred only). The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.
- (B) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

**MEMBER (J)**

**ORIGINAL APPLICATION ST.NO. 2388 OF 2023  
(Vaijinath S. Hange Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

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

2. Issue notice to respondents, returnable on 12.03.2024.

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

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

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

//2// O.A.St. 2388/2023

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

7. The learned P.O. appears for all the respondents and seeks time for taking instructions.

8. S.O. to 12.03.2024.

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

**MEMBER (J)**

**M.A.NO. 14 OF 2024 IN O.A.ST. NO. 62 OF 2024**  
**(Vishnudas M. Naik & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri K.M. Suryawanshi, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. By way of this Original Application, the applicant has challenged recruitment process of the year 2023 for filling up the post of Police Patil.

3. In view of same, office to examine the same and submit the report as to whether this matter pertains to Single Bench or Division Bench.

4. Bottom of Board.

**MEMBER (J)**

ORAL ORDER 12.01.2024 sas

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

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri D.A. Bide, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. The matter is already part heard.

3. Learned P.O. for the respondents submits that in terms of oral directions given by this Tribunal, the officer from the office of respondent No.3 is present before this Tribunal along with certain documents.

4. Learned P.O. seeks time to go through the same and make appropriate submissions on the next date. Time granted.

5. S.O. to 02.02.2024.

**MEMBER (J)**

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

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

**DATE : 12.01.2024**

**ORAL ORDER :**

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

2. The present matter is reserved for order.

**MEMBER (J)**

ORAL ORDER 12.01.2024 sas

**ORIGINAL APPLICATION NO. 993 OF 2019**  
**(Dileep R. Joshi Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri V.G. Pingle, learned counsel for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent Nos. 2 & 3, are present.

2. At the request of learned counsel for the applicant, S.O. to 11.03.2024 for hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 994 OF 2019**  
**(Dileep K. Thorat Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri V.G. Pingle, learned counsel for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri Ajikya S. Reddy, learned counsel for respondent Nos. 2 & 3, are present.

2. At the request of learned counsel for the applicant, S.O. to 11.03.2024 for hearing.

**MEMBER (J)**

ORAL ORDER 12.01.2024 sas

**ORIGINAL APPLICATION NO. 353 OF 2023**  
**(Satyabhama R. Ubale Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri V.G. Pingle, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., time granted for filing affidavit in reply on behalf of respondent Nos. 1 to 3.

3. S.O. to 06.03.2024 for filing reply/for hearing.

**MEMBER (J)**

ORAL ORDER 12.01.2024 sas

**ORIGINAL APPLICATION NO. 398 OF 2018**  
**(Dnyaneshwar K. Sanap Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri V.G. Pingle, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 11.03.2024 for final hearing.

**MEMBER (J)**

ORAL ORDER 12.01.2024 sas

**ORIGINAL APPLICATION NO. 253 OF 2019**  
**(Laxmikant M. Bhoskar Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri R.N. Bharaswadkar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 19.03.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 615 OF 2021**  
**(Dr. Godavari M. Vaidya Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri V.G. Pingle, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 21.03.2024 for final hearing.

**MEMBER (J)**

ORAL ORDER 12.01.2024 sas

**ORIGINAL APPLICATION NO. 18 OF 2022**  
**(Ashok S. Nikam Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 21.03.2024 for final hearing.

**MEMBER (J)**

ORAL ORDER 12.01.2024 sas

**ORIGINAL APPLICATION NO. 642 OF 2022**  
**(Gopal M. Waghmare Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri A.D. Gadekar, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. None appears for respondent No.3.

3. Pleadings are completed. List the matter for admission hearing on 12.03.2024.

**MEMBER (J)**

ORAL ORDER 12.01.2024 sas

**ORIGINAL APPLICATION NO. 494 OF 2020**  
**(Yashwant Laxmanrao Mohite Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri Suhas B. Ghute, learned counsel for the applicant and Shri H.P. Jadhav, learned counsel for respondent No.5, are **absent**. Heard Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 to 4.

2. None present for the applicant. On 05.01.2024 this Tribunal has directed the learned P.O. to take specific instructions as to whether the matter has become infructuous due to long pendency or for some other reasons.

3. Learned P.O. submits the communication in writing received from Administrative Officer of the respondent No.3, wherein it is stated that the applicant namely Shri Yashwant Laxmanrao Mohite who was working as Assistant Superintendent retired on 28.02.2023 on superannuation and he has also been paid all the retirement benefits. The said communication dated 11.01.2024 along with the details about the retirement benefits paid to him



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O.A. 494/2020

are taken on record and marked as document 'X' for the purpose of identification.

4. In view of same, nothing survives for further consideration in this Original Application. The Original Application has become infructuous and the same is accordingly disposed of. No costs.

**MEMBER (J)**

ORAL ORDER 12.01.2024 sas

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

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri A.S. Deshmukh, learned counsel for the applicant, is **absent**. Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri A.V. Wadkar, learned counsel holding for Shri S.B. Patil, learned counsel for respondent Nos. 3 & 4, are present.

2. None present for the applicant.

3. S.O. to 12.03.2024 as a last chance for hearing.

**MEMBER (J)**

**Later On:-**

4. Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for the applicant is present and seeks adjournment.

5. S.O. to 12.03.2024 for hearing.

**MEMBER (J)**

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

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

**DATE : 12.01.2024**

**ORAL ORDER :**

S/Shri Manoj Shelke/S.M. Mundik, learned counsel for the applicant, is **absent**. Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant. This Original Application is of the year 2018.

3. In view of same, S.O. to 12.03.2024 for passing order/for hearing.

**MEMBER (J)**

**M.A.NO. 85 OF 2023 IN O.A.ST.NO. 261 OF 2023  
(Ganesh M. Ingle Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri B.R. Kedar, learned counsel for the applicant, is **absent**. Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri H.S. Bali, learned counsel for respondent No.4, are present.

2. Learned counsel for respondent No.4 submits that affidavit in reply on behalf of said respondent along with spare copy for the applicant. The same is taken on record.

3. S.O. to 01.03.2024 for hearing.

**MEMBER (J)**

ORAL ORDER 12.01.2024 sas

**M.A.NO. 542 OF 2023 IN O.A.ST.NO. 1952 OF 2023  
(Vasant V. Tandulje Deceased through L.Rs. Rajani Wd/o  
Vasant Tandulje Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

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

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

3. List the present matter on 02.02.2023 along with matters on regular board from Sr. Nos. 7 to 14.

**MEMBER (J)**

ORAL ORDER 12.01.2024 sas

**ORIGINAL APPLICATION NO. 495 OF 2023**  
**(Raziabee Shaikh Mohammed Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri Sudhir Patil, learned counsel for the applicant, is **absent**. Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. submits the affidavit in reply on behalf of respondent Nos. 1 & 2 along with spare copy for the applicant. The same is taken on record.

3. Pleadings are completed.

4. List the matter for admission hearing on 11.03.2024. In the meanwhile it would be open for the applicant to file affidavit in rejoinder, if desires.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 131 OF 2023  
(Chhaya P. Sulakhe Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Smt. Rutuja Kulkarni, learned counsel holding for Smt. Suchita Dhongde, learned counsel for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent No.6, are present.

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

3. In view of same, pleadings are completed. List the matter for admission hearing on 13.03.2024.

**MEMBER (J)**

**M.A.NO. 260 OF 2022 IN O.A.ST.NO. 723 OF 2022  
(Sharad S. Kappa Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Smt. Sumedha C. Thombre, learned counsel holding for Shri C.V. Thombre, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 22.02.2024.

**MEMBER (J)**

ORAL ORDER 12.01.2024 sas



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

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

**DATE : 12.01.2024**

**ORAL ORDER :**

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

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

3. Learned counsel for the applicant submits that there is a delay of 23 years in approaching this Tribunal by filing Original Application seeking direction to grant continuity in service since 10.11.1995.

4. Learned counsel for the applicant submits that the applicant is having 48% physical disability. He has possessed educational qualification as a Electric Engineering and he is eligible for appointment as a Lecturer. On 13.09.1991 on the basis of educational qualification, the respondent No.2 appointed him as Lecturer with the respondent No.4 for the subject of Electric Engineering from the

//2// M.A. 34/2024 in  
O.A.St. 861/2021

physical handicapped reserved quota. Accordingly the applicant had joined his service with the respondent No.4 College. On 21.04.1992, the services of the applicant came to be terminated without any reason and without following the procedure as contemplated in law.

5. Being aggrieved by the same, the applicant had filed the Original Application No. 1206/1992 wherein the Tribunal has directed the respondents to issue afresh appointment order and continue the applicant in service. Thus on 14.10.1992 fresh appointment came to be issued by the respondent No.4 in favour of the applicant and accordingly, the applicant had joined the service. On 26.11.1992 once again the petitioner's services came to be terminated and in his place one Sanjay Sadashivrao Bhamse came to be appointed. The applicant again approached to the Tribunal by filing the O.A.No. 4148/1992 wherein by way of interim relief dated 31.12.1992 this Tribunal had directed the respondents to continue the applicant. Pursuant to the interim order dated 31.12.1992 by order dated 07.01.1993 the respondent No.4 has appointed the

//3// M.A. 34/2024 in  
O.A.St. 861/2021

applicant afresh. Though the fresh appointment order was issued on 07.01.1993, the applicant was not permitted to work therefore, the said O.A. bearing No. 4148/1992 was heard finally and came to be allowed by order dated 29.03.1993 and directed service of the applicant to be continued.

6. It is further case of the applicant that in view of said fresh appointment, the application has rendered his services on the pay scale of Rs. 2200-5-2800-100-4000. By order dated 10.11.1995 again the services of the applicant came to be terminated and the applicant again approached to this Tribunal by filing the O.A.No. 50/1996. This Tribunal has directed respondent authorities to consider fresh appointment of the applicant in the light of three golden rules as detailed in the said order. The applicant has accordingly submitted the representations on 29.09.1997 and 24.09.2015.

7. It is further case of the applicant that the similarly situated candidates had approached for regularization of services before the Hon'ble High Court of Bombay, Bench at Aurangabad by filing the

//4// M.A. 34/2024 in  
O.A.St. 861/2021

Writ Petition No. 2046/2010 and the said Writ petition came to be allowed by order dated 19.10.2013 and directed the State to regularize and continue the appointments of the appointees who are appointed with the engineering and pharmacy college.

8. The State has challenged the said order by way of SLP (C) No. 39014/2023 and by order dated 06.01.2015 the said SLP came to be dismissed. Pursuant to the same, the State of Maharashtra has approved the appointments of the similarly situated candidates by issuing the G.R. dated 13.03.2015 and the applicant was hoping his appointment on the basis of said G.R. however, in vain. Thus on 28.11.2019 the applicant has approached the Hon'ble High Court of Bombay, Bench at Aurangabad by filing the Writ Petition No. 14401/2019 which came to be withdrawn and disposed of as alternative and efficacious remedy is available. Thus the applicant has approached to this Tribunal by filing the Original Application which is delayed by the said period.

//5// M.A. 34/2024 in  
O.A.St. 861/2021

9. Learned counsel for the applicant submits that the applicant is having 48% physical disability and initially he was appointed as a Lecturer for the subject of Electric Engineering from the physical handicapped reserved quota. Learned counsel for the applicant submits that the applicant is at present 57 years of age and still he is unemployed though having technical educational qualification. Learned counsel for the applicant submits that the delay is not intentional and deliberate one. Though the applicant has approached to the authorities to consider his case in the light of the G.R. issued on 13.03.2015 by the State of Maharashtra, however, finally he had to approach the Hon'ble High Court and on 28.11.2019, the Writ Petition came to be disposed of with the observations that the alternative and efficacious remedy is available to the applicant. Learned counsel for the applicant submits that there is no inaction on the part of the applicant and the delay may be condoned.

10. Learned P.O. submits that there is huge delay which is unexplained. There are no satisfactory reasons to condone the said delay. Mere filing of

//6// M.A. 34/2024 in  
O.A.St. 861/2021

representation is not sufficient to condone the same. However, the applicant is not likely to get relief as he had not served continuously for three years. There is no substance in the application seeking condonation of delay and the same is liable to be dismissed.

11. On careful perusal of the contents of the application it appears that though there is a huge delay, it cannot be ignored that the applicant is having 48% physical disability and way back in the year 1991 he was appointed for the first time as a Lecturer for the subject of Electric Engineering from the physical handicapped reserved quota. The applicant had to approach the Tribunal every time whenever he was terminated and under the direction of the Tribunal the respondents had issued the fresh appointment order to the applicant. It further appears that there is no inaction on the part of the applicant and right from his first termination in the year 1992, the applicant is struggling for the appointment. Even on the basis of order passed by the Hon'ble Supreme Court of India in SLP preferred by the State against the judgment and order passed

//7// M.A. 34/2024 in  
O.A.St. 861/2021

by the Hon'ble High Court in Writ Petition No. 2046/2010 and further in terms of the G.R. issued by the State of Maharashtra dated 13.03.2015 after the said SLP came to be finally dismissed, the applicant again hopefully approached to the authorities and finally in the year 2019 approached to the Hon'ble High Court by filing the Writ Petition bearing No. 14401/2019 and since alternative efficacious remedy was availed to the applicant with the said observation the W.P. came to be disposed of.

12. It is thus clear that there is no intentional and deliberate delay on the part of the applicant. The applicant is married person and he is only bread earner of the family. At present he is 57 years old. Though the learned P.O. has much argued on the merits, however let the applicant get opportunity to raise his contention on merits. In view of same, I am inclined to condone the delay caused in filing the accompanying Original Application though it is huge one. However, the applicant is required to saddle with the costs for such a huge delay. Hence, I compute the costs of Rs. 500/- (Five Hundred only)

//8// M.A. 34/2024 in  
O.A.St. 861/2021

and proceed to pass the following order: -

**ORDER**

The Misc. Application No. 34/2024 is allowed  
in following terms:-

- (A) The delay caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to costs of Rs. 500/- (Five Hundred only). The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.
- (B) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

**MEMBER (J)**



**ORIGINAL APPLICATION ST.NO. 861 OF 2021  
(Ankush B. Bedke Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

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

2. Issue notice to respondents, returnable on 12.03.2024.

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

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

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

//2// O.A.St. 861/2021

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

7. The learned P.O. appears for all the respondents and seeks time for taking instructions.

8. S.O. to 12.03.2024.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 834 OF 2023**  
**(Dr. Balasaheb S. Nagargoje Vs. State of Maharashtra &**  
**Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks time to file affidavit in reply. Time granted as a last chance.

3. S.O. to 01.02.2024 for filing reply.

**MEMBER (J)**

ORAL ORDER 12.01.2024 sas

**ORIGINAL APPLICATION NO. 856 OF 2023**  
**(Yankatrao D. Manale Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri Nitin L. Dhobale, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Record shows that only the respondent No.3 has filed the affidavit in reply.

3. Learned P.O. seeks time to file affidavit in reply on behalf of remaining respondents. Time granted as a last chance.

4. S.O. to 15.02.2024 for filing reply.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 794 OF 2023**  
**(Dattatraya N. Shinde Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri Dhananjay Chinchole, learned counsel holding for Shri J.J. Patil, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 16.02.2024. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 657 OF 2023**  
**(Laxmi N. Dhotre thorough L.R. Nilkanth T. Dhotre Vs.**  
**State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned C.P.O. seeks time to file affidavit in reply. Time granted as a last chance.
3. S.O. to 01.03.2024 for filing reply.

**MEMBER (J)**

ORAL ORDER 12.01.2024 sas

**M.A.NO. 29 OF 2022 IN O.A.ST.NO. 11 OF 2022**  
**(Yashwant M. Kadam Vs. State of Maharashtra & Ors.)**  
**WITH**  
**M.A.NO. 507 OF 2023 IN O.A.ST.NO. 1937 OF 2023**  
**(Arun A. Ghate Vs. State of Maharashtra & Ors.)**  
**WITH**  
**M.A.NO. 508 OF 2023 IN O.A.ST.NO. 1938 OF 2023**  
**(Gopal A. Kulkarni Vs. State of Maharashtra & Ors.)**  
**WITH**  
**M.A.NO. 510 OF 2023 IN O.A.ST.NO. 1953 OF 2023**  
**(Shridhar S. Sewlikar Vs. State of Maharashtra & Ors.)**  
**WITH**  
**M.A.NO. 511 OF 2023 IN O.A.ST.NO. 1954 OF 2023**  
**(Satish S. Bhalerao Vs. State of Maharashtra & Ors.)**  
**WITH**  
**M.A.NO. 512 OF 2023 IN O.A.ST.NO. 1975 OF 2023**  
**(Shriniwas K. Deshmukh Vs. State of Maharashtra & Ors.)**  
**WITH**  
**M.A.NO. 513 OF 2023 IN O.A.ST.NO. 2008 OF 2023**  
**(Shrikrishna N. Kulkarni Vs. State of Maharashtra & Ors.)**  
**WITH**  
**M.A.NO. 514 OF 2023 IN O.A.ST.NO. 2012 OF 2023**  
**(Manohar D. Waghchaure Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri V.G. Pingle, learned counsel for the applicants in all the matters and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities in all the matters, are present.

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

//2//

3. The matter at Sr. No. 28 of reply board be listed along with the present matters.

4. S.O. to 02.02.2024.

**MEMBER (J)**

ORAL ORDER 12.01.2024 sas



**ORIGINAL APPLICATION NO.660/2023**  
**(Dnyaneshwar R. Chowdhar Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri Pavan P. Uttarwar, learned counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities.

2. Learned P.O. has tendered affidavit in reply on behalf of respondent nos.1 and 3. Same is taken on record. Copy is given to the learned Counsel appearing for the applicant.

3. List the matter for further consideration on 25-01-2024.

**MEMBER (A)**

YUK ORAL ORDER 12.01.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.886/2023**  
**(Rani D. Sathe Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri M.S.Bhosle, learned counsel for the applicant, Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities and Shri N.L.Jadhav, learned Counsel for respondent no.4.

2. Learned Counsel appearing for the applicant has placed on record the order dated 05-01-2024 passed by Tahsildar, Patoda whereby he has dismissed the respondent no.4 from the post of Kotwal. Same is taken on record. Learned CPO and learned Counsel appearing for respondent no.4 both have sought time for filing affidavit in reply. Time is granted till 20-02-2024.

3. S.O. to 20-02-2024.

**MEMBER (A)**  
YUK ORAL ORDER 12.01.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.981/2022**  
**(Dr. Imran H. Mohammad Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri Syed Zahed Ali, learned counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities.

2. Learned P.O. seeks leave to submit the affidavit in reply on behalf of respondent nos.1 to 3. Learned Counsel for the applicant consented for taking the reply on record, it is accordingly taken on record. Copy of the same is given to the learned Counsel for the applicant.

3. S.O. to 23-02-2024.

**MEMBER (A)**  
YUK ORAL ORDER 12.01.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.341/2023**  
**(Dr. Jayashree E. Bangar Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri P.G.Tambade, learned Counsel holding for Shri S.S.Jadhavar, learned Counsel for the applicant, Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri S.B.Solanke, learned Counsel for respondent no.3.

2. Learned Counsel for respondent no.3 submitted the affidavit in reply of the said respondent. Same is taken on record. Copy is given to the learned Counsel appearing for the applicant as well as the State authorities.

3. Learned CPO seeks time to file affidavit in reply. Request is opposed by the learned Counsel for the applicant. However, in the interest of justice last chance is granted till 20-02-2024.

4. S.O. to 20-02-2024.

**MEMBER (A)**  
YUK ORAL ORDER 12.01.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.387/2023**  
**(Sachin M. Landge Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Smt. Vijaya Adkine, learned Counsel holding for Shri V.B.Wagh, learned Counsel for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned Counsel appearing for the applicant seeks time in the present matter. Since interim relief is running against the respondents, though request is accepted, matter cannot be adjourned to longer date.

3. S.O. to 02-02-2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**  
YUK ORAL ORDER 12.01.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.298/2023**  
**(Pramod Kharat & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri A.S.Deshmukh, learned counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities.

Shri B.S.Deshmukh, learned Counsel for respondent no.3 is **absent**.

2. Learned P.O. has again sought time to file affidavit in reply. Record shows that on 18-10-2023 time was granted by way of last chance and matter was posted on 08-11-2023. However, on that date also reply was not filed and till today the same position has remained.

3. In view of the fact that ample opportunities are availed and inspite of that reply has not been filed, list the matter for hearing on 25-01-2024.

**MEMBER (A)**  
YUK ORAL ORDER 12.01.2024

**VICE CHAIRMAN**

**C.P.St.No.1913/2023 in O.A.NO.216/2022**  
**(Namdev Ramkisan Kute & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri A.B.Chalak, learned Counsel holding for Smt. Sharada P. Chate, learned counsel for the applicants and Shri M.P.Gude, learned Presenting Officer for the respondent authorities.

2. Office has raised objection that, proof of by name notice served on respondents is not placed on record. Learned Counsel for the applicant tendered across the bar the replies received from the said respondents to whom notices were issued by the applicants. The documents so tendered are taken on record.

3. Documents which the learned Counsel for the applicants has tendered on record today, are sufficient to hold that the notices were duly served upon the said respondents. Objection, therefore, stand complied with.

=2= C.P.St.No.1913/2023 in O.A.NO.216/2022

4. Issue notice to respondent no.2 in C.P., returnable on 19-03-2024.

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

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

7. 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.

8. 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.

9. S.O. to 19-03-2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO.28/2024**  
**(Rupali J. Namewar Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri G.K.Kshirsagar, learned counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of learned Counsel for the applicant, S.O. to 31-01-2024.

**MEMBER (A)**  
YUK ORAL ORDER 12.01.2024

**VICE CHAIRMAN**

**M.A.NO.723/2023 IN O.A.ST.NO.724/2023**  
**(Pratibha A. Atnerkar Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri M.M.Bhokarikar, learned counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The office has raised an objection that the applicant has not placed on record the status of O.A.No.1223/2013 filed before the Principal Bench at MAT, Mumbai. Learned Counsel submits that the said record is not traceable and hence neither the applicant is able to bring the status of the said O.A. on record and also could not file copy of the same. Oral submissions in this regard may not be acceptable and learned Counsel shall place on record copy of the O.A. and also the present status of the said matter, if matter is not traceable even that fact has to be confirmed by the applicant and place on record some authentic information in that regard.

3. S.O. to 23-02-2024.

**MEMBER (A)**

**VICE CHAIRMAN**

YUK ORAL ORDER 12.01.2024

**ORIGINAL APPLICATION NO.547/2022**  
**(Ganesh Chavan Vs. State of Maharashtra & Ors.)**  
**WITH**  
**M.A.NO.161/2023 IN O.A.NO.616/2022**  
**(Abhijit T. Pore Vs. State of Maharashtra & Ors.)**  
**WITH**  
**ORIGINAL APPLICATION NO.784/2022**  
**(Jitesh Wagh Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 12.01.2024**  
**ORAL ORDER :**

Shri A.B.Chalak & Shri A.S.Khedkar, learned counsel for the applicants in respective matters, Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities in all these matters and Shri A.V.Thombre, learned Counsel holding for Shri S.S.Thombre, learned Counsel for respondent no.9 in O.A.No.784/2022, are present.

2. S.O. to 21-02-2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**  
YUK ORAL ORDER 12.01.2024

**VICE CHAIRMAN**

**M.A. No. 425/2023 in O.A. St. No. 1366/2023  
(Gambhir K. Mangale Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri S.P. Dhoble, learned counsel holding for Shri N.L. Choudhary, learned counsel for the applicant and Smt. Sanjvaini K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 2 & 3 in M.A. Same is taken on record and copy thereof is given to other side.

3. List the matter for hearing on 21.03.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 584 OF 2020  
(Gopalrao R. Kulkarni through his Lrs. Vs. State of  
Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri M.L. Dharashive, learned counsel for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. This is old matter of the year 2020. As none present for the applicant, S.O. to 11.03.2024 for passing necessary order.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 11 OF 2021**  
**(Ravikant R. Hadoltikar Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri Ashish Rajkar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. It is informed that learned counsel Shri G.N. Patil, appearing for respondent Nos. 3 & 4 is no more.

3. In view of above, issue fresh notice to respondent No. 2, returnable on 11.03.2024.

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

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

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

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

8. S.O. to 11.03.2024.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 127 OF 2021  
(Ambar B. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri R.P. Bhumkar, learned counsel for the applicants (**Leave Note**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note filed by learned counsel for the applicants, S.O. to 22.02.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 829 OF 2022  
(Musaddiq Ahmed Madni Masood Ahmed Madni Vs.  
State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri J.B. Choudhay, learned counsel for the applicant (**Leave Note**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note filed by learned counsel for the applicant, S.O. to 22.02.2024 for hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 1109 OF 2022  
(Sanjeev R. Kadam Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri J.B. Choudhay, learned counsel for the applicant (**Leave Note**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note filed by learned counsel for the applicant, S.O. to 22.02.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 106 OF 2023**  
**(Mohammad Fiaz Mh Ibrahim Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri Ashish Rajkar, learned counsel holding for Shri D.R. Irale Patil, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present. Shri K.S. Solanke, learned counsel for respondent No. 3, is **absent**.

2. At the request of learned Presenting Officer, S.O. to 16.02.2024 for hearing.

**MEMBER (J)**





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

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 14.03.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 798 OF 2023  
(Jaywant R. Wagh Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that inadvertently the rejoinder affidavit is not filed in the present matter and therefore, he seeks time to file the same. Time granted.

3. S.O. to 15.02.2024 for hearing.

**MEMBER (J)**

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

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent Nos. 2 and 3, are present.

2. Learned counsel for the applicant submits that there is chequered history of litigation and in view of the same, the synopsis of events is necessary to be placed on record.

3. This is old matter of the year 2017. In view of the same, learned counsel for the applicant is requested to file the synopsis of events positively on the next date of hearing.

4. S.O. to 16.02.2024 for final hearing.

**MEMBER (J)**

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

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

**DATE : 12.01.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant submits that the applicant has approached to the Education Officer by filing an application under Rule 26(4) of the Secondary School Code for the change in date of birth. Learned counsel thus seeks time to place on record the copy of said application. Time granted.

3. S.O. to 13.02.2024 for final hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 129 OF 2019**  
**(Tejrao B. Gadekar Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri J.N. Patil, learned counsel for the applicant and Smt. Vaishali Choudhary, learned counsel for respondent Nos. 3 and 4, are **absent**.

Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant. There is continuous absence of the applicant and his counsel. The present matter is of the year 2019. S.O. to 04.03.2024 for passing necessary order.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 540 OF 2019**  
**(The Maharashtra State Gazetted Veterinary Officers Union**  
**through its Vice President Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

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

2. S.O. to 22.02.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1031 OF 2019**  
**(Baswaraj M. Swami & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri K.M. Nagarkar, learned counsel for the applicants (**Absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. This is old matter of the year 2019. As none present for the applicants, S.O. to 04.03.2024 for passing necessary order.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1080 OF 2019  
(Ravindra S. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri A.D. Sugdare, learned counsel for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Smt. Sunita D. Shelke, learned counsel for respondent Nos. 2 & 3.

2. The Original Application is allowed. No order as to costs. Reasons would follow.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1087 OF 2019  
(Ravindra B. Chobe Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. The Original Application is allowed. No order as to costs. Reasons would follow.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 610 OF 2021  
(Madhukar K. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

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

2. Learned P.O. submits affidavit in reply on behalf of respondent No. 4. It is submitted belatedly even though the present matter is filed for final hearing. In the interest of justice, the same is accepted and copy thereof is given to other side.

3. S.O. to 14.02.2024 for final hearing.

**MEMBER (J)**

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

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Shri A.D. Sugdare, learned counsel holding for Shri V.G. Pingle, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 31.01.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 435 OF 2023**  
**(Vikas Kalu Salve Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

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

2. It is observed by this Tribunal in the order dated 28.11.2023 that even at present the post at Government Industrial Training Institute, Dindori is still vacant and as per the representation dated 16.11.2023, the post at Government Industrial Training Institute, Nashik is also vacant. Thus, the learned P.O. was requested to take specific instructions in this regard from the concerned respondent/s as to whether the respondent authorities are ready to decide the representations filed by the applicant by keeping in mind that the posts at Dindori as per representation dated 02.06.2023 and Nashik as per representation dated 16.11.2023 are still vacant.

3. In response to the same, learned Presenting Officer placed on record a copy of modified transfer



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O.A. No. 435/2023

order dated 11.01.2024, wherein the applicant is at Sr. No. 6 and transferred to Industrial Training Institute, Nashik, Dist. Nashik. The said modified order dated 11.01.2024 is taken on record and marked as document 'X' for identification.

5. In view of the same, nothing survives in the present Original Application for further consideration.

6. Learned counsel for the applicant on instruction submits that purpose of filing of the present Original Application is over and the applicant is satisfied.

7. In view of above, the O.A. stands disposed of. No order as to costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 66 OF 2021**  
**(Gajendra T. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri S.R. Patil, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Though the present Original Application is filed for setting aside impugned order dated 19.01.2021 issued by respondent No. 1, by order dated 02.03.2022 the said order of suspension has been revoked and the applicant is reinstated and posted at RTO office, Parbhani. The applicant is not satisfied with his posting and thus challenged the said order of posting by filing separate O.A.

3. Learned counsel for the applicant submits that order of suspension is actuated by mala-fides, arbitrariness and issued with an ulterior purpose.

4. Learned Presenting Officer, however, submits that C.R. No. 61/2020 for the offences punishable under Sections 447, 269, 188, 271, 201, 120(b), 500, 501 read with Section 120 of the Maharashtra Police Act, 1951, Section 3 of the Epidemic Act, 1897 and

//2//

O.A. No. 66/2021

Rule 11 of Covid 19 Regulation 2020 came to be registered against the applicant and in view of the registration of the said crime, by order dated 19.01.2021 the applicant was suspended by respondent No. 1. Further charge-sheet of the Departmental Enquiry came to be served on the applicant on 25.06.2021 and it is informed that in so far as the charge No. 1 of the said D.E. is concerned, which is in connection with said crime has been stayed by this Tribunal in another O.A. till decision of the Criminal Case pending against him and the Tribunal has directed that the department may proceed with inquiry in connection with the charge No.2.

5. Learned counsel for the applicant submits that the applicant came to be discharged in connection with the said crime bearing No. 61/2020 by order dated 06.11.2023 by the learned Judicial Magistrate First Class, (Court No. 5) Dhule.

6. In view of above submissions,  
Admit.

7. Learned P.O. waives notice for all the respondents.

8. S.O. to 21.03.2024 for final hearing.

**MEMBER (J)**

**M.A. No. 14/2024 in O.A. St. No. 62/2024**  
**(Vishnudas M. Naik & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 12.01.2024**

**ORAL ORDER :**

Heard Shri K.M. Suryawanshi, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. On perusal of the report dated 12.01.2024 submitted by the I/c Registrar of this Tribunal, it appears that in view of the Circular issued by the Chairman of this Tribunal at Mumbai on 25/28.05.2021, all Police Patil Recruitment/cancellation of admission matters are assigned to the Single Bench.

3. By this Misc. Application, the applicants are seeking permission to sue jointly. The applicants belong to different villages in the Mukhed Taluka and in terms of the advertisement/ notification for the recruitment of the Police Patil of the year 2023 for Degloor and Mukhed Taluka, they were intending to file an application for the difference villages. It is their case that 147 seats were supposed to be recruited as per the declaration of the Sub-Divisional Officer, Degloor dated 21.12.2023 and the roster is not properly followed while reserving /allotting seats for the post of Police Patil in respective

//2// MA 14/2024 in OA St. 62/2024

villages. Further the new roster policy of 06.07.2021 is totally ignored with regard to the sequence and allocation of seats to the categories as per new roster.

4. Learned counsel for the applicants submits that in view of the same, the applicants are deprived from filing the applications, since their applications are not processed online for the respective villages for want of reservation.

5. In response to the query made by this Tribunal, learned counsel for the applicants informed that the applicant No. 1 is from O.B.C. category, the applicant Nos. 2 and 3 are from NTC (OBC) category, applicant No. 4 and 6 are from SC category and the applicant No. 5 is from NTC category. The applicant No. 4, who is retired Police Patil has approached this Tribunal for his son, he is from S.C. category. It further appears that the different reservation is allotted to the different villages and in the background of the aforesaid facts, permission to sue jointly cannot be given to the applicants. The applicants shall file separate O.As.

6. In view of above discussions, the M.A. is accordingly dismissed. No order as to costs.

**MEMBER (J)**