

ORIGINAL APPLICATION NO. 1112/2022
(Mohammad Raza Khan Vs. State of Maharashtra & Ors.)

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

DATE : 13.3.2023

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant, Shri MS Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri MB Bharaswadkar, learned counsel for respondent no. 3, are present.

2. S.O. to 6.4.2023 for hearing. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ARJ ORAL ORDER 13.3.2023

**M.A. NO. 113/2023 IN O.A. NO. 75/2023
(Shri Umesh Dhakane Vs. State of Maharashtra & Ors.)**

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

DATE : 13.3.2023

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned counsel for the applicant, Shri MS Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri AV Thombre, learned counsel holding for Shri SS Thombre, learned counsel for respondent no. 5.

2. This is an application filed by the applicant seeking some amendment in O.A. The amendment is sought for bringing on record the events, which have occurred after filing O.A. by the applicant. Though the learned counsel for respondent no. 5 opposed for allowing such amendment, I see no reason in rejecting the request so made since the amendment is sought to bring on record the subsequent events, which have nexus with the subject matter and the request made in O.A., the present M.A. needs to be allowed. It is accordingly allowed. The necessary amendment be carried out by tomorrow i.e. 14.3.2023.

3. The O.A. be listed for filing affidavit in reply on behalf of the respondents on 23.2.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 669/2022
(Shri Vikas Bade Vs. State of Maharashtra & Ors.)

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

DATE : 13.3.2023

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant, Shri MP Gude, learned Presenting Officer for the respondent authorities and Shri JB Choudhary, learned counsel for respondent no. 3, are present.

2. The learned P.O. has sought leave to place on record the documents pertaining to the decision taken by the Civil Service Board. Leave granted as prayed for. The documents be submitted by afternoon and it be kept for further consideration on 14.3.2023. **High on Board.**

3. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ARJ ORAL ORDER 13.3.2023

ORIGINAL APPLICATION NO. 689/2022
(Shri Madhav B. Marde & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 13.3.2023

ORAL ORDER :

Shri K.G. Salunke, learned counsel for the applicant, Smt. Sanjivani Deshmukh Ghatge, learned Presenting Officer for the respondent authorities and Shri GN Patil, learned counsel for respondent no. 6, are present.

2. S.O. to 14.3.2023 for hearing. **High on Board.**

VICE CHAIRMAN

ARJ ORAL ORDER 13.3.2023

ORIGINAL APPLICATION NO. 807 OF 2022
(Mohd Razakhan Mohd Abdul Sattarkhan Vs. State of
Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Record shows that this Original Application has been transferred to this Bench as per order dated 05.08.2022 passed in M.A.No. 175/2022. Record further shows that there are office objections.

3. Learned Advocate for the applicant to attend the said office objection before the matter proceeds further. The office also to verify the status of the office objection.

4. S.O. to 21.04.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1115 OF 2022
(Dattatraya M. Kawade Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Ms. P.P. Deshmukh, learned Advocate holding for Shri J.M. Murkute, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, S.O. to 06.06.2023 as a last chance/for dismissal.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 182 OF 2023
(Umesh B. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present.

2. Shri Akash M. Jaju, learned Advocate filed **VAKALATNAMA** on behalf of Shri Manish P. Tripathi, learned Advocate appearing on behalf of the applicant. It is taken on record.

3. At the request of the learned Advocate for the applicant, S.O. to 27.04.2023.

MEMBER (A)

MEMBER (J)

M.A.ST.NO. 219/2023 IN O.A.ST.NO. 220/2023
(Shailendra M. Valvi & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicants, S.O. to 17.04.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

M.A.NO. 51/2019 IN O.A.ST.NO. 354/2017
(Ashruba B. Jaybhaye Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 10.04.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

M.A.NO. 68/2020 IN O.A.ST.NO. 2452/2019
(Swati P. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 19.04.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

M.A.NO. 99/2020 IN O.A.ST.NO. 283/2020
(Swati S. Maknikar Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

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

2. In view of absence of learned Advocate for the applicant, S.O. to 06.06.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

M.A.NO. 51/2021 IN O.A.ST.NO. 184/2021
(Sangameshwar M. Kadam Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. S.O. to 10.04.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

M.A.NO. 55/2021 IN O.A.ST.NO. 363/2020
(Dnyanba N. Dhapse & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Shri C.R. More, learned Advocate holding for Shri G.L. Deshpande, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 24.04.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

M.A.NO. 301/2021 IN O.A.ST.NO. 1279/2021
(Dr. Eknath D. Male Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Shri S.B. Patil, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. By consent of both the sides, S.O. to 10.04.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

M.A.NO. 12/2022 IN O.A.ST.NO. 1746/2021
(Keshawrao W. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Shri S.B. Patil, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, S.O. to 19.04.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

M.A.NO. 170/2022 IN O.A.ST.NO. 404/2022
(Raosaheb S. Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

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

2. The Misc. Application is closed for order.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

M.A.NO. 212/2022 IN O.A.NO. 187/2020
(Basanti J. Padvi Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Smt. R.L. Jakhade, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. The present Misc. Application is filed for expedited hearing of the Original Application.

3. The Original Application is filed seeking following reliefs:-

"(A) The Original Application may kindly be allowed.

(B) By way of appropriate order, the impugned order dated 08.05.2020 the order regarding disciplinary action in respect of applicant may kindly be quashed and set aside.

(C) By way of appropriate order, the respondent No.2 may kindly be directed to declare result of the applicant in the interest of justice.

(D) Any other just and equitable relief be granted in favor of applicant."

//2// M.A.212/2022 in
O.A.187/2020

4. In the facts and circumstances, the hearing of Original Application is expedited.
5. In view of the above, the Misc. Application is disposed of with no order as to costs.
6. The Original Application to come up on board on 27.04.2023 for expedited hearing. **High on Board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

M.A.NO. 269/2022 IN O.A.NO. 407/2022
(Vijaykumar S. Waghmare Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Shri P.S. Anerao, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, S.O. to 17.04.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

M.A.NO. 283/2022 IN O.A.ST.NO. 265/2022
(Gulab H. Imale Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Shri Ramesh R. Imale, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

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

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

4. S.O. to 11.04.2023.

MEMBER (A)

MEMBER (J)

M.A.NO. 103/2023 IN O.A.NO. 751/2021
(Ganesh A. Dhanwade Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant/intervenor in the present M.A. and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities. Smt. M.R. Jamdhade learned Advocate for the applicant in O.A. 751/2021, is **absent**.

2. As none present for the learned Advocate for the applicant in O.A., S.O. to 03.04.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

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

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

DATE : 13.03.2023

ORAL ORDER :

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

2. The present matter has already been treated as part heard.
3. Departmental enquiry report produced by the learned P.O. is taken on record.
4. S.O. to 05.04.2023. **High on Board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 685 OF 2019
(Shivaji R. Thakare Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. S.O. to 11.04.2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

ORIGINAL APPLICATION NO. 402 OF 2019
(Sayed Salim Sayed Yaqub Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Shri Suhas P. Urgunde, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the respondent No.4.

2. The present matter is reserved for orders.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

M.A.NO. 544/2022 IN O.A.NO. 762/2018
(Maharashtra Rajya Bazar Samiti Karmachari Seva Nivrutti
Vetan Yojna, Pune Through its CEO, Balasaheb G. Katore Vs.
State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Shri V.V. Deshmukh, learned Advocate for the applicant in the present M.A., Shri I.S. Thorat, learned Presenting Officer for the respondent authorities in O.A./respondent Nos. 39 to 41 in M.A. and Shri S.D. Joshi, learned Advocate for the applicants in O.A.No.762 of 2028/respondent Nos. 1 to 38 in M.A.

2. The present Misc. Application is filed for seeking to add the applicant therein as party respondent in O.A.

3. Affidavit in reply filed in M.A. on behalf of the applicants in O.A./respondent Nos. 1 to 38 in M.A. is taken on record and copy thereof has been served on the other sides. In the fact and circumstances, the Misc. Application No. 544/2022 is kept along with O.A. No.762/2018 for hearing/for disposal in accordance with law.

4. S.O. to 10.04.2023. **High on Board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 811 OF 2022
(The Association of the Ministerial Services of department of
Agriculture, Maharashtra State, Pune Through its General
Secretary Shri Ashok Kale & Ors. Vs. State of Maharashtra &
Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

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

2. The present matter has already been treated as
part heard.
3. S.O. to 11.04.2023. **High on Board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 559 OF 2020
(Vishranti B. Giri Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Shri Abhishek C. Deshpande, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 11.04.2023 for hearing. **High on Board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 310 OF 2022
(Shivaji M. Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

None present on behalf of the applicant.

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

2. Affidavit in reply filed on behalf of the respondent Nos. 1 & 2 is taken on record along with extra copy for the applicant.

3. S.O. to 04.05.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 736 OF 2012
(Devidas R. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 23.03.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

ORIGINAL APPLICATION NO. 651 OF 2019
(Chandulal D. Ghule Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

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

2. Record shows that in spite of grant of opportunities, affidavit in rejoinder is not filed on behalf of the applicant. Hence, the matter will proceed further without affidavit in rejoinder of the applicant.

3. S.O. to 02.05.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1074 OF 2019
(Ashok M. Gadekar (Died) Through L.Rs. Kamal A. Gadekar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Shri Avinash M. Nagarkar, learned Advocate for the applicants (**Absent**). Shri D.R. Patil, learned Chief Presenting Officer for the respondent authorities, is present.

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

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

4. S.O. to 02.05.2023 for filing affidavit in rejoinder.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 41 OF 2020
(Nagesh C. Kumbre Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 02.05.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 421 OF 2021
(Manohar M. Bharane Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri S.B. Patil, learned Advocate for the respondent No.3.

2. Record shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondent Nos. 1,2 & 4. Hence, the matter will proceed further without affidavit in reply of the respondent Nos. 1,2 & 4.

3. S.O. to 04.05.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 622 OF 2021
(Arjun R. Deshmukh (Gawali) Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Shri R.V. Gore, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 02.05.2023 for admission.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

ORIGINAL APPLICATION NO. 302 OF 2022
(Rupali P. Rangari Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Smt. Archana Therokar, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Affidavit in rejoinder filed on behalf of the applicant is taken on record and copy thereof has been served on the other side.
3. S.O. to 03.05.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 423 OF 2022
(Appasaheb B. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Shri M.V. Salunke, learned Advocate for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. Record shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondents. Hence, the matter will proceed further without affidavit in reply of the respondents.

3. S.O. to 04.05.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 865 OF 2022
(Sangamesh G. Lakhe & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Shri V.C. Patil (Ashtekar), learned Advocate for the applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

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

3. S.O. to 10.04.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

ORIGINAL APPLICATION NO. 02 OF 2023
(Mushtaque Sikandar Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

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

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

3. S.O. to 10.04.2023 for filing affidavit in rejoinder, if any.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

M.A.NO. 56 OF 2022 IN O.A.NO. 405 OF 2021
(Dinesh N. Karande Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

None present on behalf of the applicant.

Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. Record shows that in spite of grant of opportunities, affidavit in rejoinder is not filed on behalf of the applicant. Hence, the matter will proceed further without affidavit in rejoinder of the applicant.

3. S.O. to 02.05.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

ORIGINAL APPLICATION NO. 64 OF 2023
(Umakant D. Bhange & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Shri B.G. Deshmukh, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 19.04.2023 for filing affidavit in rejoinder, if any.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

ORIGINAL APPLICATION NO. 685 OF 2019
(Shivaji R. Thakare Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. S.O. to 11.04.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

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

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

DATE : 13.03.2023

ORAL ORDER :

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

2. S.O. to 30.03.2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 67 OF 2018
(Dr. Mohd. Feroz Iqbal Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. S.O. to 17.04.2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

ORIGINAL APPLICATION NO. 733 OF 2016
(Vithal L. Badhe Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

None present on behalf of the applicant.

Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. Record shows that since last two occasions i.e. on 03.02.2023 and 15.02.2023 nobody is appearing on behalf of the applicant though the matter is fixed for final hearing peremptorily/for dismissal. It appears that the applicant is not interesting in prosecuting the matter. Hence, the Original Application is dismissed in default.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 831 OF 2016
(Pathan Hares Khan Pathan S. Khan Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. The present matter is reserved for order.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

ORIGINAL APPLICATION NO. 728 OF 2013
(Prashant N. Jadhav & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding Shri Avinash S. Deshmukh, learned Advocate for the applicants, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri K.B. Jadhav, learned Advocate for the respondent Nos. 20 to 22.

Shri G.K. Kshirsagar, learned Advocate for the respondent No.16 and Shri R.P. Dhase, learned Advocate for respondent No.19, are **absent**.

2. S.O. to 30.03.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 626 OF 2016
(Savita U. Hake Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

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

2. The present matter is reserved for order.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

ORIGINAL APPLICATION NO. 177 OF 2017
(Anand V. Ganjewar Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

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

2. S.O. to 11.04.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 663 OF 2017
(Subhash M. Pakhale Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023

ORAL ORDER :

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

2. S.O. to 12.04.2023 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 13.03.2023.

ORIGINAL APPLICATION NO. 768 OF 2019
(Balasaheb T. Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 13.03.2023.

ORAL ORDER :

Heard Shri Avinash Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. The present Original Application is filed seeking to quash and set aside the impugned order dated 23.01.2019 (Annexure A-8) issued by the respondent No. 2 to the extent it orders initiation of a Departmental Enquiry u/r 8 of the Maharashtra Civil Services (Discipline and Appeal) Rules, 1979 against the applicant and further to quash and set aside the impugned memorandum of charge dated 24.01.2019 (Annexure A-9 collectively) issued by the respondent No. 2 initiating D.E. under u/r 8 of the Maharashtra Civil Services (Discipline and Appeal) Rules, 1979 against the applicant.

3. Previously two memorandum of charge-sheet both dated 16.06.2017 (Annexure A-1 collectively) and (Annexure A-3 collectively) were served upon the applicant u/r 10 of the Maharashtra Civil Services (Discipline and Appeal) Rules, 1979. By the impugned

order dated 23.01.2019 (Annexure A-8), the said charge sheets were cancelled stating that it is decided to initiate departmental action against the applicant u/r 8 of the Maharashtra Civil Services (Discipline and Appeal) Rules, 1979 afresh in respect of earlier two charge sheet dated 16.06.2017 and allegations made in representation of the applicant dated 07.07.2017. The applicant has raised legal submissions in respect of fresh charge-sheet, which are incorporated under caption of grounds in para Nos. (IV) and (V) of the O.A. as follow :-

“IV. Impugned action of Resp. No. 2 of initiating DE u/r 8 of the said Rules of the applicant taken vide order dtd. 23/01/2019 and Memorandum of Charge dtd. 24/01/2019 is void ab-initio and illegal per-se inasmuch as the Resp. No. 2 had no power & authority in law to initiate afresh DE u/r 8 against applicant in relation to the same charges/allegations on the basis of which two DEs were already initiated against him u/r 10 of the said Rules.

V. The impugned action of Resp. No. 2 of initiating DE u/r 8 against applicant for imposition of a major penalty for the same very charges/allegations on the basis of which two DEs were already initiated against him on 16/06/2017 u/r 10 is patently bad & unsustainable inasmuch as it was actuated with malafides inasmuch as the Resp. No. 2 did not like the action of applicant of sending him a legal notice and file a judicial proceeding against him in the Court.”

4. Perusal of the record would show that initially when the notices were issued in the O.A. by the order dated 29.08.2019, the point of interim relief was kept

open. However, the said aspect was not dealt with subsequently at any point of time. Meanwhile the previous Bench heard this matter and firstly by order dated 20.09.2022 after hearing the arguments of both the sides the present O.A. was reserved for order and secondly on 26.09.2022 it was closed for orders. Thereafter after constitution of new Bench, the present matter was fixed for hearing under the caption of rehearing from 10.11.2022 onwards. It is made part heard. Record further shows that as per the farad sheet order dated 01.03.2023, following order is passed :-

“Heard Shri Avinash Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. *The present Original Application is filed against the respondent Nos. 1, 1-A and 2 in his personal capacity, who was then holding the post described as respondent No. 1-A. In this O.A., the Departmental Enquiry initiated against the applicant by invoking provisions of Rule 8 of the Maharashtra Civil Services (Discipline and Appeal) Rules, 1979 is under challenge. No interim relief is granted in this case. After hearing the matter, it was closed for order. However, final order was not passed. Hence, it is kept for re-hearing. Some mala-fides are alleged against the respondent No. 2.*

3. *One of the Members of this Bench Shri Bijay Kumar, Member (Administrative) recuses for hearing of this O.A. on grounds briefly stated by him. In these circumstances, the present matter is required to be referred to the Hon'ble Chairperson of this Tribunal at Mumbai for constitution of new Bench for deciding the present O.A. That will take some time.*

4. *Learned Advocate for the applicant submitted that in view of recusal from hearing of one of the Hon'ble Member (Administrative), some time will be consumed in constitution of new Bench and consequently hearing of this case will be delayed. Hence, the prayer for stay to the hearing of the Departmental Enquiry till then or the statement from the respondents that they would maintain status quo.*

5. *In view of above, the learned Presenting Officer can seek necessary instructions from the concerned respondents/s in that regard.*

6. *The present matter has already been treated as part heard.*

7. *S.O. to 02.03.2023. **High on board.***"

5. In the circumstances as above, this matter is being heard by me singly, as the steps are required to be taken in placing the matter before the Hon'ble Chairperson for constitution of suitable Bench.

6. Thereafter on the last date of hearing on 02.03.2023 learned Presenting Officer placed on record typed submissions received from the office of CPO showing that the D.E. is in progress.

7. Today learned Advocate for the applicant placed on record a copy of notice of hearing dated 30.01.2023, as per which hearing of D.E. is now held on 20.03.2023. In this notice, earlier dates of hearing are mentioned right from 24.12.2019 till 31.01.2023 stating that the

//5// O.A. No. 768/2019

applicant did not remain present. However, fact remains that it is not observed therein that further hearing of D.E. took place in accordance with law and as such, there was no progress in D.E. for considerable period.

8. As stated earlier legal submissions are raised by the applicant in the present O.A. as regards maintainability of the D.E. initiated against the applicant afresh after cancelling earlier two D.Es. Moreover due to peculiar circumstances though the matter was heard, it cannot be disposed of and it is going to take some more time for it's disposal. From the facts on record when there was no progress in the D.E. for considerable period for about three and half years and when the applicant has raised legal submissions about maintainability of the D.E., in my considered opinion, no irresistible prejudice is going to be caused to the respondents, if the hearing of D.E. is deferred in respect of the present applicant till matter is being heard by the newly constituted Bench, which is required in peculiar circumstance. It is ordered accordingly.

9. S.O. to 10.04.2023 at 3 p.m.

MEMBER (J)

**M.A.NO. 114/2023 IN O.A.NO. 1099/2022
(Dr. Sapna Tallarwar Vs. State of Maharashtra & Ors.)**

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

DATE : 13.3.2023

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to the respondents in M.A. No. 486/2023, returnable on 17.3.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 17.3.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

**M.A.NO. 115/2023 IN O.A.NO. 1100/2022
(Dr. Namita B. Karwate Vs. State of Maharashtra & Ors.)**

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

DATE : **13.3.2023**

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to the respondents in M.A. No. 487/2023, returnable on 17.3.2023.

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

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

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

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

7. S.O. to 17.3.2023.

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

VICE CHAIRMAN

**O.A.NOS. 858/2018, 86/2019, 118/2019, 278/2019, 421/2019, 392/2020, 394/2020, 395/2020, 398/2020 & 173/2021
(Waman Baburao Gaikwad Vs. State of Maharashtra & Ors.)**

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

DATE : 13.3.2023

ORAL ORDER :

Heard G.N. Patil, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. This is motion for speaking to minutes in the order passed by this Tribunal on 22.12.2022 in O.A. No. 858/2018 with connected OAs. It is brought to my notice that inadvertently one O.A. Number has been wrongly mentioned. In operative part of order in clause (i) instead of O.A. No. "173/2021" it has been mentioned as "175/2021".

3. In view of the above, the Registrar of this Tribunal shall make correction in operative part of order as "O.A. No. 173/2021" instead of "O.A. No. 175/2021" and supply the corrected copy of order to both the sides.

4. Motion for speaking to minutes is disposed of accordingly. No order as to costs.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 592 OF 2021
(Khandu H. Wane Vs. State of Maharashtra & Ors.)**

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

DATE : 13.3.2023

ORAL ORDER :

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

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 3 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. Respondent Nos. 4 & 5 as has been submitted by the learned Presenting Officer may not be required to file separate affidavit in reply.

4. List the matter for hearing on 19.4.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

VICE CHAIRMAN

**M.A.NO. 453/2022 IN O.A.ST.NO. 1562/2022
(Vishwanath A. Diwate Vs. State of Maharashtra & Ors.)**

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

DATE : 13.3.2023

ORAL ORDER :

Heard Shri A.D. Sugdare, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. This is an application filed by the applicant seeking condonation of delay occasioned in filing accompanying Original Application.

3. For the reasons stated in the present Misc. Application, which according to me are just and sufficient, the delay caused in filing accompanying O.A. is condoned.

4. The Original Application be registered in accordance with law.

VICE CHAIRMAN

ORAL ORDER 13.3.2023-HDD

**ORIGINAL APPLICATION ST.NO. 1562 OF 2022
(Vishwanath A. Diwate Vs. State of Maharashtra & Ors.)**

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

DATE : 13.3.2023

ORAL ORDER :

Heard Shri A.D. Sugdare, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. After registration of O.A., issue notices to the respondents, returnable on 19.4.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 19.4.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 184 OF 2023
(Kishori Anandrao Alone Vs. State of Maharashtra & Ors.)

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

DATE : 13.3.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 4 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.
3. List the matter for hearing on 14.3.2023.

VICE CHAIRMAN

ORAL ORDER 13.3.2023-HDD

**ORIGINAL APPLICATION NO. 858 OF 2022
(Asif Abdul Rauf Mulla Vs. State of Maharashtra & Ors.)**

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

DATE : 13.3.2023

ORAL ORDER :

Shri Ganesh V. Mohekar, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant has tendered across the bar rejoinder affidavit and the same is taken on record and copy thereof has been served on the other side.
3. List the matter for hearing on 3.4.2023.

VICE CHAIRMAN

ORAL ORDER 13.3.2023-HDD

**ORIGINAL APPLICATION NO. 19 OF 2023
(Dr. Ajit P. Thorbole Vs. State of Maharashtra & Ors.)**

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

DATE : 13.3.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 2 and separate short affidavit in reply on behalf of respondent Nos. 1 & 3 and the same are taken on record and copies thereof have been served on the learned counsel for the applicant.

3. List the matter for hearing on 6.4.2023. Interim relief granted earlier to continue till then. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 20 OF 2023
(Nanasaheb S. Agale Vs. State of Maharashtra & Ors.)**

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

DATE : 13.3.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 2 and separate short affidavit in reply on behalf of respondent Nos. 1 & 3 and the same are taken on record and copies thereof have been served on the learned counsel for the applicant.

3. List the matter for hearing on 6.4.2023. Interim relief granted earlier to continue till then. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

VICE CHAIRMAN

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

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

DATE : 13.3.2023

ORAL ORDER :

Shri Suresh D. Dhongde, learned counsel holding for Smt. Suchita A. Dhongde, learned counsel for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned counsel for respondent Nos. 2 & 3.

2. S.O. to 23.3.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDER 13.3.2023-HDD

ORIGINAL APPLICATION NO. 33 OF 2023
(Prajakta Vijay Devkule Vs. State of Maharashtra & Ors.)

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

DATE : 13.3.2023

ORAL ORDER :

Shri S.S. Thombre, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 3 & 4 and the same is taken on record and copy thereof has been served on the other side.

3. Learned P.O. submits that respondent Nos. 1 & 2 may not file separate affidavit in reply and are adopted the reply filed on behalf of respondent Nos. 3 & 4.

4. List the matter for hearing on 20.4.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 1113 OF 2022
(Dinesh Uttam Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 13.3.2023

ORAL ORDER :

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

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

3. S.O. to 11.4.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDER 13.3.2023-HDD

ORIGINAL APPLICATION NO. 799 OF 2022
(Suresh Bhagwan Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 13.3.2023

ORAL ORDER :

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

2. Learned Presenting Officer seeks leave of this Tribunal to place on record affidavit in reply on behalf of the respondents. Learned counsel for the applicant accorded consent for taking affidavit in reply on record. It is taken on record. The copy of the same is given to the learned counsel for the applicant. The present matter is already listed for hearing. Now it is listed for further consideration on 20.4.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

VICE CHAIRMAN

ORAL ORDER 13.3.2023-HDD

**ORIGINAL APPLICATION NO. 800 OF 2022
(Dilip Bhanudas Bhalekar Vs. State of Maharashtra & Ors.)**

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

DATE : 13.3.2023

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer seeks leave of this Tribunal to place on record affidavit in reply on behalf of the respondents. Learned counsel for the applicant accorded consent for taking affidavit in reply on record. It is taken on record. The copy of the same is given to the learned counsel for the applicant. The present matter is already listed for hearing. Now it is listed for further consideration on 20.4.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

VICE CHAIRMAN

ORAL ORDER 13.3.2023-HDD

**M.A.NO. 522/2022 IN O.A.ST.NO. 951/2022
(Pratik Sakharam Dube Vs. State of Maharashtra & Ors.)**

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

DATE : 13.3.2023

ORAL ORDER :

Shri Umesh A. Bhadgaonkar, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 20.4.2023.

VICE CHAIRMAN

ORAL ORDER 13.3.2023-HDD

ORIGINAL APPLICATION NO. 410 OF 2022
(Mr. Anand T. chintakute Vs. State of Maharashtra & Ors.)

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

DATE : 13.3.2023

ORAL ORDER :

Shri Nikhil P. Dube, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, time is granted till 21.3.2023 to file affidavit in reply by way of last chance. It is made clear that if affidavit in reply is not filed by the respondents on or before the next date, the matter will be heard without affidavit in reply.

VICE CHAIRMAN

ORAL ORDER 13.3.2023-HDD

ORIGINAL APPLICATION NO. 112 OF 2023

(Ajay Limbaji Sonkamble & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 13.3.2023

ORAL ORDER :

Shri Kiran G. Salunke, learned counsel for the applicants and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 2 & 3 and the same is taken on record and copy thereof has been served on the other side.

3. Learned P.O. submits that respondent No. 1 may not be filed separate affidavit in reply and is adopting the reply filed on behalf of respondent Nos. 2 & 3.

4. List the matter for hearing on 18.4.2023. In the meanwhile it would be open for the applicants to file rejoinder affidavit, if they so desire.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 113 OF 2023
(Vaibhav Ram Kakade Vs. State of Maharashtra & Ors.)**

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

DATE : 13.3.2023

ORAL ORDER :

Shri Kiran G. Salunke, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 2 & 3 and the same is taken on record and copy thereof has been served on the other side.

3. Learned P.O. submits that respondent No. 1 may not be filed separate affidavit in reply and is adopting the reply filed on behalf of respondent Nos. 2 & 3.

4. List the matter for hearing on 18.4.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

VICE CHAIRMAN

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

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

DATE : 13.3.2023

ORAL ORDER :

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

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted by way of last chance.

3. S.O. to 31.3.2023.

VICE CHAIRMAN

ORAL ORDER 13.3.2023-HDD

ORIGINAL APPLICATION NO. 174 OF 2017
(Dr. Madhav F. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 13.3.2023

ORAL ORDER :

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

2. I have heard this matter for some time. It is the grievance of the applicant that though he retired on 31.1.2015 till date even provisional pension has not been fixed and not paid to him and his regular pension papers are also not prepared yet. As against it, the State Government has come out with the defence that the applicant is not cooperating and has not signed the pension papers in form Nos. 1 to 5, which are required to be forwarded to the office of Accountant General for determination of the amount of pension. The matter is pending since 2017. Some interim order has also been passed in the matter.

3. Today, when a query was made by me to the learned Presenting Officer to the effect that according to the respondents on what amount applicant's pension is going to be fixed and can the respondents place on

record relevant forms on which according to the respondents, the applicant did not put his signature. Learned Presenting Officer submits that he will produce such documents on record. Then query was made to the learned counsel appearing for the applicant whether he is in a position to state about last drawn pay, according to his own calculation on which he expects that pension is to be determine. Learned counsel also submits that he will also file such information by taking instructions from the applicant. In the circumstances, matter stands adjourned to 27.3.2023. On or before the next date, the applicant shall place on record his own calculations about his last drawn pay on which the applicant is expecting his pension to be fixed and the respondents also shall file the documents so that it can be ascertained as to according to the respondents what was last drawn pay of the applicant on which the pension amount will be determined.

4. S.O. to 27.3.2023.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 682 OF 2022
(Bhimrao Nanabhau Doiphode Vs. State of Maharashtra &
Ors.)**

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

DATE : 13.3.2023

ORAL ORDER :

Shri S.R. Shirsath, learned counsel for the applicant and Shri S.K. Shirshe, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer again sought time for filing affidavit in reply though on the last occasion time was granted as a last chance.

3. S.O. to 20.3.2023.

VICE CHAIRMAN

ORAL ORDER 13.3.2023-HDD