

**ORIGINAL APPLICATION NO.368/2017 WITH 369/2017
(Bapu Lad & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Shri S.A.Deshmukh, learned Advocate for the applicants and Shri V.R.Bhumkar, learned Presenting Officer for the respondents, are present.

2. S.O. tomorrow i.e. on 14-01-2022, **High On Board.**

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.119/2018
(Jyoti Rathod Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Shri S.N.Patne, learned Advocate for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondents, are present.

2. S.O. to 08-02-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.185/2018
(Vasant Bagde Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **13.01.2022**

ORAL ORDER :

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

2. S.O. to 22-02-2022.

MEMBER (A)

MEMBER (J)

**O.A.NO.358/2018, 359/2018, 360/2018 & 361/2018
(Haseeb Ur Rehman Khan & Ors. Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Shri A.D.Sugdare, learned Advocate for the applicants and Shri I.S.Thorat, learned Presenting Officer for the respondents, are present.

2. S.O. to 22-02-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.443/2018
(Jagannath Vispute Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **13.01.2022**

ORAL ORDER :

Shri M.R.Wagh, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. S.O. to 08-02-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.854/2018
(Bhima Chakale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Shri M.P.Tripathi, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents, are present.

2. S.O. to 15-02-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.76/2019
(Nilesh Badgujar Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **13.01.2022**

ORAL ORDER :

Shri H.V.Patil, learned Advocate for the applicant and
Smt. Sanjivani Ghate, learned Presenting Officer for the
respondents, are present.

2. S.O. to 08-02-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.398/2019
(Dr. Anilkumar Momale Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **13.01.2022**

ORAL ORDER :

Shri V.B.Wagh, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents, are present.

2. S.O. to 08-02-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.435/2019
(Sadhu Lohar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Shri H.A.Joshi, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. S.O. to 08-02-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.537/2019 & 941/2019
(Narendra Thakur & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Ku. Anagha Pandit learned Advocate holding for Shri S.B.Talekar, learned Advocate for the applicants and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 17-02-2022.

MEMBER (A)

MEMBER (J)

**O.A.NO.626/2019, 641/2019 & 642/2019
(Sheshrao Giri & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Shri S.K.Mathpati, learned Advocate for the applicants and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 08-02-2022.

MEMBER (A)

MEMBER (J)

**M.A. No. 06/2021 in O.A. St. No. 1419/2020
(Vijay R. Bangar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022.

O R D E R

1. This Misc. Application is filed by the applicant seeking condonation of delay of about 1 year, 5 months and 11 days caused in filing the accompanying Original Application seeking to challenge the impugned communication dated 29.08.2015 (Annexure A-1 of O.A.) issued by the respondent No. 4 i.e. the Superintendent of Police, Parbhani, thereby rejecting the request of the applicant for compassionate appointment observing that there is no provision for substitution of name of respondent No. 5 i.e. Abhijett Ravindra Bangar, whose name is included in the waiting list for the appointment on compassionate ground.

2. It is contended that the father of the applicant viz. Ravindra Sitaram Bangar died in the year 2010 in harness, while working on the post of Police Naik on the establishment of respondent No. 4 i.e. the Superintendent of Police, Parbhani. He left behind two wives viz. Shobha and Anjali. Shobha is the first wife and she has one son viz. Vijay Ravindra Bangar i.e. the

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applicant and one daughter viz. Preeti. Anjali has two sons viz. Abhijeet Ravindra Bangar i.e. the respondent No. 5 and Abhilash Ravindra Bangar.

3. It is further contended that Shobha and Anjali filed separate Misc. Application Nos. 162/2010 and 258/2010 before the CJJD, Parbhani for succession certificate. Those were decided by the order dated 16.03.2013. By the said order, except Anjali i.e. the mother of the respondent No. 5 Abhijit, others were declared as heirs and legal representatives of the deceased Ravindra Sitaram Bangar. Anjali i.e. the mother of the respondent No. 5 challenged the said order by filing Misc. Civil Appeal No. 25/2013 before the District Judge, Parbhani. In the said proceedings, the dispute regarding succession was compromised on 25.11.2013. As per the said compromise, the pensionary benefits are allowed to the mother of the respondent No. 5 viz. Anjali Ravindra Bangar, whereas the compassionate appointment is allowed to the applicant with consent of all family members. All the family members have given consent affidavit. The present applicant therefore, applied for compassionate appointment before the respondent authorities. It is

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submitted that the respondent No. 4 however, by the order dated 29.08.2015 (Annexure A-1 collectively of O.A.) rejected the request of the applicant stating that as per the Government policy, there is no provision to change the nomination, as the name of respondent No. 5 was already included in the waiting list. Being aggrieved by the said order of rejection dated 29.08.2015, the applicant filed O.A. No. 481/2016. The notices were issued in the said O.A. The respondents filed affidavit in reply. At the time of hearing, the applicant decided to approach the respondent No. 4 again in the light of the order passed by this Tribunal in O.A. No. 184/2005. In the circumstances, the O.A. No. 481/2016 was disposed of as per the order dated 04.07.2017 granting liberty to the applicant.

4. The applicant thereafter filed fresh representation dated 27.12.2017 to the respondent No. 4 and sought compassionate appointment in view of the order dated 03.05.2006 passed in the O.A. No. 184/2005. Meanwhile, the respondent No. 4 has given appointment in similarly situated candidate like Vinod Chavan as per the order of the Hon'ble High Court

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passed in W.P. No. 10592/2019. However, no decision is taken on the representation made by the applicant.

5. In the circumstances, as above, the applicant decided to file O.A. challenging the order of rejection dated 29.08.2015 (Annexure A-1 collectively in O.A.) afresh. However, there is delay of about 1 year, 5 months and 11 days caused in filing the accompanying O.A. The said delay is not intentional and deliberate. The applicant was expecting a favorable decision on his representation dated 27.12.2017. However, the same is not decided and no appointment is given to the applicant. Hence, the present Misc. Application.

6. The affidavit in reply is filed by one Shri Jayant Meen s/o Narrayanlal Meena, working as the Superintendent of Police, Parbhani, Dist. Parbhani on behalf of respondent No. 1 to 4 and subsequently affidavit in reply is filed by one Niyati Thaker, working as the then Superintendent of Police, Parbhani on behalf of respondent No. 4. It is not disputed that the applicant's father while serving in Police Department died in harness. Filing of previous O.A. by the applicant and its disposal is also not denied. It is

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however, denied that the applicant has good case on merit for compassionate appointment and that order dated 29.08.2015 challenged by the applicant is illegal. According to these respondents, the said order is legal and proper and is passed in accordance with law. No sufficient cause has been shown by the applicant in the present M.A. for condonation of inordinate delay caused in filing the accompanying O.A. and therefore, the same is liable to be dismissed.

7. I have heard arguments advanced by Shri H.P. Jadhav, learned Advocate for the applicant on one hand and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents on other hand.

8. Considering the dates involved in the matter, it is evident that there is delay of 1 year, 5 months and 11 days caused in filing the accompanying O.A. seeking compassionate appointment challenging the rejection of claim. It appears that after death of Ravindra Sitaram Bangar in harness there was dispute amongst the legal heirs and representatives. However, compromise took place between the two sets of legal heirs and representatives and as per the said

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compromise, pensionary benefits are given to the mother of the respondent No. 5 viz. Anjali, whereas, the benefit of compassionate appointment is given to the applicant. It is a fact that the name of respondent No. 5 viz. Abhijit Ravindra Bangar was already taken in the waiting list of the candidates to be appointed on compassionate ground. In the circumstances, the question arises as to whether the name of the applicant can be substituted in the place of respondent No. 5.

9. The applicant stated that he has good case on merit in view of the certain decisions. In the circumstances, it appears that the applicant has a debatable case on merit and the same be considered on merits. However there is delay of about 1 year, 5 months and 11 days caused in filing the accompanying O.A. The said delay cannot be said to be deliberate or intentional. The delay is also not very inordinate. In the facts and circumstances, it can be said to be marginal. It is true that the matter will relate back to the date of application made by the applicant. But otherwise also the name of respondent No. 5 was

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placed in the waiting list of the candidates to be appointed on compassionate ground.

10. It is a settled principle of law that the expression “sufficient cause” is to be construed liberally. Considering the peculiar facts and circumstances, of the case, it cannot be said that the said delay is deliberate or intentional. Thereby the applicant has nothing to gain. Refusing to give indulgence in the matter is likely to defeat the cause of justice at the threshold. In view of the same, in my opinion, this is a fit case to condone the delay by imposing the moderate costs of Rs. 1000/- on the applicant. Hence, I proceed to pass following order :-

ORDER

The Misc. Application No. 06/2021 is allowed in following terms:-

- (i) The delay of 1 year, 5 months and 11 days caused for filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 1,000/-

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by the applicant. The amount of costs shall be deposited in the Registry of this Tribunal by the applicant within a period of one month from the date of this order.

- (ii) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

MEMBER (J)

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

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. As per the Circular No. MAT/MUM/ESTT/732/2021, dated 25/28.05.2021 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 Division Bench. The present matter is pertaining to minor punishment/ recovery/ ACPS.

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

5. S.O. to 16.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 908 OF 2019
(Sahikh Nisar Ahmed Shaikh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Shri G.N. Kulkarni, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. S.O. to 15.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 984 OF 2019
(Dr. Prithviraj K. Chavan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Shri Shamsunder B. Patil, 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, time is granted as one more last chance for filing affidavit in reply.

3. S.O. to 16.02.2022.

MEMBER (J)

KPB ORAL ORDERS 13.01.2022

ORIGINAL APPLICATION NO. 185 OF 2020
(Baliram B. Mahale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent 1 and 2. None present on behalf of respondent Nos. 3 and 4.

2. Record shows that the affidavit in reply is filed only on behalf of respondent No. 1 and the say of respondent Nos. 3 and 4 is received by post.

3. Learned Advocate for the applicant submits that the copy of say of respondent Nos. 3 and 4 is no received.

4. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent No. 2.

5. S.O. to 17.02.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 293 OF 2020
(Vilas U. Jatap Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit.
3. S.O. to 18.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 580 OF 2020
(Dr. Sunita N. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply.

3. S.O. to 16.02.2022.

MEMBER (J)

KPB ORAL ORDERS 13.01.2022

ORIGINAL APPLICATION NO. 586 OF 2020
(Sonaji K. Barhate Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent No. 1 and Shri N.U. Yadav, learned Advocate for respondent Nos. 2 and 3.

2. Learned Advocate for respondent Nos. 2 and 3 filed affidavit in reply. Same is taken on record and copy thereof has been served on the other side.

3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent No. 1.

4. S.O. to 18.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 587 OF 2020
(Kumudini R. Sable Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Shri V.C. Suradkar, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, time is granted as one more last chance for filing affidavit in reply.
3. S.O. to 23.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 558 OF 2021
(Prakash S. Aghav Patil Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Record shows that the affidavit in reply is filed on behalf of respondent Nos. 1 to 3.

3. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit.

4. The present matter is pertaining to the transfer. Hence, the respondents are directed to produce on record the requisite Civil Services Board report.

5. S.O. to 17.02.2022. Interim relief granted earlier to continue till next date.

MEMBER (J)

**ORIGINAL APPLICATION NO. 609 OF 2021
(Nitin A. Mohane Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit.
3. S.O. to 11.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 616 OF 2021
(Mayur L. Sonawane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit.
3. S.O. to 11.02.2022.

MEMBER (J)

O.A. Nos. 739, 740 and 741 all of 2021
(Vilas M. Yadav & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Shri S.B. Solanke, learned Advocate for the applicants in all these O.As. and Shri S.K. Shirse, learned Presenting Officer for the respondents in all these O.As.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent No. 4 in all these O.As. Same are taken on record and copies thereof have been served on the other side.

3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1 to 3 in all these O.As.

4. S.O. to 23.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 796 OF 2021
(Dinesh A. Chavan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Shri Amol S. Gandhi, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Await service of notices on the respondents.

3. As none present for the applicant, S.O. to 23.02.2022 for taking necessary steps.

MEMBER (J)

KPB ORAL ORDERS 13.01.2022

ORIGINAL APPLICATION NO. 806 OF 2021
(Pralhad S. Sonune Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Shri V.G. Salgar, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Await service of notices on the respondents.
3. As none present for the applicant, S.O. to 23.02.2022 for taking necessary steps.

MEMBER (J)

**M.A. No. 332/2018 in O.A. St. No. 1178/2018
(Pradeep P. Jadhav Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Shri H.P. Jadhav, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Record shows that affidavit in reply is filed on behalf of respondent Nos. 1 to 5 in M.A.
3. S.O. to 15.02.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

KPB ORAL ORDERS 13.01.2022

**M.A. No. 286/2020 in O.A. St. No. 1059/2020
(Prabhakar M. Kawathekar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Shri G.J. Kore, learned Advocate for the applicant
(**Absent**). Heard Shri V.R. Bhumkar, learned
Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for
the respondents, time is granted for filing affidavit in
reply in M.A.

3. S.O. to 01.03.2022.

MEMBER (J)

KPB ORAL ORDERS 13.01.2022

**M.A. No. 287/2020 in O.A. St. No. 1061/2020
(Bhalchandra P. Dharurkar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Shri G.J. Kore, learned Advocate for the applicant (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Record shows that affidavit in reply is filed on behalf of respondent No. 2 in M.A.
3. S.O. to 01.03.2022.

MEMBER (J)

**M.A. No. 288/2020 in O.A. St. No. 1063/2020
(Pratap S. Sontakke Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Shri G.J. Kore, learned Advocate for the applicant
(**Absent**). Heard Smt. Sanjivani K. Deshmukh-Ghate,
learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for
the respondents, time is granted for filing affidavit in
reply in M.A.

3. S.O. to 01.03.2022.

MEMBER (J)

KPB ORAL ORDERS 13.01.2022

**M.A. No. 289/2020 in O.A. St. No. 1065/2020
(Pandharenath B. Dhorge Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Shri G.J. Kore, learned Advocate for the applicant (**Absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply in M.A.

3. S.O. to 01.03.2022.

MEMBER (J)

KPB ORAL ORDERS 13.01.2022

**M.A. No. 290/2020 in O.A. St. No. 1067/2020
(Vilas V. Sathe Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Shri G.J. Kore, learned Advocate for the applicant (**Absent**). Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Record shows that affidavit in reply is filed on behalf of respondent Nos. 1 and 2 in M.A.
3. S.O. to 01.03.2022.

MEMBER (J)

**M.A. No. 291/2020 in O.A. St. No. 1070/2020
(Jilani A. Shaikh Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Shri G.J. Kore, learned Advocate for the applicant (**Absent**). Heard Smt. M.S. Patni, learned Presenting Officer for the respondent No. 1 and Shri S.D. Dhongde, learned Advocate for respondent No. 2.

2. At the request of learned Presenting Officer for the respondent No. 1, time is granted for filing affidavit in reply in M.A.

3. S.O. to 01.03.2022.

MEMBER (J)

KPB ORAL ORDERS 13.01.2022

M.A. No. 292/2020 in O.A. St. No. 1072/2020
(Shaikh Rahim Shaikh Chand Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Shri G.J. Kore, learned Advocate for the applicant
(**Absent**). Heard Shri I.S. Thorat, learned Presenting
Officer for the respondents.

2. Record shows that affidavit in reply is filed on
behalf of respondent Nos. 1 and 2 in M.A.

3. S.O. to 01.03.2022.

MEMBER (J)

KPB ORAL ORDERS 13.01.2022

M.A. No. 312/2020 in O.A. St. No. 1351/2020
(Ajgar Ali Nohiddin Shaikh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Shri G.J. Kore, learned Advocate for the applicant
(**Absent**). Heard Shri B.S. Deokar, learned Presenting
Officer for the respondents.

2. Record shows that affidavit in reply is filed on
behalf of respondent Nos. 1 and 2 in M.A.
3. S.O. to 01.03.2022.

MEMBER (J)

M.A. No. 91/2021 in O.A. St. No. 327/2021
(Bhaginath C. Malika vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Shri G.R. Jadhav, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply in M.A.

3. S.O. to 16.02.2022.

MEMBER (J)

**M.A. No. 403/2021 in O.A. St. No. 1539/2021
(Uttamrao S. Joshi Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Shri R.A. Joshi, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply in M.A.

3. S.O. to 16.02.2022.

MEMBER (J)

M.A. No. 14/2022 in O.A. St. No. 08/2022
(Ganesh R. Gaikwad & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Shri Swapnil Deshmukh, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 14.01.2022.

MEMBER (J)

KPB ORAL ORDERS 13.01.2022

ORIGINAL APPLICATION NO. 480 OF 2019
(Ashok G. Puri Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1, 4 to 6 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 and 3.

2. Learned Advocate for the respondent Nos. 2 and 3 placed on record a copy of communication dated 24.06.2020. Same is taken on record and marked as document 'X' for the purpose of identification. He submits that in view of this communication, the present O.A. can be disposed of.

3. Learned Advocate for the applicant seeks time for taking instructions from the applicant regarding the above said communication dated 24.06.2020. Time granted.

4. S.O. to 18.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 643 OF 2019
(Majid Ismaili Shaikh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Shri Pratik Pangal, learned Advocate holding for Shri R.P. Bhumkar learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. As per the Circular No. MAT/MUM/ESTT/732/2021, dated 25/28.05.2021 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 Division Bench. The present matter is pertaining to benefit of time bound promotion/ACPS.

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

4. S.O. to 18.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 858 OF 2019
(Annarao L. Bhosale & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Shri S.B. Kakde, learned Advocate for the applicants (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. As none present for the applicants, S.O. to 21.02.2022.

MEMBER (J)

KPB ORAL ORDERS 13.01.2022

ORIGINAL APPLICATION NO. 550 OF 2020
(Laxman R. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

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

2. Record shows that separate affidavits in reply are filed on behalf of respondent Nos. 1 and 2 respectively.
3. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit.
4. The present matter is pertaining to grant of pension and pensionary benefits. Hence, the O.A. is admitted and it be fixed for final hearing on 11.02.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 03 OF 2021
(Sudhir S. Pathak Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.
3. S.O. to 25.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 30 OF 2021
(Kedarnath R. Budhwant Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Pleadings up to rejoinder affidavit are complete. The present matter is pertaining to pension and pensionary benefits. Hence, the O.A. is admitted and it be fixed for final hearing on 11.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 565 OF 2021
(Anil V. Chatlawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. The present matter has already been treated as part heard.
3. Learned Advocate for the applicant has filed short affidavit. Same is taken on record and copy thereof has been served on the other side.
4. During the course of arguments, it transpires that though the impugned order of transfer is dated 09.08.2021, the applicant has not joined on the transferred post for one or other reasons.
5. Learned Advocate for the applicant on instructions submits that the applicant is ready to join his transferred place by 17.01.2022 under protest.
6. The respondents to consider the joining of the applicant on the given date.
7. S.O. to 24.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 13 OF 2021
(Ajaykumar B. Chavan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1 to 3. Shri D.B. Thoke Patil, learned Advocate for respondent No. 4, absent.

2. Learned Advocate for the applicant filed notes of arguments. Same is taken on record.

3. The present matter has already been treated as part heard.

4. As none present for the respondent No. 4, S.O. to 31.01.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 79 OF 2021
(Anil S. Puranik Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. The present matter has already been treated as part heard.
3. At the request and by consent of both the sides, S.O. to 24.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 116 OF 2018
(Sanjay M. Deokate Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicant (**Absent**). Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 03.02.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 13.01.2022

ORIGINAL APPLICATION NO. 422 OF 2019
(Syed Khaja Syed Meeran Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate holding for Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 04.02.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 13.01.2022

ORIGINAL APPLICATION NO. 721 OF 2019
(Bhagwan W. Landge Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 31.01.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 13.01.2022

**ORIGINAL APPLICATION NO. 531 OF 2021
(Maruti M. Kakad Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri Avinash S. Deshmukh, learned Advocate for respondent No. 4.

2. The present matter is to be treated as part heard.
3. By consent of all the parties, S.O. to 17.01.2022.

MEMBER (J)

M.A. No. 23/2022 in O.A. No. 619/2019
(Arjun R. Pawar through his Lrs. Rukmini A. Pawar and Ors.
Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. The present Misc. Application is made for bringing on record heirs and legal representatives of the original applicant i.e. Arjun Rau Pawar, who died during pendency of the O.A. No. 619/2019.

3. It is contended that the original applicant i.e. Arjun Rau Pawar died on 30.12.2021. The present Misc. Application is made for bringing on record heirs and legal representatives of the original applicant on 12.01.2022, within prescribed period of limitation. The O.A. is filed seeking relief of challenging the recovery of excess amount and pensionary benefits. In the circumstances, right to sue would survive in the heirs and legal representatives of the deceased applicant.

4. Learned P.O. submits that the necessary order be passed.

//2//

M.A. 23/2022 in
O.A. 619/2019

5. In the circumstances as above, in my considered opinion, it is just and proper to allow the present Misc. Application. Hence, the following order :-

ORDER

1. M.A. No. 23/2022 is allowed.
2. The applicants are allowed to bring on record heirs and legal representatives of the deceased original applicant.
3. The applicant shall carry out the necessary amendment in the O.A. within a period of one week and to serve the amended copy of the O.A. on the other side.
4. Accordingly, M.A. stands disposed of without any order as to costs.

MEMBER (J)

**O.A. Nos. 583/2019, 602/2019, 619/2019 & 620/2019
(Bhaskar D. Baviskar & Ors. Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicants in all these O.As. and Shri I.S. Thorat, learned Presenting Officer for the respondents in all these O.As.

2. At the request and by consent of both the sides, S.O. to 20.01.2022.

MEMBER (J)

KPB ORAL ORDERS 13.01.2022

M.A. No. 24/2022 in O.A. No. 602/2019
(Bhaskar D. Baviskar & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. The present Misc. Application is made for bringing on record heirs and legal representatives of the original applicant No. 3 i.e. Arjun Rau Pawar, who died during pendency of the O.A. No. 602/2019.

3. It is contended that the original applicant No. 3 i.e. Arjun Rau Pawar died on 30.12.2021. The present Misc. Application is made for bringing on record heirs and legal representatives of the original applicant No. 3 on 12.01.2022, within prescribed period of limitation. The O.A. is filed seeking relief of challenging the recovery of excess amount and pensionary benefits. In the circumstances, right to sue would survive in the heirs and legal representatives of the deceased applicant No. 3.

4. Learned P.O. submits that the necessary order be passed.

//2//

M.A. 24/2022 in
O.A. 602/2019

5. In the circumstances as above, in my considered opinion, it is just and proper to allow the present Misc. Application. Hence, the following order :-

ORDER

1. M.A. No. 24/2022 is allowed.
2. The applicants are allowed to bring on record heirs and legal representatives of the deceased original applicant No. 3.
3. The applicant shall carry out the necessary amendment in the O.A. within a period of one week and to serve the amended copy of the O.A. on the other side.
4. Accordingly, M.A. stands disposed of without any order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 629 OF 2021
(Dr. Archana V. Bhosle Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 31.01.2022.

MEMBER (J)

SAS ORAL ORDERS 13.01.2022

ORIGINAL APPLICATION NO. 561 OF 2020
(Namdeo D. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 10.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 452 OF 2019
(Shivaji D. Deshmukh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 13.01.2022

ORAL ORDER :

Smr. Amruta J. Menezes, learned Advocate for the applicant is **absent**. Heard I.S. Thorat, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 08.02.2022.

MEMBER (J)

SAS ORAL ORDERS 13.01.2022

Date :13.01.2022

**ORIGINAL APPLICATION NO.25 OF 2022
(Shailesh V. Gavit V/s The State of Maharashtra &
Ors.)**

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

1. Shri Swapnil Joshi, Id. Advocate for the applicant and Smt. Deepali S. Deshpande, Id. P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 09.02.2022. The case be listed for admission hearing on **09.02.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date :13.01.2022

ORIGINAL APPLICATION NO.21 OF 2022

(Ravita B. Rathod V/s The State of Maharashtra & Ors.)

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

1. Shri A.V. Thombre, learned Advocate holding for Shri S.S. Thombre, ld. Advocate for the applicant and Shri M.P. Gude, ld. P.O. for the respondents, are present
2. Circulation is granted. Issue notices to the respondents, returnable on 22.02.2022. The case be listed for admission hearing on **22.02.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

13.01.2022/sas registrar notice/

Date :13.01.2022

**M.A.NO.27 OF 2022 IN O.A.ST.NO.64 OF 2022
(Madhavi M. Kulkarni & Anr. V/s The State of
Maharashtra & Ors.)**

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

1. Shri H.P. Jadhav, Id. Advocate for the applicants and Shri S.K. Shirse, Id. P.O. for the respondents, are present
2. Circulation is granted. Issue notices to the respondents in **M.A.No.27/2022**, returnable on 09.02.2022. The case be listed for admission hearing on **09.02.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicants are authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicants are directed to file Affidavit of compliance and notice.

REGISTRAR

Date :13.01.2022

**ORIGINAL APPLICATION NO.17 OF 2022
(Baburao M. Kamble V/s The State of Maharashtra
& Ors.)**

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

1. Shri S.S. Tandale, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, Id. P.O. for the respondents, are present
2. Circulation is granted. Issue notices to the respondents, returnable on 10.02.2022. The case be listed for admission hearing on **10.02.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

13.01.2022/sas registrar notice/

Date :13.01.2022

ORIGINAL APPLICATION NO.23 OF 2022

(Samadhan B. Rathod V/s The State of Maharashtra & Ors.)

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

1. Shri K.B. Jadhav, learned Advocate for the applicant and Shri V.R. Bhumkar, ld. P.O. for the respondents, are present
2. Circulation is granted. Issue notices to the respondents, returnable on 10.02.2022. The case be listed for admission hearing on **10.02.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

13.01.2022/sas registrar notice/

**M.A.NO. 22/2022 IN O.A.ST.NO. 60/2022
(Girish Ashok Bibave & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Heard Shri S.S. Jadhavar, learned counsel for the applicants and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

4. Accompanying O.A. be registered and numbered, after removal of office objections, if any. The present M.A. stands disposed of accordingly without any order as to costs.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 13.01.2022 - HDD

ORIGINAL APPLICATION ST.NO. 60 OF 2022

(Girish Ashok Bibave & Ors. Vs. State of Maha. & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Heard Shri S.S. Jadhavar, learned counsel for the applicants and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents. Interim relief is sought and insisted by the applicants.

2. It is the contention of the applicants in the present application that in the promotions to the post of Maharashtra Agriculture Services Group B, the feeder cadre is the Agriculture Officers. It is the further contention of the applicants that the promotions are only on the basis of the seniority. It is the further contention that the present applicants, though have been continuously shown senior throughout, in the selection list of 73 candidates recommended for promotion vide letter dated 23.12.2021, their names have not been included and juniors to them have been recommended for their promotion. It is further submitted that the candidates at Sr. No. 7 onwards are junior to the present applicants. It is further contended that these applicants had been promoted in the past but not on the strength of

the Government Resolution dated 25.5.2004. Learned counsel submits that even otherwise the candidates who entered into service as direct recruitee in 2009 cannot be treated senior to the present applicants. We see, *prima facie*, substance in the submission advanced by the learned counsel for the applicants. In the circumstances, the following order is passed: -

ORDER

3. Issue notice to respondents, returnable on 3.2.2022.
4. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

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

8. Though, we are not inclined to stay the process of promotion, we make it subject to the outcome of the present Original Application.

9. S.O. to 3.2.2022.

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

MEMBER (A)

MEMBER (J)

**C.P.NO. 1/2021 IN O.A.NO. 83/2018
(Vyankat S. More & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Shri Kiran M. Nagarkar, learned counsel for the applicants and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply on behalf of respondent Nos. 1 & 2. Time granted.

3. S.O. to 17.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 13.01.2022 - HDD

**O.AS. 708 TO 712, 781, 782, 1052 TO 1055 ALL OF 2019
(Dr. Udaykumar T. Helkar & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicants in all these cases, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in all these cases, Shri V.V. Bhavthankar, learned counsel for respondent No. 4 in O.A. No. 708/2019, Shri M.S. Shendge, learned counsel for respondent Nos. 3 & 4 in O.A. No. 711/2019 and Shri S.R. Dheple, learned counsel for respondent No. 3 in O.A. No. 781/2019, are present.

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

3. S.O. to 21.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 1013 OF 2019
(Sandeep J. More & Anr. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

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

2. List the matter for hearing on 22.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 1044 OF 2019
(Tukarm S. Katare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Shri D.A. Bide, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant has filed rejoinder affidavit and the same is taken on record and copy thereof has been served on the learned Presenting Officer.

3. List the matter for hearing on 22.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 284 OF 2021
(Jitendra S. Sonawane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Shri K.G. Salunke, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant has filed rejoinder affidavit and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. List the matter for hearing on 22.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 300 OF 2021
(Abasaheb B. Ghayal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Shri K.G. Salunke, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant has filed rejoinder affidavit and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. List the matter for hearing on 22.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 791 OF 2021
(Prabhakar B. Bush Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Shri Ashish B. Rajkar, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 23.2.2022.

MEMBER (A)

MEMBER (J)

**M.A.NO. 103/2020 IN O.A.ST.NO. 146/2020
(Ramchandra N. Palmate Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Shri V.P. Golewar, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 23.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 13.01.2022 – HDD

**M.A.NO. 32/2021 IN O.A.ST.NO. 138/2021
(Gopal Devidas Ghuge Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Shri S.D. Munde, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply in the M.A. Time granted.

3. S.O. to 23.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 13.01.2022 - HDD

M.A.NO. 60/2021 IN O.A.NO. 85/2021
(Dr. Balaji M. Shinde Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **13.01.2022**

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply in the M.A. Time granted.

3. S.O. to 23.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 13.01.2022 – HDD

**M.A.NO. 81/2021 IN O.A.ST.NO. 253/2021
(Ramchandra N. Palmate Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 21.2.2022 for hearing.

MEMBER (A)

MEMBER (J)

**M.A.NO. 111/2021 IN O.A.ST.NO. 439/2021
(Shivaji T. Kote & 4 Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Ms. Preeti R. Wankhade, learned counsel for the applicants, Smt. M.S. Patni, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri J.M. Murkute, learned counsel for respondent Nos. 35, 50, 58 & 59, are present. None appears for other respondents.

2. Learned counsel for the applicants sought time for filing rejoinder affidavit. Time granted.

3. S.O. to 21.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 13.01.2022 – HDD

**M.A.NO. 169/2021 IN O.A.ST.NO. 141/2021
(Anil S. Kande & Anr. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Shri Sandeep D. Munde, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. Affidavit in reply on behalf of respondent No. 3 has already been filed on record. Learned Presenting Officer sought time for filing affidavit in reply on behalf of respondent Nos. 1 & 2 in M.A. Time granted.

3. S.O. to 22.2.2022.

MEMBER (A)

MEMBER (J)

**M.A.NO. 297/2021 IN O.A.ST.NO. 1239/2021
(Mohan S. Desale Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Shri S.B. Jadhav, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 & 2, are present. None appears for respondent No. 3 though duly served.

2. Affidavit in reply on behalf of respondent Nos. 1 & 2 has already been filed on record. Respondent No. 3 has not filed affidavit in reply nor there is any request seeking time to file the same.

3. List the matter for hearing on 8.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 13.01.2022 – HDD

**M.A.NO. 348/2021 IN O.A.NO. 832/2016
(Vishal P. Gangawane Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Shri Ajay S. Deshpande, learned counsel for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent Nos. 1 & 3, Shri P.S. Dighe, learned counsel for respondent No. 4 and Shri Parag Bhosale, learned counsel for respondent Nos. 2 & 5, are present.

2. No affidavit in reply has been filed on behalf of all the respondents though on the last occasion i.e. on 17.11.2021 it is specifically observed that, if reply is not filed on the next date, the matter will be heard on merit. In the circumstances, list the present matter for hearing on 16.2.2022.

MEMBER (A)

MEMBER (J)

**M.A. 353/21 IN M.A.ST.1144/21 IN O.A.ST.1145/21
(Ramkrushan D. Gore & Anr. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Shri R.P. Bhumkar, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 11.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 13.01.2022 - HDD

**M.A. NO. 509/2017 IN O.A.ST.NO. 1671/2017
(Sambhaji Shraavan Patil Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Heard Shri Nitin K. Chaudhari, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. On instructions, learned counsel for the applicant seeks leave of this Tribunal to withdraw the present M.A. along with O.A. The M.A. and O.A. therefore, stand disposed of as withdrawn. There shall be no order as to costs.

MEMBER (A)

MEMBER (J)

**M.A. NO. 510/2017 IN O.A.ST.NO. 1672/2017
(Ravindra B. Wandhekar Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Heard Shri Nitin K. Chaudhari, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. On instructions, learned counsel for the applicant seeks leave of this Tribunal to withdraw the present M.A. along with O.A. The M.A. and O.A. therefore, stand disposed of as withdrawn. There shall be no order as to costs.

MEMBER (A)

MEMBER (J)

**M.A. NO. 511/2017 IN O.A.ST.NO. 1673/2017
(Mangesh Ashok Gurav Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.01.2022

ORAL ORDER :

Heard Shri Nitin K. Chaudhari, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. On instructions, learned counsel for the applicant seeks leave of this Tribunal to withdraw the present M.A. along with O.A. The M.A. and O.A. therefore, stand disposed of as withdrawn. There shall be no order as to costs.

MEMBER (A)

MEMBER (J)

**O.A. NO. 793/2021 AND O.A. NO. 794/2021
(Shri Amit R. Gaikwad & Anr. Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.1.2022

ORAL ORDER :

Shri Avinash S. Deshmukh, learned Counsel for the applicants in both the matters and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in both the matters, are present.

2. After hearing the arguments of the learned Counsel for the applicants and the learned Presenting Officer for the respondents for some time, we felt it necessary to have some original documents before us for our scrutiny. In the advertisement published on 21.2.2019, on the basis of which further selection process has been carried out, in sub clause (2) of clause 8 thereof, it is specifically mentioned that the candidates are required to secure minimum 45% marks and only such candidates securing more than 45% marks will be held eligible to be included in the merit list to be prepared. It is further revealed from the arguments that before making appointments of the present applicants, they all were called for counseling. It is also not in dispute that before issuing order of appointment their documents were also scrutinized. It is further not in

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**O.A. NO. 793/2021 AND
O.A. NO. 794/2021**

dispute that, though the present applicants did not secure 45% marks, their names were included in the merit list published and they were also considered for their appointment. In the circumstances, we direct the respondents to place on record the following information and documents :-

- (i) The names of the persons with their designations, who prepared the merit list for the candidates to be called for further consideration.
 - (ii) The original result sheet of all the candidates who have appeared for the said examination.
 - (iii) The names of the persons with their designations, who had issued the letters for counseling to the present applicants.
 - (iv) Copy of the scrutiny sheet based on which the candidates were called for scrutiny of documents.
 - (v) Copy of the record based on which the decision was taken to terminate the services of the present applicants.
3. S.O. to 17.1.2022.
 4. Steno copy allowed for the use of learned Presenting Officer for the respondents.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 13/2022
(Shri Swapnil V. Sable Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.1.2022

ORAL ORDER :

Shri S.S. Thombre, learned Counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. Perused the application and the documents annexed thereto.
3. Issue notices to the respondents, returnable on 24.1.2022.
4. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal limitation and alternate remedy are kept open.
7. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
8. S.O. to 24.1.2022.
9. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 15/2022

(Shri Buddhisagar B. Sawant Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.1.2022

ORAL ORDER :

Shri V.P. Savant, learned Counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. The learned Counsel for the applicant has sought permission to implead the Assistant Director (Admn.), District Employment Office, Beed as party respondent in the present O.A. Amendment as sought for is granted. The applicant to carry out the said amend in the O.A. forthwith.

3. After amendment is carried out as above, issue notices to all the respondents, returnable on 22.2.2022.

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.

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O.A. NO. 15/2022

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal limitation and alternate remedy are kept open.

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

8. S.O. to 22.1.2022.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 108/2019
(Shri Krushna R. Rathod Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.1.2022

ORAL ORDER :

Shri V.P. Savant, learned Counsel holding for Shri Vinod N. Rathod, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. With consent of both the sides, S.o. to 28.1.2022.

High on board.

MEMBER (A)

MEMBER (J)

C.P. 29/2020 IN O.A. 1014/2019
(Shri Bade R. Shridhar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.1.2022

ORAL ORDER :

Shri C.V. Dharurkar, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. With consent of both the S.O. to 14.1.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 577/2017
(Shri Ramesh G. Choudhari Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.1.2022

ORAL ORDER :

Shri A.G. Ambetkar, learned Counsel for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 1 & 2 and Shri Avinash S. Deshmukh, learned Counsel for respondent no. 3, are present.

2. With consent of both the sides, S.O. to 8.2.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 28/2018
(Shri Shashank B. Kamble Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **13.1.2022**

ORAL ORDER :

Shri Ganesh J. Kore, learned Counsel for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent nos. 1 & 2 and Shri Mahendra Kochar, learned Counsel for respondent nos. 3, 4 & 5, are present.

2. With consent of both the sides, S.O. to 21.2.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1029/2019
(Shri Suraj S. Bavat Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **13.1.2022**

ORAL ORDER :

Shri M.S. Choudhari, learned Counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent nos. 1 to 3 and Shri V.B. Wagh, learned Counsel for respondent no. 4, are present.

2. With consent of both the sides, S.O. to 4.2.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 93/2020

(Smt. Jayshree S. Tusamkar Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.1.2022

ORAL ORDER :

Shri M.S. Choudhari, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. With consent of both the sides, S.O. to 4.2.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 194/2021
(Shri Vinod B. Ghewane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.1.2022

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. With consent of both the sides, S.O. to 4.2.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 342/2021
(Smt. Kalpana T. Shelke & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.1.2022

ORAL ORDER :

Shri Avinash S. Deshmukh, learned Counsel for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. With consent of both the sides, S.O. to 19.1.2022. The interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 735/2021
(Shri Prashant S. Pol Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.1.2022

ORAL ORDER :

Shri Avinash S. Deshmukh, learned Counsel for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. With consent of both the sides, S.O. to 4.2.2022. The interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 693/2021
(Shri Shreyas P. Varule Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.1.2022

ORAL ORDER :

Smt. Vaishali Suryawanshi, learned Counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, are present.

2. With consent of both the sides, S.O. to 14.1.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 798/2021
(Shri Bharat Z. Patil Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.1.2022

ORAL ORDER :

Shri K.B. Jadhav, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. With consent of both the sides, S.O. to 23.2.2022.

MEMBER (A)

MEMBER (J)

M.A. 426/2021 IN O.A. 112/2020
(Smt. Shital B. Tarate Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.1.2022

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, are present.

2. With consent of both the sides, S.O. to 20.1.2022 for hearing.

MEMBER (A)

MEMBER (J)

M.A. 51/2019 IN O.A. ST. 354/2017
(Shri Ashruba B. Jaybhaye Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.1.2022

ORAL ORDER :

Smt. Renuka Ghule, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. With consent of both the sides, S.O. to 24.2.2022 for hearing.

MEMBER (A)

MEMBER (J)

**M.A. 123/2019 IN C.P. ST. 302/2019 IN O.A. 256/2011
(Jay S. Patole Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.1.2022

ORAL ORDER :

Shri A.D. Gadekar, learned Counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. With consent of both the sides, S.O. to 24.2.2022 for hearing.

MEMBER (A)

MEMBER (J)

M.A. ST. 393/2020 IN O.A. 297/2013
(Prakash B. Joshi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.1.2022

ORAL ORDER :

Shri M.R. Kulkarni, learned Counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. With consent of both the sides, S.O. to 24.2.2022 for hearing.

MEMBER (A)

MEMBER (J)

M.A. 334/2020 IN O.A. 894/2019
(Suman B. Wavdhane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.1.2022

ORAL ORDER :

Shri Gaurav L. Deshpande, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. With consent of both the sides, S.O. to 7.2.2022 for hearing.

MEMBER (A)

MEMBER (J)

**M.A. 141/2021 IN M.A. 121/2021 IN O.A. 295/2019
WITH C.P. 3/2021**

**(State of Maharashtra & Ors. Vs. Mah. Rajya Hangami Hivtap
Prayogashala Karmachari Sangahatna, through its President
Bharat M. Tangade)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.1.2022

ORAL ORDER :

Shri D.R. Patil, learned Presenting Officer for the applicants in M.A. No. 141/2021 / respondents in O.A./C.P., Shri Vinod P. Patil, learned counsel for applicants in M.A. no. 121/2021 and Ms. Preeti Wankhade, learned Counsel for respondents in M.A. no. 141/2021 / applicants in O.A. / C.P.

2. With consent of both the sides, S.O. to 8.2.2022 for hearing.

MEMBER (A)

MEMBER (J)

**M.A.NO. 210/2015 IN O.A.ST. NO. 439/2015 WITH
M.A.NO. 212/2015 IN O.A.ST. NO. 441/2015 WITH
M.A.NO. 213/2015 IN O.A.ST. NO. 432/2015 WITH
M.A.NO. 214/2015 IN O.A.ST. NO. 451/2015 WITH
M.A.NO. 215/2015 IN O.A.ST. NO. 443/2015 WITH
M.A.NO. 216/2015 IN O.A.ST. NO. 435/2015 WITH
M.A.NO. 217/2015 IN O.A.ST. NO. 437/2015 WITH
M.A.NO. 227/2015 IN O.A.ST. NO. 455/2015 WITH
M.A.NO. 228/2015 IN O.A.ST. NO. 453/2015 WITH
M.A.NO. 240/2015 IN O.A.ST. NO. 957/2015 WITH
M.A.NO. 241/2015 IN O.A.ST. NO. 955/2015 WITH
M.A.NO. 242/2015 IN O.A.ST. NO. 960/2015 WITH
M.A.NO. 202/2014 IN M.A.ST. NO. 447/2014 IN
O.A.ST.NO. 449/2014**

(Syed Sarfaraz Ahmed & Ors. Vs. State of Maha. & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 13.1.2022

ORAL ORDER :

Smt. Suchita A. Dhongde, learned Advocate for the applicants in all these cases has filed leave note. Shri I.S. Thorat, learned Presenting Officer for the respondent No. 1 in all these cases and Shri Sham Patil, learned Advocate for respondent Nos. 2 to 4 in M.A. Nos. 240/15, 241/15, 242/15 and Shri G.N. Patil, learned Advocate for respondent Nos. 2 to 5 in M.A. Nos. 210, 213, 215, 217, 227, 228 all of 2015 & 202/2014, are present.

2. With consent of both the sides, S.O. to 23.2.2022 for hearing.

MEMBER (A)

MEMBER (J)

M.A. 17/2022 IN O.A. 339/2021
(Shri Arun S. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 13.1.2022

ORAL ORDER :

Shri Amol B. Chalak, learned Counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, are present.

2. The learned Counsel for the applicant seeks leave to amend the title portion of page 7, page 11 as well as page 19 and also to correct date in ground no. XXII of present M.A. Permission to amend is granted. The necessary amendment be carried out forthwith.

3. The present M.A. is filed by the applicant seeking leave to bring on record the subsequent events occurred after filing the O.A. The learned Counsel for the applicant, in the circumstances, prayed for allowing M.A.

3. The learned P.O. submits for passing appropriate order.

4. After having considered the submissions of the learned Counsel for the applicant, we are satisfied that sufficient case is made out by the applicant for allowing the M.A. The amendment has certainly nexus with the relief as

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M.A. 17/2022 IN O.A. 339/2021

has been sought by the applicant in the O.A. In the circumstances, we are inclined to allow the M.A. Hence, the following order :-

ORDER

- (i) M.A. No. 17/2022 is allowed in terms of prayer (B) thereof with no costs.
- (ii) The applicant to carry out the proposed amendment in O.A. within 2 weeks from the date of this order and supply amended copy of O.A. to the other side.
- (iii) The respondents to file affidavit in reply to the amended O.A. by the next date.
- (iv) O.A. to come on board on 22.2.2022.

MEMBER (A)

MEMBER (J)