

**ORIGINAL APPLICATION NO.213/2020**  
**(Kum. Apurva Narale Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri Ajay Deshpande learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks leave of the Tribunal to amend the O.A. as applicant intends to add the selected candidate/s as party respondent. Leave as prayed for is granted. Applicant to amend the O.A. forthwith.

3. Issue notices to the respondents, returnable on 14.09.2020.

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

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

=2= O.A.No.213/2020

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

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

8. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to the record.

9. In the meantime learned Presenting Officer shall file affidavit in reply on behalf of other respondents.

10. S.O. to 14.09.2020.

11. Steno copy and hamdust is allowed to both the sides.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.227/2020**  
**(Jeevan Patil Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri C.V.Dharurkar learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 21.09.2020.

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

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

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

=2= O.A.No.227/2020

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 21.09.2020.

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

**VICE CHAIRMAN**

YUK ORAL ORDERS 13.08.2020

**ORIGINAL APPLICATION NO.232/2020**  
**(Ku. Rohini Charole Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri B.R.Kedar learned Advocate holding for Shri S.K.Mathpati learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 14.09.2020.

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

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

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

=2= O.A.No.232/2020

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 14.09.2020.

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

**VICE CHAIRMAN**

YUK ORAL ORDERS 13.08.2020

**ORIGINAL APPLICATION ST. NO.641/2020**  
**(Sandip Markad Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri Ketan D. Pote learned Advocate holding for Shri A.G.Ambetkar learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant undertakes to remove office objections.

3. After office objections are removed, issue notices to the respondents, returnable on 14.09.2020.

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

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

=2= O.A.No.641/2020

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

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

8. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

9. S.O. to 14.09.2020.

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

**VICE CHAIRMAN**

YUK ORAL ORDERS 13.08.2020



**ORIGINAL APPLICATION NO.253/2020**  
**(Bapurao Bhosle Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri K.G.Salunke learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 21.09.2020.

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

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

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

=2= O.A.No.253/2020

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 21.09.2020.

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

**VICE CHAIRMAN**

YUK ORAL ORDERS 13.08.2020

**ORIGINAL APPLICATION NO.254/2020**  
**(Gopal Baldar Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri K.G.Salunke learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 21.09.2020.

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

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

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

=2= O.A.No.254/2020

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 21.09.2020.

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

**VICE CHAIRMAN**

YUK ORAL ORDERS 13.08.2020

**M.A.NO.175/2020 IN O.A.ST.NO.462/2020**  
**(Umesh Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri Ashish B. Rajkar learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

2. Issue notices to the respondents in M.A., returnable on 24.09.2020.

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

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

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

=2= M.A.NO.175/2020 IN O.A.ST.NO.462/2020

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 24.09.2020.

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

**VICE CHAIRMAN**

YUK ORAL ORDERS 13.08.2020

**M.A.NO.178/2020 IN M.A.196/2020 IN  
O.A.ST.NO.571/2020  
(Sanjay Rajput & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant seeks leave of the Tribunal to withdraw the M.A.No.196/2020 on technical grounds with liberty to file fresh M.A. Leave as prayed for is granted.

3. In view thereof, M.A.No.196/2020 stands disposed of as withdrawn with liberty to file fresh M.A.

4. Case be removed from the board.

**VICE CHAIRMAN**

YUK ORAL ORDERS 13.08.2020

**M.A.NO.195/2020 IN M.A.ST.366/2020 IN  
O.A.ST.NO.368/2020  
(Bhatu Borse & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri Ajay Deshpande learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for the respondents.

2. M.A.No.195/2020 has been filed for sue jointly. As the applicants are pursuing the similar cause and cause of action for filing the case is similar and also the applicants are agitating the identical prayers, the M.A.No.195/2020 for sue jointly is allowed. M.A. stands disposed of accordingly with no order as to costs.

**VICE CHAIRMAN**

YUK ORAL ORDERS 13.08.2020



**M.A.ST.366/2020 IN O.A.ST.NO.368/2020**  
(Bhatu Borse & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri Ajay Deshpande learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for the respondents.

2. By filing the present M.A., learned Advocate for the applicants prayed for filing and prosecuting the case before the Maharashtra Administrative Tribunal at Aurangabad in view of Circular of the Hon'ble Chairperson, Maharashtra Administrative Tribunal, Mumbai to serve the ends of justice. In view of the Circular dated 21-05-2020 applicants can file the case before the Tribunal though the original territorial jurisdiction is of Mumbai.

3. In view of the above, M.A.ST.No.366/2020 for filing and prosecuting the case before this Tribunal is allowed. M.A. stands disposed of accordingly with no order as to costs.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST.NO.368/2020**  
**(Bhatu Borse & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri Ajay Deshpande learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 10.09.2020.

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

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

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

=2= O.A.ST.No.368/2020

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 10.09.2020.

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

**VICE CHAIRMAN**

YUK ORAL ORDERS 13.08.2020

**ORIGINAL APPLICATION ST. NO.647/2020**  
**(Shahu Huzurasingh Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri M.A.Granthi learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant prays for leave and undertakes to file verification of the applicant within 2 weeks. Leave as prayed for is granted.

3. Learned P.O. submits that she has not received the typed copies of the documents. Applicant is directed to supply the copies to the learned P.O. before taking circulation of the matter.

4. Page 23 is incomplete document. Hence, the applicant is directed to furnish the complete documents.

5. Office objections be removed and after removal of office objections case be circulated before the Tribunal.

6. Case be removed from the board.

**VICE CHAIRMAN**

**M.A.NO.200/2020 IN M.A.NO.506/2018 IN  
O.A.ST. NO.1951/2018  
(Sajed Khan s/o. Ajiz Khan Pathan Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri R.N.Bharaswadkar learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for the respondents. None appears for respondent nos.5 and 6.

2. Issue notices to the respondents in M.A.No.200/2020, returnable on 10.09.2020.

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

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

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

=2= M.A.NO.200/2020 IN M.A.NO.506/2018  
IN O.A.ST. NO.1951/2018

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 10.09.2020.

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

**VICE CHAIRMAN**

YUK ORAL ORDERS 13.08.2020

**ORIGINAL APPLICATION NO.255/2020**  
(Sow. Vijaya D. Jadhav Vs. State of Maharashtra & Ors.)

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri V.G.Pingle learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for the respondents.

2. The applicant has been transferred from the post of Crafts Instructor (Baker & Confectioner), Industrial Training Institute, Bhusawal, Dist. Jalgaon to the post of Crafts Instructor (Baker & Confectioner), Industrial Training Institute (Adivasi), Akrani, Tq. Akrani, Dist. Nandurbar by the impugned order dated 06-08-2020. Learned Advocate for the applicant has submitted that the applicant has served in the Tribal area during the year 2006 to 2013. Therefore, she cannot be again in tribal area in view of G.R. dated 11-07-2000 but the respondents have effected transfer in violation of the said G.R. He has further submitted that the applicant has not yet been relieved. Therefore, he has prayed to grant interim relief in favour of the applicant.

3. Learned P.O. has submitted that the applicant has completed normal tenure of posting, therefore, she

=2= O.A.No.255/2020

has been transferred and posted at ITI, Akrani. He has submitted that there is no bar to post employee in tribal area again in view of the G.R. dated 11-07-2000. Therefore, he has prayed to reject the prayer for interim relief.

4. On perusal of record, it reveals that the applicant has been transferred in view of the provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 on completion of her normal tenure. She is due for transfer at the time of general transfer of 2020. Prima facie, there is no violation of the provisions of G.R. dated 11-07-2000 and hence I find no just ground to grant interim relief. Hence, the prayer for interim relief stands rejected.

5. Issue notices to the respondents, returnable on 10.09.2020.

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

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



=3= O.A.No.255/2020

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.

8. 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.

9. 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.

10. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

11. S.O. to 10.09.2020.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.256/2020**  
**(Balraje D. Mulik Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri K.G.Salunke learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 17-08-2020.

**VICE CHAIRMAN**

YUK ORAL ORDERS 13.08.2020

**ORIGINAL APPLICATION NO.258/2020**  
**(Atul Bhangе Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri Kakasaheb B. Jadhav learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for the respondents.

2. The applicant has come up with a case that he has been transferred before completion of his normal tenure of 6 years. He has further submitted that by transfer order dated 10-08-2020 he has been transferred from Newasa to Shrirampur. The respondents have issued relieving order but he has not yet given the charge of the post held by him. Therefore, he has prayed to grant interim relief and stay the implementation and execution of the impugned order.

3. Learned P.O. submits that the applicant has already been relieved and the impugned order is implemented. Therefore, no question of granting interim relief arises. Hence, he prayed to reject the interim relief.

4. On perusal of the record, it reveals that the applicant has not produced documents to substantiate his contention that he has not completed his normal tenure of posting at Newasa. Therefore, in the absence of documentary evidence, prima facie, it cannot be said that there is any violation of the provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. Moreover, the applicant has been relieved in view of the order dated 10-08-2020 and order has been implemented hence no question of stay to the execution and implementation of order arises. Therefore, prayer of the applicant for interim relief is rejected.

5. Issue notices to the respondents, returnable on 10.09.2020.

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

7. 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

=3= O.A.No.258/2020

the case would be taken up for final disposal at the stage of admission hearing.

8. 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.

9. 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.

10. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

11. S.O. to 10.09.2020.

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

**VICE CHAIRMAN**

YUK ORAL ORDERS 13.08.2020

**ORIGINAL APPLICATION NO. 199 OF 2020**  
**(Sudhakar P. More Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant submits that fresh notices may kindly be issued to the respondent Nos. 1 & 5. Hence, issue fresh notices to the respondent Nos. 1 & 5, returnable on 21.09.2020.

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

**8. In the meantime, learned Presenting Officer shall file affidavit in reply on behalf of other respondents.**

9. S.O. to 21.09.2019.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 192 OF 2020**  
(Milind A. Bhamre Vs. State of Maharashtra & Ors.)

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

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

2. At the request of learned Presenting Officer for the respondents, S.O. to 21.09.2020 for filing affidavit in reply.

**VICE CHAIRMAN**

ORAL ORDERS 13.08.2020-hdd



**ORIGINAL APPLICATION NO. 193 OF 2020**  
**(Rajan K. Naik Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri Kakasaheb B. Jadhav, learned Advocate holding for Shri Yogesh B. Bolkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 21.09.2020 for filing affidavit in reply.

**VICE CHAIRMAN**

ORAL ORDERS 13.08.2020-hdd

**ORIGINAL APPLICATION NO. 878 OF 2019**  
(Yuvraj G. Gaikwad Vs. State of Maharashtra & Ors.)

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 & 2 and Shri Sunil B. Jadhav, learned Advocate for respondent No. 3.

2. At the request of learned Chief Presenting Officer for the respondents, S.O. to 20.08.2020 for filing affidavit in reply.

**VICE CHAIRMAN**

ORAL ORDERS 13.08.2020-hdd

**ORIGINAL APPLICATION NO. 170 OF 2020**  
(Piraji L. Sormare Vs. State of Maharashtra & Ors.)

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3 and Shri V.B. Wagh, learned Advocate for respondent No. 4.

2. At the request of learned Presenting Officer for the respondents, S.O. to 20.08.2020 for filing affidavit in reply. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

ORAL ORDERS 13.08.2020-hdd

**ORIGINAL APPLICATION NO. 1102 OF 2019**  
**(Rajendra L. Patil & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3 and Shri V.G. Pingle, learned Advocate for respondent Nos. 4 to 6. Shri S.D. Joshi, learned Advocate for respondent Nos. 8 & 9 (**absent**). None appears for respondent No. 7 though duly served.

2. Learned Chief Presenting Officer for the respondent Nos. 1 to 3 seeks time for filing affidavit in reply on behalf of respondent Nos. 1 to 3.

3. On perusal of record it reveals that on the last occasion i.e. on 29.07.2020 at the request of learned Chief Presenting Officer time was granted as a most last chance for filing affidavit in reply. In spite of that, today again he seeks time for the same purpose.

4. In the circumstances, to have an opportunity to the respondent Nos. 1 to 3 time till 20.08.2020 is granted subject to costs of Rs. 10,000/-. The amount

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O.A. No. 1102/2019

of costs shall be deposited in the office of this Tribunal  
on or before the next date.

5. S.O. to 20.08.2020.

**VICE CHAIRMAN**

ORAL ORDERS 13.08.2020-hdd

**ORIGINAL APPLICATION NO. 118 OF 2020**  
**(Ganesh A. Mundhe Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri Santosh S. Jadhavar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. By keeping point of maintainability open, issue notices to the respondents, returnable on 14.09.2020.

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.
8. S.O. to 14.09.2019.
9. Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 198 OF 2020**  
**(Harishchandra B. Bhujbal Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Shri G.J. Pahilwan, learned Advocate for the applicant (**absent**). Shri I.S. Thorat, learned Presenting Officer for the respondents, present.

2. Since nobody appears for the applicant today, S.O. to 31.08.2020 for dismissal.

**VICE CHAIRMAN**

ORAL ORDERS 13.08.2020-hdd



**ORIGINAL APPLICATION NO. 230 OF 2020**  
**(Ashwini D. Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri B.T. Bodkhe, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 14.09.2020.

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.
8. S.O. to 14.09.2019.
9. Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 259 OF 2020**  
**(Panchamlal L. Salve Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 17.08.2020 for enabling her to take instructions from the concerned respondents.

**VICE CHAIRMAN**

ORAL ORDERS 13.08.2020-hdd

**ORIGINAL APPLICATION NO. 260 OF 2020**  
**(Rajendra P. Andhale Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

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

2. The present Original Application has been filed by the applicant challenging the impugned order dated 10.08.2020 & thereby transferring him from the post of Circle Officer, Nalegaon, Tahsil Office, Ahmednagar District Ahmednagar to the post of Awwal Karkoon, Tahsil Office, Newasa, District Ahmednagar.

3. It is contention of the applicant that he has not completed his normal tenure of posting on the post of Circle Officer, Nalegaon Tahsil Office, Ahmednagar, District Ahmednagar, as he is working there since the year 2018. It is contention of the applicant that he is not due for transfer, but Government has issued the impugned transfer order in violation of provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay In Discharge of Official Duties Act, 2005 (In short "the Transfer Act of 2005). Therefore, he has prayed to grant interim relief.

4. Learned Presenting Officer for the respondents has submitted that the applicant has been transferred on account of administrative exigencies and, therefore, he upholds the impugned order of transfer issued by the respondents.

5. On perusal of record it reveals that the applicant has been posted as Circle Officer at Nalegaon Tahsil Office, Ahmednagar, District Ahmednagar from the post of Awwal Karkoon, Indira Gandhi Yojana, Tahsil Office, Parner, District Ahmednagar by an order dated 23.05.2018. He has not completed his normal tenure of posting but he has been transferred by the impugned order. *Prima facie*, it seems that the respondents have not followed the mandatory provisions of the Transfer Act of 2005 while effecting the transfer of the applicant. Therefore, in my view the impugned order of transfer requires to be stayed.

6. In view of the above, the execution and operation of the impugned transfer order is stayed till the next date.

7. Issue notices to the respondents, returnable on 14.09.2020.

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

9. 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.

10. 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.

11. 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.

12. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date,

**:: - 4 - ::**

**O.A. NO. 260 OF 2020**

case shall automatically stand dismissed without further reference to the Tribunal.

13. S.O. to 14.09.2019.

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

**VICE CHAIRMAN**

ORAL ORDERS 13.08.2020-hdd

**O.A. NO. 261/2020 WITH CAVEAT 12/2020 WITH  
CAVEAT NO. 15/2020  
(Parag M. Nawalkar Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri Ajay S. Deshpande, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 & 2 and Shri Sachin R. Randive, learned Advocate for respondent No. 3.

2. Learned Chief Presenting Officer, as well as, learned Advocate Shri Sachin R. Randive both have filed caveat for the respective respondents and both of them appeared today in the present case. Therefore, the notices to the respondents have dispensed with.

3. Learned Chief Presenting Officer for respondent Nos. 1 & 2, as well as, learned Advocate for respondent No. 3 seek time to file affidavit in reply. Two weeks' time is granted to file affidavit in reply.

4. S.O. to 27.08.2020. Learned Advocates for the respective respondents undertook to serve the copy of the affidavit in reply on the learned Advocate for the applicant well in advance.

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 264 OF 2020**  
**(Sunilkumar R. Rathi Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that he intends to produce copy of Government Resolution showing that the Government Officers, who have crossed the age of 55 years, cannot be transferred in Naxalite area. Therefore, he seeks time till Monday i.e. 17.08.2020. He has submitted that the applicant has not been yet relieved from the present posting. Therefore, he prayed to direct the respondents to maintain the status quo as on today.

3. In view of the aforesaid submissions made by the learned Advocate for the applicant time till 17.08.2020 is granted. In the meanwhile the parties to maintain the status quo as on today till the next date.

4. S.O. to 17.08.2020.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 234 OF 2020**  
**(Pankaj M. Rathod Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**[The present case has been placed before  
the Single Bench due to non-availability of  
the Division Bench]**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 21.09.2020.

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 21.09.2020.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 195 OF 2020**  
**(Nandkishor U. Mhaske Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**[The present case has been placed before  
the Single Bench due to non-availability of  
the Division Bench]**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 21.09.2020.

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 21.09.2020.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 265 OF 2020**  
**(Gulab H. Panchal Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**[The present case has been placed before  
the Single Bench due to non-availability of  
the Division Bench]**

**DATE : 13.08.2020**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 14.09.2020.

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 14.09.2020.

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

**VICE CHAIRMAN**

**M.A.ST. 643/2020 IN O.A.ST. 572/2020**  
**(Ashok S. Gade Vs. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020**

**ORAL ORDER :**

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

2. The applicant is directed to remove the office objection/s first and thereafter ask for circulation. The present case is removed from the board. The applicant is at liberty to circulate the present case as and when occasion arises.

**VICE CHAIRMAN**

ORAL ORDERS 13.08.2020-hdd



**ORIGINAL APPLICATION NO. 267 OF 2020**  
**(Shri Dilip T. Bawaskar V/s. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 13.08.2020.**

**ORAL ORDER :**

Heard Shri Ashish Rajkar, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that the applicant is claiming limited relief made in the prayer clause 16 (B) which is as follows :-

*“B) By issue of an appropriate order or direction, the respondent No. 2 may kindly be directed to take a conscious decision as regards continuation or revocation of suspension of the applicant in view of the law laid down by the Hon’ble Supreme Court judgment in the case of Ajay Kumar Choudhary and also Govt. Resolution dated 09.07.2019, within a four week from today.”*

3. Learned Advocate for the applicant has submitted that as the relief claimed by the applicant is limited, the necessary direction may be issued to the respondent to place the matter of the applicant before the review committee for taking decision in respect of continuation or revocation of his suspension and with that direction the present O.A. may be disposed of.

4. Learned Chief Presenting Officer has submitted that the respondents have not yet filed their affidavit in reply. However, considering the limited prayer sought by the applicant in the O.A., reasonable time may be given to the respondent to place the matter before the review committee. Therefore, he has prayed three months' time to place the matter of the applicant before the review committee and with that direction the O.A. may be disposed of.

5. In view of the submissions advanced by the learned Advocate for the applicant and learned Presenting Officer, the O.A. is disposed of with a direction to the respondent to place the matter of the applicant before the review committee within a period of three months from the date of this order for taking conscious decision in respect of continuation or revocation of suspension order of the applicant on merit, as per the rules and communicate the decision therein to the applicant in writing to the applicant. There shall be no order as to costs.

**VICE CHAIRMAN**