

MA 503/2019 IN OA ST. 2016/2019
(Amina Begum Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri AB Rajkar, learned counsel for the applicant and Shri BS Deokar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 24.3.2023 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 43/2021
(Chandramuni Kamble Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri SG Kulkarni, learned counsel for the applicant, Smt. MS Patni, learned Presenting Officer for the respondent authorities and Shri Shamsunder B. Patil, learned counsel for respondent nos. 2 & 3, are present.

2. S.O. to 28.3.2023 for filing the affidavit in reply on behalf of respondent nos. 1 to 3.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 82/2021
(Shri Deepak Zinjurde Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Smt. Amruta Paranjape - Menezes, learned counsel for the applicant and Shri VR Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing the affidavit in reply on behalf of the respondents. Time granted.

3. S.O. to 17.3.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 595/2021
(Indirakant Bhalerao Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri SG Kulikarni, learned counsel holding for Shri Ajay Deshpande, learned counsel for the applicant and Shri VR Bhumkar, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 28.3.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 212/2022
(Shri Shantilal More Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri VB Wagh, learned counsel for the applicant and Shri BS Deokar, learned Presenting Officer for the respondent authorities, are present.

2. The learned counsel for the applicant has sought time for filing the rejoinder affidavit. Time granted.
3. S.O. to 27.3.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

**ORIGINAL APPLICATION NO. 455/2022
(Satilal Patel Vs. State of Maharashtra & Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

Shri AD Sugdare, learned counsel for the applicant and Smt. MS Patni, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing the affidavit in reply on behalf of the respondents. It reveals from the record that last chance was already granted to the respondents for filing the reply. However, in the interest of justice time granted as one more last chance for filing the reply. It is made clear that if on the next date the reply is not filed, the matter will be placed for hearing.

3. S.O. to 27.3.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 704/2022
(Shri Prakash Agav Patil Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant and Shri BS Deokar, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 24.3.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

**ORIGINAL APPLICATION NO. 864/2022
(Shri Gajanan Dandge Vs. State of Maharashtra & Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

Smt. Vidya Taksal, learned counsel for the applicant and Shri IS Thorat, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing the affidavit in reply on behalf of the respondents. Time granted.

3. S.O. to 28.3.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 917/2022
(Shri Santosh Madane Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri CR Thorat, learned counsel for the applicant (**absent**). Shri BS Deokar, learned Presenting Officer for the respondent authorities, is present.

2. Await Service.
3. S.O. to 28.3.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 991/2022
(Shri Shriniwas Gangthade Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri VP Golewar, learned counsel for the applicant and Shri DR Patil, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing the affidavit in reply on behalf of the respondents. Time granted.

3. S.O. to 3.3.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 35/2023
(Shri Narayan Gayke Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri AV Thombre, learned counsel holding for Shri SS Thombre, learned counsel for the applicant and Shri NU Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Await Service.
3. S.O. to 17.3.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 67/2023
(Shri Nilesh Nemane Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri VB Wagh, learned counsel for the applicant and Shri BS Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Await Service.
3. S.O. to 16.3.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

**M.A. NO. 351/2021 IN O.A. ST. 1391/2021
(dr. Surekha Totale Vs. State of Maharashtra & Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

Shri SG Kulkarni, learned counsel holding for Shri Ajay Deshpande, learned counsel for the applicant and Shri BS Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Await Service.
3. S.O. to 16.3.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

**M.A. NO. 330/2022 IN O.A. ST. 1196/2022
(Shri Madhav Ghode Vs. State of Maharashtra & Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

Shri Madhav Ghode, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing the affidavit in reply on behalf of the respondents. Time granted.

3. S.O. to 28.3.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 446/2022
(Shri Giriraj K. Joshi Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Heard Shri VP Latange, learned counsel for the applicant, Shri SK Shirse, learned Presenting Officer for the respondent authorities and Shri SG Bhalerao, learned counsel for respondent nos. 3 & 4.

2. Arguments are concluded. The matter is reserved for orders.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 748/2021
(Shri Prakash Potekar Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Dr. Kalpalata Patil Bharaswadkar, learned counsel for the applicant and Shri DR Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 15.2.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

**M.A. No. 109/2018 in O.A. St. No. 408/2018
WITH
M.A. No. 110/2018 in O.A. St. No. 410/2018
WITH
M.A. No. 111/2018 in O.A. St. No. 412/2018
WITH
M.A. No. 269/2018 in O.A. St. No. 1036/2018
WITH
M.A. No. 270/2018 in O.A. St. No. 1034/2018
WITH
M.A. 366/18 IN M.A. 1591/18 in O.A. St. 1592/2018
WITH
M.A. No. 295/2019 in O.A. St. No. 993/2019
(Punjaram N. Wathore & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

Shri Ajay Deshpande, learned counsel for the applicants in all these matters and Shri IS Thorat, learned Presenting Officer for the respondent authorities in all these matters, are present.

2. S.O. to 14.2.2023 for hearing.

VICE CHAIRMAN

**M.A. NO. 407/2019 IN O.A. ST. 1458/2019
(Smt. Savita Gaikwad @ Sangita S. Wagh Vs. State of
Maharashtra & Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

Shri VG Salgare, learned counsel for the applicant and Shri IS Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 21.3.2023 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

**M.A. NO. 503/2019 IN O.A. ST. NO. 2016/2019
(Amina Begum Maheboob Shaikh Vs. State of Maharashtra
& Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

Shri AB Rajkar, learned counsel for the applicant and Shri BS Deokar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 24.3.2023 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

**M.A. NO. 71/2020 IN O.A. ST. NO. 2465/2019
(Sujata R. Puri Vs. State of Maharashtra & Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

Shri DR Jayabhar, learned counsel for the applicant and Shri IS Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 30.3.2023 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

**M.A. NO. 35/2022 IN O.A. ST. NO. 105/2022
(Om D. Shinde & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

Shri Shamsunder Patil, learned counsel for the applicants and Shri MS Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 3.3.2023 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

**M.A. 251/2022 IN M.A. 18/2020 IN O.A. NO. 81/2018
(Sayyed Wali Abdul Khadar Vs. State of Maharashtra &
Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

Shri D.A. Bide, learned counsel for the applicant and Smt. MS Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 20.2.2023 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

**M.A. NO. 312/2022 IN O.A. ST. NO. 1121/2022
(Dr. Balasaheb M. Kalegore & Ors. Vs. State of
Maharashtra & Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

Shri PR Tandale, learned counsel for the applicants and Smt. MS Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 8.3.2023 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 303/2014
(Shri Prakash Shrivastav Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri AD Sugdare, learned counsel for the applicant and Shri VR Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 14.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 49/2018
(Shri Ravindra Sapkale Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri Harshal Randhir, learned counsel for the applicant and Shri SK Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 30.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 773/2018
(Shri Shivaji Satote Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri RP Bhumkar, learned counsel for the applicant, Smt. MS Patni, learned Presenting Officer for the respondent authorities and Shri SB Mene, learned counsel for respondent no. 2, are present.

2. S.O. to 28.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 822/2018
(Shri Virandra Dhivare Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri AD Sugdare, learned counsel for the applicant and Shri DR Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 14.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 1011/2019
(Shri Vithal Lokhande Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri VB Wagh, learned counsel for the applicant and Shri VR Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 8.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 531/2020
(Shri Manik Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri MS Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

**ORIGINAL APPLICATION NO. 534/2020
(Shri Rajesh Bade Vs. State of Maharashtra & Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

Shri KB Jadhav, learned counsel for the applicant and Shri DR Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 14.2.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 542/2020
(Shri Rajaram Shendge Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant and Shri NU Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 14.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

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

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

DATE : 13.2.2023

ORAL ORDER :

Shri SR Patil, learned counsel for the applicant and Shri VR Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 30.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

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

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

DATE : 13.2.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Aviansh Deshmukh, learned counsel for the applicant and Shri BS Deokar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 15.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

**ORIGINAL APPLICATION NO. 248/2021
(Shri Sunil Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

Shri VG Salgare, learned counsel for the applicant, Smt. MS Patni, learned Presenting Officer for the respondent authorities and Shri Shamsunder Patil, learned counsel for respondent nos. 2 to 4, are present.

2. S.O. to 21.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 355/2014
(Shri Laxman Talekar Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri KB Jadhav, learned counsel for the applicant and Smt. MS Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 30.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 357/2021
(Mirza Jamil Baig Mirza Hayat Baig Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri KB Jadhav, learned counsel for the applicant and Shri MS Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 30.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 359/2021
(Shri Hajabee @ Nurbee Sk. Nijam Vs. State of Maharashtra
& Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri RB Gore, learned counsel for the applicant, Shri DR Patil, learned Presenting Officer for the respondent authorities, Shri DT Devane, learned counsel for respondent nos. 2 to 4 and Shri Abed Pathan, learned counsel for respondent no. 7, are present.

2. S.O. to 23.2.2023 for final hearing. **High on Board.**

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

ORIGINAL APPLICATION NO. 383/2021
(Shri Siddharth Bhalerao Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri AM Hajare, learned counsel for the applicant and Shri MS Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 30.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 13.2.2023

C.P.NO. 12 OF 2022 IN O.A.NO. 265 OF 2017
(Dr. Suresh M. Karamunge Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri I.D. Maniyar, learned Advocate for the applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri P.R. Tandale, learned Advocate for the respondent No.4, are present.

2. At the request of the learned P.O., final chance is granted for filing short affidavit of the respondent Nos. 1 & 3.

3. S.O. to 20.03.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.02.2023.

C.P.NO. 29 OF 2022 IN O.A.NO. 283 OF 2021
(Gautam A. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Heard Shri H.S. Bali, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

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

3. Learned Advocate for the applicant submits that officer holding the designation of respondent No.2 is changed. Therefore, he seeks replacement in the name. It is allowed. The applicant to replace the name of respondent No.2 forthwith.

4. Issue fresh notice to the respondent No.2 in C.P., returnable on 24.02.2023.

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

6. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete

//2// C.P. 29/2022 In
O.A.283/2021

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. Applicant is directed to file affidavit of compliance and notice.

9. S.O. to 24.02.2023.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 866 OF 2019
(Santoshsing K. Rajput Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri K.V. Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 21.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1076 OF 2019
(Ramling S. Kamble Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 20.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1085 OF 2019
(Bhaskar M. Taske Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri S.G. Kulkarni, learned Advocate holding for Shri A.S. Deshpande, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. At the request of the learned P.O., one more last chance is granted for filing affidavit in reply on behalf of the respondent No.1.

3. S.O. to 21.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1086 OF 2019
(Chintaman H. Vasave Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri K.B. Jadhav, learned Advocate for the respondent No.3, are present.

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

3. S.O. to 21.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 385 OF 2020
(Rajinder Singh Shobha Singh Kolhapure Vs. State of
Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri A.V. Thombre, learned Advocate holding for Shri R.D. Khadap, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of the learned Advocate for the applicant, final chance is granted for filing affidavit in rejoinder.
3. S.O. to 23.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 564 OF 2020
(Shantaram P. Patil & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Smt. Suchita A. Dhongde, learned Advocate for the applicants, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Smt. Sunita D. Shelke, learned Advocate for the respondent No.3, are present.

2. Affidavit in reply filed on behalf of the respondent No.3 is taken on record and copy thereof has been served on the other side.

3. At the request of the learned P.O., final chance is granted for filing affidavit in reply on behalf of the respondent Nos. 1 & 2 failing which the matter will proceed further without affidavit in reply of respondent Nos. 1 & 2.

4. S.O. to 20.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 145 OF 2021
(Jagdish N. Saindane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Smt. Varsha Vyawahare, learned Advocate holding for Shri A.S. Bayas, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 24.03.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.02.2023.

ORIGINAL APPLICATION NO. 299 OF 2021
(Nagorao W. Bhalerao Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri M.B. Sadanshiv, learned Advocate for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri S.S. Ware, learned Advocate for the respondent Nos. 5 & 6, are present.

2. Learned Advocate for the respondent Nos. 5 & 6 submits that he will file affidavit in reply on behalf of the respondent Nos. 5 & 6 during the course of the day.

3. S.O. to 20.03.2023 for filing affidavit in rejoinder, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 792 OF 2021
(Rajendra B. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Record shows that affidavit in reply is only filed on behalf of the respondent No.3.

3. At the request of the learned P.O., last chance is granted for filing affidavit in reply on behalf of the respondent Nos. 1,2 & 4.

4. At the request of the learned Advocate for the applicant, time is granted for filing affidavit in rejoinder to the affidavit in reply filed on behalf of the respondent No.3.

5. S.O. to 23.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 547 OF 2022
(Ganesh S. Chavan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri A.S. Khedkar, learned Advocate holding for Shri Amol B. Chalak, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Record shows that the affidavit in reply is filed only on behalf of the respondent No.2.

3. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of other respondents.

4. S.O. to 09.03.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 594 OF 2022
(Bharat C. Padvi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

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

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

3. S.O. to 24.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 631 OF 2022
(Ratan G. Kunte Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri Vinod Dhotre, learned Advocate for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

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

3. S.O. to 27.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 758 OF 2022
(Vasant N. Phad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri B.R. Kedar, learned Advocate for the applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned Advocate for the respondent Nos. 3 & 4, are present.

2. As per the Circular No. MAT / MUM/ JUD/ 1340/2022, dated 22.12.2022 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding voluntary retirement, counting of service for initial modified assured progress scheme by G.R. dated 01.07.2011, service benefit, pensionary other than pay scale, time bound promotion, ACPS and lien are to be dealt with by the Single Bench. The Original Application is pertaining to Time Bound Promotion.

3. In view of the same, the present matter be placed before the Single Bench.

4. S.O. to 24.03.2023 for filing affidavit in reply on behalf of the respondents.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 764 OF 2022
(Muzaffar Abdul Sayeed Shaikh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri M.R. Kulkarni, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Record shows that the affidavit in reply is already filed on behalf of the respondent Nos. 4 & 5 separately.

3. Affidavit in reply filed on behalf of the respondent Nos. 2 & 3 is taken on record and copy thereof has been served on the other side.

4. S.O. to 27.03.2023 for filing affidavit in rejoinder, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 867 OF 2022
(Shaikh Suraiyya Kamruddin Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri C.V. Dharurkar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present. Shri V.S. Kadam, learned Advocate for the respondent Nos. 2 & 3, is **absent**.

2. Await service of notice on the respondent No.3.
3. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of the respondent No.1.
4. S.O. to 24.03.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.02.2023.

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

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 23.03.2023.

MEMBER (A)

MEMBER (J)

**O.A.NO. 886/2022 WITH O.A.NO. 887/2022 WITH
O.A.NO. 921/2022**

(Shriniwas P. Karve Vs. State of Maharashtra & Ors.)

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

DATE : 13.02.2023

ORAL ORDER :

Shri S.M. Kulkarni, learned Advocate for the applicants in all these matters (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these matters, is present.

2. At the request of the learned C.P.O., time is granted for filing affidavit in reply on behalf of the respondents in all these matters.

3. S.O. to 27.03.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.02.2023.

ORIGINAL APPLICATION NO. 959 OF 2022
(Amol N. Waghmare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri A.A. Nimbalkar, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned Advocate holding for Shri S.P. Urgunde, learned Advocate for the respondent No.3, are present.

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

3. S.O. to 13.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 985 OF 2022
(Vitthal H. Wanve Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Await service.
3. S.O. to 28.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1077 OF 2022
(Ganesh D. Nagargoje & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Await service.
3. S.O. to 28.03.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.02.2023.

ORIGINAL APPLICATION NO. 1078 OF 2022
(Vikas N. Khedkar & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Await service.
3. S.O. to 28.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 63 OF 2023
(Sanjay G. Mahske Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Await service.
3. S.O. to 28.03.2023.

MEMBER (A)

MEMBER (J)

M.A.NO. 93 OF 2017 IN O.A.NO. 801 OF 2022
(Manjushree B. Deshpande Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri H.A. Joshi, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Record shows that in spite of several opportunities, affidavit in reply is not filed on behalf of the respondents in this M.A. this is taken out for amendment. Hence, the matter will proceed further without affidavit in reply of the respondents.

3. In view of the same, fix the M.A. for hearing on 02.03.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.02.2023.

ORIGINAL APPLICATION NO. 463 OF 2022
(Ramdas S. Bhalke Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that during pendency of this Original Application the reversion order in respect of this applicant Shri Ramdas Sitaram Bhalke dated 13.05.2022 (Annexure "A-6") issued by the respondent No.3 is recalled as per order dated 12.08.2022 which is now produced by the learned Advocate for the applicant on record. It is taken on record and marked as Annexure A-12.

3. In view of the same, learned Advocate for the applicant submits that the grievances raised by the applicant in this Original Application are redressed. Hence, the Original Application stands disposed of. No order as to costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 467 OF 2022
(Pralhad V. Burkule Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that during pendency of this Original Application the reversion order in respect of this applicant Shri Pralhad Vishwanath Burkule dated 13.05.2022 (Annexure "A-6") issued by the respondent No.3 is recalled as per order dated 12.08.2022 which is now produced by the learned Advocate for the applicant on record. It is taken on record and marked as Annexure A-12.

3. Learned Advocate for the applicant however submits that this applicant Shri P.V. Burkule is not given posting.

4. Learned C.P.O. to seek instructions about giving posting to this applicant.

5. S.O. to 23.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

O.A. NOS. 464 TO 466 ALL OF 2022
(Sanjay V. Birkhade & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Heard Shri S.A. Deshmukh, learned Advocate for the applicants in all these O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these O.As.

2. S.O. to 23.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.02.2023.

M.A.NO. 35 OF 2018 IN O.A.ST.NO. 97 OF 2018
(Nilesh R. Tagad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri S.S. Jadhavar, learned Advocate for the applicant (**Absent**). Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned Advocate holding for Shri M.B. Kolpe, learned Advocate for the respondent No.2, are present.

2. S.O. to 23.03.2023 for taking necessary steps.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.02.2023.

M.A.NO. 55 OF 2022 IN O.A.NO. 604 OF 2021
(Sarang K. Gorge Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri G.N. Kulkarni, learned Advocate for the applicant (**Absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. At the request of the learned P.O., one more last chance is granted for filing affidavit in reply on behalf of the respondents.

3. S.O. to 16.03.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.02.2023.

M.A.NO. 60 OF 2022 IN O.A.ST.NO. 67 OF 2022
(Gaus Mohayyopdin Shamsodin Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri G.N. Kulkarni, learned Advocate for the applicant (**Absent**). Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 16.03.2023 as a last chance for filing affidavit in rejoinder.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.02.2023.

M.A.NO. 86/2022 IN O.A.NO. 1792/2021
(Sanjay P. Tarte Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri A.V. Thombre, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. At the request of the learned P.O., one more last chance is granted for filing affidavit in reply on behalf of the respondents in M.A.

3. S.O. to 15.03.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.02.2023.

M.A.NO. 140/2022 IN O.A.ST.NO. 494/2022
(Vinod V. Bandale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri S.B. Jadhav, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. At the request of the learned P.O., one more last chance is granted for filing affidavit in reply on behalf of the respondents in M.A.

3. S.O. to 15.03.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.02.2023.

M.A.NO. 25/2023 IN O.A.ST.NO. 1976/2022
(Dhanashree S. More Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri S.G. Kulkarni, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Await service.
3. S.O. to 29.03.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.02.2023.

ORIGINAL APPLICATION ST. NO. 3138 OF 2022
(Maroti L. Gore Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 02.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 3139 OF 2022
(Maroti L. Gore Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 02.03.2023.

MEMBER (A)

MEMBER (J)

M.A.NO. 44/2023 IN O.A.ST.NO. 61/2023
(Ramesh V. Mathpati & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Shri Vikas R. Nawathe, learned Advocate for the applicants (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned Advocate for the applicants, S.O. to 24.03.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.02.2023.

ORIGINAL APPLICATION NO. 128 OF 2023
(Gajanan H. Shinde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Heard Shri A.A. Phad, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, S.O. to 27.02.2023.

MEMBER (A)

MEMBER (J)

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

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate for the applicants, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the respondent Nos. 4 & 5.

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

3. S.O. to 16.02.2023 for **urgent admission**.
Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.02.2023.

ORIGINAL APPLICATION NO. 1083 OF 2022
(Santosh R. Shirsat & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Heard Shri U.R. Awate, learned Advocate holding for Shri S.B. Talekar, leaned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Considering the issue involved in the matter, learned C.P.O. to see that affidavit in reply is filed on the next date on behalf of the respondents and more particularly on behalf of newly added respondent i.e. G.A.D. so that the hearing of the matter can be done at the earliest.

3. In view of the same, S.O. to 08.03.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 891 OF 2018
(Dr. Uddhav S. Khaire Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Heard Dr. Uddhav S. Khaire, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. The present matter be treated as part heard.
3. S.O. to 20.03.2023. **High on Board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1139 OF 2022
(Vitthal M. Kakade & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Heard Shri A.S. Khedkar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

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

3. S.O. to 15.03.2023 for hearing. **High on Board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.02.2023.

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

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Heard Shri Ajay S. Deshpande, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri S.D Joshi, learned Advocate for the respondent No.6, are present. Shri S.P. Salgar, learned Advocate for the respondent Nos. 3 to 5, is **absent.**

2. S.O. to 03.03.2023 for hearing. **High on Board.**

MEMBER (A)

MEMBER (J)

**O.A.NO. 95/2022 WITH O.A.NO. 97/2022 WITH
M.A.NO. 62/2022 IN O.A.ST.NO. 209/2022
(Vijay U. Kale & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 13.02.2023

ORAL ORDER :

Heard Shri G.M. Jadhav, learned Advocate for the applicants in all these matters and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these matters.

2. The present matters be treated as part heard.
3. S.O. to 10.03.2023. **High on Board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.02.2023.

**O.A.NOS. 553/2013, 639/2012, 640/2012,
676/2012, 681/2012, 682/2012, 803/2012,
860/2012, 864/2012, 897/2012, 905/2012,
906/2012, 907/2012, 908/2012, 909/2012,
910/2012, 243/2013, 259/2013, 260/2013,
325/2013, 611/2023 AND 626/2014
(Rashid Shaikh Noor Patel & Ors. Vs. State of Maharashtra
& Ors.)**

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

DATE : 13.02.2023

ORAL ORDER :

Heard Shri S.S. Dambe, learned Advocate for the applicants in all these O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these O.As.

2. S.O. to 01.03.2023 for hearing peremptorily.

MEMBER (A)

MEMBER (J)

T.A. 11/1999 (W.P. 3251/1993)
T.A. 19/1999 (W.P. 2311/1994)
T.A. 26/1999 (W.P. 2772/1993)
T.A. 47/1999 (W.P. 776/1993)
T.A. 07/1999 (W.P. 3765/1997)
T.A. 06/2006 (W.P. 4261/1995)
T.A. 36/2002 (W.P. 3007/1991)
M.A. 311/2008 in T.A. 42/1999 (W.P. 1274/1991)
T.A. 17/1999 (W.P. 2791/1994)
T.A. 35/1998 (W.P. 296/1998)
M.A. 309/2008 in T.A. 24/1999 (W.P. 3607/1993)
M.A. 306/2008 in T.A. 36/1999 (W.P. 652/1994)
T.A. 28/1999 (W.P. 1253/1991)
T.A. 30/1999 (W.P. 617/1994)
T.A. 33/1999 (W.P. 3796/1997)
T.A. 34/1999 (W.P. 3620/1997)
T.A. 37/1999 (W.P. 1382/1994)
T.A. 14/1999 (W.P. 3770/1997)
T.A. 16/1999 (W.P. 1226/1991)
T.A. 13/1999 (W.P. 777/1995)
T.A. 20/1999 (W.P. 882/1991)
T.A. 38/1999 (W.P. 329/1992)

(Marathwada Serva Shramik Sanghatana through its
Joint Secretary M.S. Sonwane & Ors. V/s. State of
Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Heard Shri Ganesh Jadhav, learned Advocate holding for Shri S.K. Shelke, learned Advocate for the applicants in respective matters and Shri M.S.

//2// T.A.11/1999 & ors.

Mahajan, learned Chief Presenting Officer for the respondent authorities in all the these matters.

Shri S.R. Barlinge, learned Advocate for the applicant in T.A.7/1999, T.A.28/1999, T.A.37/1999, T.A.14/1999, Shri Goverdhan Ganoji, party in person in T.A.No.06/2006, Shri Subhash Mundhe, learned Advocate for the applicant in M.A.311/2008 in T.A.42/1999, Shri B.B. Yenge, learned Advocate for the applicant in M.A.No.309/2008 in T.A.24/1999 and M.A.No.306/2008 in T.A.36/1999 and Shri Vivek Bhavthankar, learned Advocate for the respondent Nos. 2 & 3 in T.A.No. 11/1999, are **absent**.

2. Shri G.R. Jadhav, learned Advocate holding for Shri S.K. Shelke, learned Advocate for the applicants in respective cases placed on record the chart showing details of Transfer Applications pertaining to Social Forestry Department. It is taken on record and copy of the same has been given to learned C.P.O.

3. Learned C.P.O. to verify the details of these matters of the year 1999. If the applicants and their learned Advocates failed to take necessary steps to

//3// T.A.11/1999 & ors.

argue the matters on the next date, the matters will dismissed in default.

4. Meanwhile, the learned Advocate for the applicants to place on record status of the case of the applicants individually so that on the next date the matters can be effectively heard.

5. S.O. to 03.03.2023 for final hearing peremptorily/for dismissal.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 215 OF 2022
(Salim Mohd Hanif Shaikh & Ors. Vs. State of Maharashtra
& Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3, Shri Mahesh Deshmukh along with Shri U.L. Momale, learned Advocates for the respondent Nos.4 to 24 and Shri V.B. Wagh, learned Advocate for the respondent No.25.

2. Learned Advocate for the applicants seeks extension of interim relief for two weeks in order to approach to the Hon'ble High Court against the order.

3. In the interest of justice, interim relief to continue for two weeks i.e. till 27.02.2023.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.502/2018
(Bansilal Jaiswal Vs. State of Maharashtra & Ors.)**

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

DATE : 13-02-2023

ORAL ORDER :

Shri A.D.Raut, learned Counsel for the applicant is **absent**. Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, Shri S.D.Joshi, learned Counsel for respondent no.2 and Ku. Anagha Pandit, learned Counsel holding for Talekar & Associates learned Counsel for respondent no.3, are present.

2. S.O. to 31-03-2023.

VICE CHAIRMAN

YUK ORAL ORDER 13.02.2023

**ORIGINAL APPLICATION NO.830/2021
(Sanjay Pardikar Vs. State of Maharashtra & Ors.)**

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

DATE : 13-02-2023

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities.

2. Arguments are heard for some time. S.O. tomorrow i.e. on 14-02-2023 for further consideration.

VICE CHAIRMAN

YUK ORAL ORDER 13.02.2023

ORIGINAL APPLICATION NO.217/2022
(Ahmed Raza Siddique Vs. State of Maharashtra & Ors.)

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

DATE : 13-02-2023

ORAL ORDER :

Shri Asif Ali, learned Counsel holding for Smt. A.N.Ansari, 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 16-02-2023.

VICE CHAIRMAN

YUK ORAL ORDER 13.02.2023

**ORIGINAL APPLICATION NO.624/2022
(Dhananjay Mahajan Vs. State of Maharashtra & Ors.)**

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

DATE : 13-02-2023

ORAL ORDER :

Shri V.B.Wagh, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 02-03-2023.

VICE CHAIRMAN

YUK ORAL ORDER 13.02.2023

**ORIGINAL APPLICATION NO.625/2022
(Anil Lokhande Vs. State of Maharashtra & Ors.)**

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

DATE : 13-02-2023

ORAL ORDER :

Shri V.B.Wagh, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 02-03-2023.

VICE CHAIRMAN

YUK ORAL ORDER 13.02.2023

**ORIGINAL APPLICATION NO.744/2022
(Kapil Chavhan & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 13-02-2023

ORAL ORDER :

Ms. Neha B. Kamble, learned Counsel for the applicant and Mr. M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 03-03-2023.

VICE CHAIRMAN

YUK ORAL ORDER 13.02.2023

**M.A.NO.02/2021 IN O.A.ST.NO.1333/2020
(Kailas Kalke Vs. State of Maharashtra & Ors.)**

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

DATE : 13-02-2023

ORAL ORDER :

Shri Manoj R. Khutwad, learned Counsel for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Counsel for the applicant, S.O. to 21-03-2023.

VICE CHAIRMAN

YUK ORAL ORDER 13.02.2023

**MA 542/22 in MA 261/22 with MA 257/22 in OA 447/22
(Dr. Shivshakti D. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 13.02.2023.

ORAL ORDER :

Heard Shri S.S. Thombre, learned Advocate for the applicants in M.A. 542/2022 (intervenors), Shri Mohit Deshmukh, learned Advocate for the applicants in O.A. and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities. Shri S.B. Bhosale, learned Advocate for the applicants in M.A. No. 261/2022 & 257/2022, **absent**.

2. Considering the issue involved in the matter and fact that the certain compilation of documents are placed on record on behalf of respondents during the stage of hearing, in our considered opinion, it would be just and proper to direct the applicant to file short affidavit dealing with those documents produced by the respondents. So far as intervenors in both the M.As. are concerned, they will be heard at length on the basis of pleadings and documents placed on record by them along with their respective M.As. and if necessary by referring documents relied upon by the respondents already on record.

3. S.O. to 28.02.2023 for rehearing. **High on board.**

MEMBER (A)

MEMBER (J)

O.A. No. 596/2018 with O.A. No. 597/2018
(Dr. Sunil P. Bhandare & Anr. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri G.S. Shembole, learned Advocate for the applicants in both the O.As. and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities in both the O.As., are present.

2. S.O. to 21.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 13.02.2023

ORIGINAL APPLICATION NO. 650 OF 2018
(Shivaji R. Phalegaonkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri S.D. Dhongde, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 01.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

**O.A. No. 294/2019 with O.A. No. 296/2019
(Sujata R. Palve & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 13.02.2023.

ORAL ORDER :

Shri A.C. Deshpande, learned Advocate for the applicants in both the O.As. (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities in both the O.As, is present.

2. S.O. to 16.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 13.02.2023

O.A. No. 612/2019 with Caveat No. 53/2019
(Harshal M. Nagare & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate holding for Shri Y.B. Bolkar, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present. Shri V.S. Bhale, learned Advocate for caveator, **absent**.

2. S.O. to 14.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 13.02.2023

ORIGINAL APPLICATION NO. 625 OF 2019
(Dattatrya N. Shastri Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri M.D. Narwadkar, learned Advocate for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 14.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 624 OF 2019
(Kishor G. Deshpande Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 24.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 913 OF 2019
(Shirish D. Deshmukh & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri K.B. Jahdavi, learned Advocate for the applicants, Smt. M.S. Patni, learned Presenting Officer for the respondent authorities and Shri V.B. Wagh, learned Advocate for respondent Nos. 7 to 19, are present. Shri S.B. Deshmukh, learned Advocate for respondent No. 6, **absent**.

2. S.O. to 21.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 40 OF 2020
(Shankar P. Dange Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri R.J. Nirmal, learned Advocate for the applicant (**Absent**) Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 21.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 370 OF 2020
(Shrimant M. Ture Vs. State of Maharashtra & Ors.)**

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

DATE : 13.02.2023.

ORAL ORDER :

Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 15.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 504 OF 2020
(Dr. Anita A. Kadam Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 15.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 538 OF 2020
(Schin S. Pardeshi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri J.S. Gangawane, learned Advocate for the applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 08.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 81 OF 2021
(Sadashiv B. Gitte Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri J.M. Murkute, learned Advocate for the applicant (**Absent**). Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 08.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 101 OF 2021
(Dhansing B. Chavan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri S.D. Dhongde, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 03.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 122 OF 2021
(Mohan B. Rathod Vs. State of Maharashtra & Ors.)**

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

DATE : 13.02.2023.

ORAL ORDER :

Shri M.A. Granthi/M.K. Bhosale, learned Advocate for the applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 21.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

O.A. Nos. 124, 125 and 155 all of 2021
(Kiran B. Kamble & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Smt. Suchita Dhongde, learned Advocate for the applicants in all these O.As. and Shri D.R. Patil, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. S.O. to 27.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 13.02.2023

ORIGINAL APPLICATION NO. 148 OF 2021
(Dattaram U. Rathod Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

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

2. S.O. to 02.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 271 OF 2021
(Shivaji S. Kawade Vs. State of Maharashtra & Ors.)**

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

DATE : 13.02.2023.

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 21.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 378 OF 2021
(Raju Husen Sayyed Vs. State of Maharashtra & Ors.)**

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

DATE : 13.02.2023.

ORAL ORDER :

Shri G.L. Deshpande, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.03.2023 for hearing and for filing rejoinder affidavit, if any.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 390 OF 2021
(Govind D. Mane Vs. State of Maharashtra & Ors.)**

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

DATE : 13.02.2023.

ORAL ORDER :

Shri S.S. Thombre, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned Advocate holding for Shri S.P. Urgunde, learned Advocate for respondent No. 3, are present.

2. S.O. to 24.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 652 OF 2021
(Sadashiv N. Pohandulkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. As per the Circular No. MAT/MUM/JUD/1340/2022, dated 22.12.2022 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Single Bench. The present matter is pertaining to benefits ACPS/ revised pay.

3. In view of the same, the present matter be placed before the Single Bench for further hearing.

4. S.O. to 15.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 679 OF 2021
(Mahesh G. Satkar Vs. State of Maharashtra & Ors.)**

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

DATE : 13.02.2023.

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 21.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 731 OF 2021
(Sunil L. Mali Vs. State of Maharashtra & Ors.)**

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

DATE : 13.02.2023.

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 21.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 818 OF 2021
(Dr. Ashwini A. Patil Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, Shri S.G. Kulkarni, learned Advocate for respondent No. 8, Shri A.T. Jagtap, learned Advocate for respondent No. 9 and Shri Akshay Joshi, learned Advocate for respondent No. 7. None present for respondent No. 6, though duly served.

2. Hearing of the present O.A. is expedited.
3. S.O. to 08.03.2023 for hearing. **High on board.**
4. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 33 OF 2022
(Vitthal N. Kokulwar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

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

2. S.O. to 09.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 34 OF 2022
(Sachin D. Shrimanwar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 09.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 82 OF 2022
(Dattaram U. Rathod Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

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

2. S.O. to 09.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 197 OF 2022
(Abhijit V. Bharne Vs. State of Maharashtra & Ors.)**

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

DATE : 13.02.2023.

ORAL ORDER :

Heard Shri G.K. Muneshwar, learned Advocate for the applicant and Smt. S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Hearing of the present O.A. is expedited.
3. S.O. to 17.03.2023 for hearing. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 201 OF 2022
(Dr. Raman S. Dalvi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri H.P. Jadhav, learned Advocate for the applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present.

2. S.O. to 27.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 202 OF 2022
(Dr. Rohit R. Zarkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri H.P. Jadhav, learned Advocate for the applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 27.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 203 OF 2022
(Dr. Amol B. Bansode Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri H.P. Jadhav, learned Advocate for the applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 27.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 211 OF 2022
(Smita R. Achme Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 03.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 670 OF 2022
(Dr. Rajeshree Nirmal Agarwal Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

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

2. S.O. to 03.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

**M.A. No. 456/2018 in O.A. St. No. 1919/2018
(Lakshman K. Nirmal Vs. State of Maharashtra & Ors.)**

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

DATE : 13.02.2023.

ORAL ORDER :

Shri Ajay Deshpande, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present. Shri S.R. Kedar, learned Advocate for respondent No. 3, **absent**.

2. S.O. to 10.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 13.02.2023

**M.A. No. 609/2019 in O.A. St. No. 2372/2019
(Radhabai K. Kedare Vs. State of Maharashtra & Ors.)**

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

DATE : 13.02.2023.

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 10.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 13.02.2023

**M.A. No. 111/2021 in O.A. St. No. 439/2021
(Shivaji T. Kote & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 13.02.2023.

ORAL ORDER :

Ms. Preeti Wankhade, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present. Shri J.M. Murkute, learned Advocate for respondent Nos. 35, 50, 58 & 59, **absent**.

2. S.O. to 14.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 13.02.2023

**M.A. No. 125/2022 in O.A. St. No. 120/2022
(Gunaji D. Rathod Vs. State of Maharashtra & Ors.)**

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

DATE : 13.02.2023.

ORAL ORDER :

Shri V.S. Bhale, learned Advocate for the applicant
(**Absent**). Shri I.S. Thorat, learned Presenting Officer for
the respondent authorities, is present.

2. S.O. to 15.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 13.02.2023

**M.A. No. 154/2022 in O.A. St. No. 517/2022
(Savita S. Warale Vs. State of Maharashtra & Ors.)**

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

DATE : 13.02.2023.

ORAL ORDER :

Shri V.P. Narwade, learned Advocate for the applicant (**Absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 15.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 13.02.2023

M.A. No. 75/2023 in O.A. No. 164/2022
(Nasiroddin Ajmoddin Shaikh through his Lrs. Vs. State of
Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri C.V. Dharurkar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 01.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 13.02.2023

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

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 24.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 242 OF 2018
(Syeeda Begum Syed Mohammed Ali Vs. State of
Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri U.T. Pathan, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 01.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

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

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri D.P. Deshmukh, learned Advocate holding for Shri S.P. Pidgewar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present. Shri N.R. Suryawanshi, learned Advocate for respondent No. 4, **absent**.

2. S.O. to 08.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 476 OF 2018
(Aasha S. Khairnar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri Sandesh Patil, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 14.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 690 OF 2018
(Pramod A. Kulkarni Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri Ajay Deshpande, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 08.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 695 OF 2018
(Prakash B. Phule Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 27.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 316 OF 2019
(Shamlal C. Bhagure Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri M.B. Karande/M.K. Bhosale, learned Advocate for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 14.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 1387 OF 2000
(Prayagbai G. Ghule Vs. State of Maharashtra & Ors.)**

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

DATE : 13.02.2023.

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate holding for Shri A.D. Sugdare, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. At the request of learned Advocate for the applicant, S.O. to 27.02.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

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

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri V.S. Panpatte, learned Advocate for the applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present. Shri S.K. Sawangikar, learned Advocate for respondent No. 4 and Shri G.J. Kore, learned Advocate for respondent No. 3, **absent**.

2. As none present for the applicant, S.O. to 03.03.2023 for final hearing peremptorily / dismissal.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 535 OF 2013
(Shubhangi A. Shejul & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri G.R. Jadhav, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 28.02.2023 for final hearing peremptorily / dismissal.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 575 OF 2013
(Sharad E. Madne & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri G.R. Jadhav, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 28.02.2023 for final hearing peremptorily / dismissal.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 245 OF 2015
(Jagannath H. Mhaske Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Record shows that notes of arguments are there on record.

3. At the request of learned Advocate for the applicant, S.O. to 28.02.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 403 OF 2016
(Prakash A. Doiphode Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Shri S.G. Kulkarni, learned Advocate for the applicant (**Absent**).

Heard Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Record shows that nobody is appearing on behalf of the applicant since last one date i.e. on 19.01.2023. In view of the same, it appears that the applicant is not interested in prosecuting the matter. Hence, the O.A. stands dismissed in default.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 165 OF 2017
(Dr. Sunil P. Bhamre Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

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

2. On oral instructions of the applicant learned Advocate for the applicant seeks permission to withdraw the present Original Application.

3. I have no reason to refuse the permission, when the withdrawal is unconditional. Hence, permission for withdrawal of the present Original Application is granted. The O.A. stands disposed of as withdrawn with no order as to costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 345 OF 2017
(Abhiman M. Kale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities. Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 to 6, **absent.**

2. The present matter is to be treated as part heard.
3. S.O. to 28.02.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 393 OF 2017
(Taslim Khan Chand Khan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.02.2023.

ORAL ORDER :

Dr. Swapnil Tawshikar, learned Advocate for the applicant (**Absent**).

Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for respondent No. 5.

2. Record shows that nobody is appearing on behalf of the applicant since last four dates i.e. on 7.9.2022, 07.11.2022, 14.12.2022 & 30.01.2023. In view of the same, it appears that the applicant is not interested in prosecuting the matter. Hence, the O.A. stands dismissed in default.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 946 OF 2017
(Namdeo L. More Vs. State of Maharashtra & Ors.)**

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

DATE : 13.02.2023.

ORAL ORDER :

Heard Shri K.B. Jahdavi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. The present matter is to be treated as part heard.
3. S.O. to 27.02.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 55 OF 2019
(Bhimrao G. Bramahane Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri P.B. Patil, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 10.3.2023. The present case has already been treated as part heard.

VICE CHAIRMAN

ORAL ORDER 13.2.2023-HDD

**ORIGINAL APPLICATION ST.NO. 240 OF 2023
(Shesherao B. Satpute Vs. State of Maharashtra & Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

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

2. There are certain preliminary objections raised, subject to those preliminary objections, issue notice to the respondents, returnable on 03.03.2023.

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 03.03.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 1018 OF 2022
(Mangilal N. Shirsath Vs. State of Maharashtra & Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

Smt. Suchita Amit Dhongde, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 03.03.2023.

VICE CHAIRMAN

ORAL ORDER 13.2.2023-HDD

ORIGINAL APPLICATION NO. 372 OF 2019
(Dr. Sanjay V. Deshpande Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 23.03.2023.

VICE CHAIRMAN

ORAL ORDER 13.2.2023-HDD

**ORIGINAL APPLICATION NO. 734 OF 2019
(Shamsundar R. Pande Vs. State of Maharashtra & Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 23.03.2023.

VICE CHAIRMAN

ORAL ORDER 13.2.2023-HDD

**ORIGINAL APPLICATION NO. 656 OF 2021
(Shrikisan M. Choure Vs. State of Maharashtra & Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

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

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

3. S.O. to 27.2.2023.

VICE CHAIRMAN

ORAL ORDER 13.2.2023-HDD

**ORIGINAL APPLICATION NO. 538 OF 2019
(Jawahar R Bhoi Vs. State of Maharashtra & Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

Smt. Vidya Taksal, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 24.3.2023.

VICE CHAIRMAN

ORAL ORDER 13.2.2023-HDD

ORIGINAL APPLICATION NO. 856 OF 2022
(Chandrakant V. Sadakal Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri V.B. Kale, learned counsel holding for Shri N.B. Narwade, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 4 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. Learned counsel submits that the applicant does not wish to file any rejoinder affidavit. List the matter for hearing on 23.3.2023.

VICE CHAIRMAN

ORAL ORDER 13.2.2023-HDD

ORIGINAL APPLICATION NO. 308 OF 2022
(Sham Babasaheb Gunjal Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri V.B. Kale, learned counsel holding for Shri N.B. Narwade, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 23.3.2023.

VICE CHAIRMAN

ORAL ORDER 13.2.2023-HDD

ORIGINAL APPLICATION NO. 309 OF 2022
(Rahul Baban Yadav Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri V.B. Kale, learned counsel holding for Shri N.B. Narwade, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 23.3.2023.

VICE CHAIRMAN

ORAL ORDER 13.2.2023-HDD

ORIGINAL APPLICATION NO. 333 OF 2022
(Vitthal Uttam Gaikwad Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri V.B. Kale, learned counsel holding for Shri N.B. Narwade, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted as most last chance.

3. S.O. to 23.3.2023. It is made clear that if the affidavit in reply is not filed on or before the next date the matter will be listed for hearing.

VICE CHAIRMAN

ORAL ORDER 13.2.2023-HDD

**ORIGINAL APPLICATION NO. 970 OF 2022
(Raju Prabhakar Korde Vs. State of Maharashtra & Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

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

Shri S.B. Mene, learned counsel for respondent Nos. 3 to 6 (**absent**).

2. S.O. to 24.3.2023 as a last chance for filing affidavit in reply.

VICE CHAIRMAN

ORAL ORDER 13.2.2023-HDD

ORIGINAL APPLICATION NO. 903 OF 2022
(Balaji Gangaram Kharat Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Shri V.A. Dhakne, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

Shri Shamsundar B. Patil appeared today and submitted that he is appearing on behalf of respondent No. 3. He has filed **VAKALATNAMA** on behalf of the said respondent and the same is taken on record.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted as a last chance.

3. S.O. to 24.3.2023.

VICE CHAIRMAN

ORAL ORDER 13.2.2023-HDD

**M.A.NO. 231/2021 IN O.A.ST.NO. 782/2021
(Raju T. Kamble Vs. State of Maharashtra & Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

Shri P.B. Patil, learned counsel holding for Shri S.P. Chate, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks permission of this Tribunal to delete the name of respondent No. 3 from the array of the respondents. Permission granted as prayed for. The necessary correction be carried out by the learned counsel for the applicant within one week.

3. S.O. to 5.4.2023 for further consideration.

VICE CHAIRMAN

ORAL ORDER 13.2.2023-HDD

**ORIGINAL APPLICATION NO. 989 OF 2022
(Leelavati P. Kamble Vs. State of Maharashtra & Ors.)**

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

DATE : 13.2.2023

ORAL ORDER :

Shri P.A. Kulkarni, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer again sought time to file affidavit in reply. Granted by way of last chance.

3. S.O. to 1.3.2023. If the affidavit in reply is not filed on or before the next date, the matter will be finally heard without affidavit in reply.

VICE CHAIRMAN

ORAL ORDER 13.2.2023-HDD

ORIGINAL APPLICATION NO. 188 OF 2019
(Nilkanth Rupchand Patil Vs. State of Maharashtra & Ors.)

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

DATE : 13.2.2023

ORAL ORDER :

Heard Shri P.B. Patil, learned counsel for the applicant and Shri V.R Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. The applicant retired after attaining the age of superannuation on 28.2.2017. When the applicant retired, criminal case under the provisions of Prevention of Corruption Act was pending against him and it is not yet decided. It is the grievance of the applicant that on the ground of pendency of the aforesaid criminal case against the applicant he has not been paid the amount of gratuity, amount of leave encashment, as well as, commutation etc. etc. Learned counsel for the applicant submits that merely on the ground of pendency of the criminal case against the applicant, he cannot be deprived of the aforesaid benefits.

3. Learned Presenting Officer submits that pendency of the criminal case is the only reason for not releasing the aforesaid benefit in favour of the applicant. Learned P.O. submits that the applicant is being paid provisional

pension, however, other amounts are not paid. Insofar as the amount of leave encashment is concerned, pendency of the criminal case cannot be a ground for not releasing the said amount. Having regard to nature of the criminal case filed against the applicant it does not appear that any amount may be liable to be recovered towards pecuniary loss to the Government. The said amount hence cannot be withheld and it has to be released. However, insofar as amount of gratuity is concerned, Rule 130 (c) of the Maharashtra Civil Services (Pension) Rules, 1982 is quite clear that the same cannot be paid until the criminal case pending against the applicant is decided. Such request, therefore, cannot be accepted. Hence, the following order: -

ORDER

- (i) The applicant shall be paid amount of leave encashment within six weeks from the date of this order.
- (ii) The request for releasing of amount of gratuity is rejected.
- (iii) The application is partly allowed in the above terms. There shall be no order as to costs.

VICE CHAIRMAN

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

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

DATE : 13.2.2023

ORAL ORDER :

Heard Shri V.M. Maney, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. When the present Original Application is taken up for consideration, the learned Presenting Officer has raised the preliminary objection as about the maintainability of the present application on the ground of filing the present O.A. before expiry of the period of six months from the date of preferring departmental appeal by the applicant to the Departmental Appellate Authority.

3. Shri I.S. Thorat, learned Presenting Officer submitted that as is revealing from the contents of the O.A. the appeal has been preferred by the applicant on 27.11.2020 and the applicant has filed the present O.A. on 25.1.2021. It is evident that the applicant has approached this Tribunal before expiry of the period of six months after filing the departmental appeal by him. Learned Presenting Officer reading out the provisions

under Sections 19, 20 & 21 of the Administrative Tribunals Act, 1985 submitted that the applicant cannot be held to have availed the alternate remedy in view of the provisions under Section 22(A) of the Administrative Tribunals Act, 1985. Learned P.O. further submitted that the earlier application bearing O.A. St. No. 620/2020 filed by the present applicant seeking same relief as has been sought by him in the present O.A. was rejected on the ground of not availing alternate remedy available in law before approaching this Tribunal. Learned P.O. further submitted that in view of the fact that earlier O.A. of the applicant was rejected on the aforesaid specific ground the applicant was expected to be more diligent in preferring the present subsequent O.A. Learned P.O. submitted that the applicant must have waited for decision in his departmental appeal for minimum period of six months and would not have approached this Tribunal before expiry of the said period. Learned P.O. submitted that the provision as aforesaid is unambiguous and, as such, the present O.A. also cannot be entertained being filed without availing the alternate remedy. Learned P.O., therefore, prayed for rejecting the present O.A. being premature.

4. Shri V.M. Maney, learned counsel appearing for the applicant submitted that argument as has been

advanced by learned P.O. is fallacious and unacceptable. Learned counsel pointed out that in none of the Sections referred by the learned P.O. i.e. Sections 19, 20 & 21 of the Administrative Tribunals Act, 1985 there is any provision prohibiting filing of the O.A. before expiry of the period of six months from the date of filing of the appeal, if it is not decided within the said period or if the decision in the appeal has gone against him. Learned counsel further submitted that prohibition is for admission of the appeal on the said ground. Learned counsel submitted that having regard to the provision as aforesaid though the applicant filed O.A. on 25.1.2021, did not get the notices to be served on the respondents till the month of June, 2021. Learned counsel submits that after the period of six months expired the notices were served upon the respondents and concerned respondents filed their affidavits in reply respectively on 17.8.2021 and 18.2.2022. Learned counsel further pointed out that in their affidavits in reply the respondents have not raised any such objection as has been now raised by the learned Presenting Officer. Learned counsel submitted that having regard to the provisions under the Administrative Tribunals Act, 1985 the objection even otherwise cannot be entertained since this Tribunal has admitted the present matter on 12.4.2022. Learned counsel in the circumstances

prayed for rejecting the request to dismiss the present O.A. on the preliminary objection raised by him.

5. After having considered the submissions advanced by learned counsel appearing for the applicant and learned Presenting Officer appearing for the State authorities and after having gone through the relevant provision under the Administrative Tribunals Act, 1985, I see no substance in the objection as has been raised by the learned Presenting Officer and the same deserves to be rejected for the following reasons: -

Before advertng to the arguments advanced it would be expedient to note down the relevant provisions under the Administrative Tribunals Act, 1985 more particularly Sections 19, 20 & 21 of the said Act, which read thus: -

“19. Applications to Tribunals.—(1) Subject to the other provisions of this Act, a person aggrieved by any order pertaining to any matter within the jurisdiction of a Tribunal may make an application to the Tribunal for the redressal of his grievance.

Explanation.—For the purposes of this sub-section, “order” means an order made—

(a) by the Government or a local or other authority within the territory of India or under the control of the Government of India or by any corporation [or society] owned or controlled by the Government; or

(b) by an officer, committee or other body or agency of the Government or a local or other authority or corporation [or society] referred to in clause (a).

(2) Every application under sub-section (1) shall be in such form and be accompanied by such documents or other evidence and by such fee (if any, not exceeding one hundred rupees) [in respect of the filing of such application and by such other fees for the service or execution of processes as may be prescribed by the Central Government].

[(3) On receipt of an application under sub-section (1), the Tribunal shall, if satisfied after such inquiry as it may deem necessary, that the application is a fit case for adjudication or trial by it, admit such application; but where the Tribunal is not so satisfied, it may summarily reject the application after recording its reasons.]

(4) Where an application has been admitted by a Tribunal under sub-section (3), every proceeding under the relevant service rules as to redressal of grievances in relation to the subject-matter of such application pending immediately before such admission shall abate and save as otherwise directed by the Tribunal, no appeal or representation in relation to such matter shall thereafter be entertained under such rules.

“20. Applications not to be admitted unless other remedies exhausted :- (1) A Tribunal shall not ordinarily admit an application unless it is satisfied that the applicant had availed of all the remedies available to him under the relevant service rules as to redressal of grievances, -

(2) For the purposes of sub-section (1), a person shall be deemed to have availed of all the remedies available to him under the

relevant service rules as to redressal of grievances,-

(a) if a final order has been made by Government or other authority or officer or other person competent to pass such order under such rules, rejecting any appeal preferred or representation made by such person in connection with the grievance; or

(b) where no final order has been made by the Government or other authority or officer or other person competent to pass such order with regard to the appeal preferred or representation made by such person, if a period of six months from the date on which such appeal was preferred or representation was made has expired.

(3) For the purposes of sub-sections (1) and (2), any remedy available to an applicant by way of submission of a memorial to the President or to the Governor of a State or to any other functionary shall not be deemed to be one of the remedies which are available unless the applicant had elected to submit such memorial.”

“21. Limitation.- (1) A Tribunal shall not admit an application,-

(a) in a case where a final order such as is mentioned in clause (a) of sub-section (2) of section 20 has been made in connection with the grievance unless the application is made, within one year from the date on which such final order has been made;

(b) in a case where an appeal or representation such as is mentioned in clause (b) of sub-section (2) of section 20 has been made and a period of six months had expired thereafter without such final order having been made, within one year from the date of expiry of the said period of six months.

(2) Notwithstanding anything contained in sub-section (1), where-

(a) the grievance in respect of which an application is made had arisen by reason of any order made at any time during the period of three years immediately preceding the date on which the jurisdiction, powers and authority of the Tribunal becomes exercisable under this Act in respect of the matter to which such order relates; and

(b) no proceedings for the redressal of such grievance had been commenced before the said date before any High Court, the application shall be entertained by the Tribunal if it is made within the period referred to in clause (a), or, as the case may be, clause(b), of sub-section (1) or within a period of six months from the said date, whichever period expires later.

(3) Notwithstanding anything contained in sub-section (1) or sub-section (2), an application may be admitted after the period of one year specified in clause (a) or clause (b) of sub-section (1) or, as the case may be, the period of six months specified in sub-section (2), if the applicant satisfies the Tribunal that he had sufficient cause for not making the application within such period.”

If all these provisions are conjointly read there appears no bar for filing of the application before expiry of the period of six months. There is however, certainly a bar for admission of the OA, if the applicant has approached this Tribunal by filing O.A. before expiry of the period of six months from the date of his filing the appeal before the Departmental Appellate Authority. It is however, quite evident that the Appellate Authority is precluded from deciding the departmental appeal once the matter is admitted by the Tribunal. Thus, till the admission of the matter by the Tribunal i.e. 12.4.2022, it was open for the respondents to decide departmental appeal filed by the present applicant on 27.11.2022. It appears that on 12.4.2022 when this Tribunal has after hearing learned counsel for the applicant, as well as, learned Presenting Officer, has passed an order thereby admitting the application, the period of about 15 months has lapsed after filing present application by the applicant. It also cannot be lost sight of that as has been submitted on behalf of the applicant, though the O.A. was filed on 25.1.2021, summons were not taken out till June, 2021 and only thereafter the notices of the present O.A. are served on the respondents. There is substance in the contention raised by learned counsel appearing for the applicant that there was thus ample

time for the Departmental Appellate Authority to decide the appeal preferred by the applicant on 27.11.2020.

6. It is not in dispute that till 12.4.2022 the departmental appeal was not decided. It appears that after having noticed that the appellate authority has failed in deciding the appeal though period of more than 15 months has lapsed after its filing, this Tribunal deemed it appropriate to 'Admit' the O.A. After admission of the O.A. by this Tribunal, in fact there remains no propriety in raising the preliminary objection that the O.A. cannot be admitted on the ground of 'not availed the alternate efficacious remedy'. Hence, the following order is passed:-

ORDER

- (i) Preliminary objection is rejected.
- (ii) List the matter for further consideration on 23.3.2023.

VICE CHAIRMAN