

ORIGINAL APPLICATION NO. 161/2019
(Shri Laxman N. Dhakane Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

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

2. The learned Presenting Officer has tendered across the bar the affidavit in reply of respondent no. 2. It is taken on record and copy thereof has been supplied to the learned counsel for the applicant.

3. S.O. to 17.8.2022 for hearing. It would be open for the applicant to file rejoinder, if he so desires.

MEMBER (A)

ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 542/2019
(Shri Krishna B. Joshi Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri P.R. Tandale, learned counsel for respondent no. 4, are present.

2. The learned Presenting Officer has sought time for filing the affidavit in reply of the respondent no. 2. Time granted.

3. S.O. to 17.8.2022.

MEMBER (A)

ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 942/2019
(Shri Shaikh Hameed Shaikh Dadamiyan Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

Shri Suresh D. Dhongde, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing affidavit in reply of the respondents. Time granted.
3. S.O. to 19.8.2022.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

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

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

DATE : 13.7.2022

ORAL ORDER :

Shri A.M. Nagarkar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing the affidavit in reply of the respondent no. 2. Time granted.

3. S.O. to 19.8.2022.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 441/2021
(Shri Shriram S. Ghuge Vs. State of Maharashtra & Ors.)**

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

DATE : 13.7.2022

ORAL ORDER :

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

2. Ind set not filed.

3. The learned Presenting Officer has tendered across the bar the affidavit in reply of respondent nos. 1 to 4. It is taken on record and copy thereof has been supplied to the learned counsel for the applicant.

4. S.O. to 22.8.2022 for filing rejoinder affidavit, if any, by the applicant.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 529/2021
(Shri Kishor N. Salve Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

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

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

3. S.O. to 22.8.2022.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

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

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

DATE : 13.7.2022

ORAL ORDER :

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

2. The learned Presenting Officer has tendered across the bar the affidavit in reply of respondent nos. 1 to 3. It is taken on record and copy thereof has been supplied to the learned counsel for the applicant.

3. S.O. to 23.8.2022 for filing rejoinder, if any, by the applicant.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 623/2021
(Mehboobali Yawarali Khan Pathan Vs. State of Maharashtra
& Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

Ms. Preeti Wankhade, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 23.8.2022.

MEMBER (A)

ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 14/2022

(Shri Baburao S. Mule & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

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

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

3. S.O. to 24.8.2022.

MEMBER (A)

ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 107/2022
(Shri Mohan S. Desale Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

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

2. The learned Presenting Officer has tendered across the bar the affidavit in reply of respondent nos. 1 & 2. It is taken on record and copy thereof has been supplied to the learned counsel for the applicant.

3. S.O. to 24.8.2022 for filing rejoinder affidavit, if any, by the applicant.

MEMBER (A)

ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 290/2022
(Shri Aasif K. Parsuwale Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

Shri S.N. Lute, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 25.8.2022.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 301/2022
(Shri Dattaram U. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

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

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

3. S.O. to 25.8.2022.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

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

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

DATE : 13.7.2022

ORAL ORDER :

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

2. The learned Chief Presenting Officer has tendered across the bar the affidavit in reply of respondent no. 4. It is taken on record and copy thereof has been supplied to the learned counsel for the applicant.

3. Await service.

4. S.O. to 26.8.2022.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 335/2022
(Shri Vilas P. Dhonde Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

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

2. Await service of notice upon the respondents.
3. S.O. to 26.8.2022.

MEMBER (A)

ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

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

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

DATE : 13.7.2022

ORAL ORDER :

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

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

3. S.O. to 26.8.2022.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

M.A. 60/2020 IN O.A. ST. 2451/2019
(Smt. Priti V. Sangolkar Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

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

2. Await service of notice upon the respondents.
3. S.O. to 2.8.2022.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

**M.A. 57/2021 IN O.A. ST. 118/2021
(Shri Bhalchandra S. Waghule Vs. State of Maharashtra &
Ors.)**

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

DATE : 13.7.2022

ORAL ORDER :

Shri V.G. Pingle, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 2.8.2022.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

M.A. 273/2021 IN O.A. ST. 1987/2021
(Shri Prakash N. Phuluke Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing the affidavit in reply of the other respondents as per order dtd. 23.3.2022. Time granted.

3. S.O. to 3.8.2022.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

M.A. 12/2022 IN O.A. ST. 1746/2021
(Shri Keshawrao W. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

Shri Shamsunder B. Patil, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has tendered across the bar the affidavit in reply of respondent nos. 2 to 4. It is taken on record and copy thereof has been supplied to the learned counsel for the applicant.

3. S.O. to 4.8.2022 for hearing. It would be open for the applicant to file rejoinder, if he so desires.

MEMBER (A)

ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

M.A. 42/2022 IN O.A. ST. 1695/2021
(Dr. Shivaji G. Mundhe Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

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

2. The learned Presenting Officer has sought time for filing the affidavit in reply of the respondents.
3. S.O. to 5.8.2022.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 586/2012
(Shri Bharat M. Bhosale Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

Shri Sudhir Patil, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 22.8.2022 for hearing.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 749/2016
(Shri Sachin A. Palkhe Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

Ms. Anagha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 5.8.2022 for hearing.

MEMBER (A)

ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

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

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

DATE : 13.7.2022

ORAL ORDER :

Shri Ganesh J. Kore, learned counsel for the applicant (**absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present. Shri Mahendra Kochar, learned counsel for respondent nos. 3 to 5 (**absent**).

2. In view of absence of learned counsel for the applicant and learned counsel for respondent nos. 3 to 5, S.O. to 23.8.2022 for hearing.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 13/2019
(Shri Tuffansing L. Shele Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 20.7.2022 for hearing.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 783/2019
(Shri Anil P. Chittarwad Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

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

2. With the consent of both the sides, S.O. to 19.8.2022 for hearing.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 355/2020
(Chandana R. Kokani Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

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

2. With the consent of both the sides, S.O. to 19.7.2022 for hearing.

MEMBER (A)

ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 556/2020
(Shri Umakant L. Bedse Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

Shri Ajay S. Deshpande, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 19.7.2022 for hearing.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 335/2021
(Shri Dyaneshwar B. Bulbule & Ors. Vs. State of Maharashtra
& Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

Shri A.B. Rajkar, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 23.8.2022 for hearing.

MEMBER (A)

ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

**O.A. NO. 463/2021 WITH M.A. 242/2021 IN O.A. NO.
299/2019
(Smt. Payal P. Taher & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 13.7.2022

ORAL ORDER :

Ms. Preeti Wankhade, learned counsel for the applicants in both the matters and Shri M.P. Gude, learned Presenting Officer for the respondent authorities in both the matters, are present.

2. With the consent of both the sides, S.O. to 1.8.2022 for hearing.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 775/2021
(Shri Ganesh D. Ingale Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

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

2. With the consent of both the sides, S.O. to 3.8.2022 for hearing.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 178/2022
(Shri Shrikrishna N. Nakate Vs. State of Maharashtra & Ors.)

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

DATE : 13.7.2022

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 18.7.2022 for hearing.

MEMBER (A)
ARJ ORAL ORDERS 12.7.2022

VICE CHAIRMAN

**M.A.ST.NO.355/2022 IN O.A.ST.NO.356/2022
(Mayur Kalyankar & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 13-07-2022

ORAL ORDER :

Shri Sanjay Kolhare, learned Advocate for the applicants is **absent**. Shri B.S.Deokar, learned Presenting Officer for the respondents is present.

2. When the present matter is taken up for consideration none has caused appearance for the applicants. Learned P.O. has tendered across the bar communication dated 08-07-2022 received to the office of Chief Presenting Officer, Aurangabad from the Director, Health Services, Pune which is accompanied by a letter dated 29-06-2022 issued by the State Government. The documents are taken on record.

3. Learned P.O. submitted that the present matter is arising out of the selection process carried out for the posts

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M.A.ST.NO.355/2022 IN O.A.ST.NO.356/2022

in Group-C and Group-D in the Public Health Department and examinations in that regard were conducted on 24-10-2021 and 31-10-2021. Learned P.O. pointed out that recruitment process based on the said examinations is cancelled.

4. It appears that the applicants have not prosecuted the matter further and have not attended the matter for the aforesaid reasons. Hence, the following order is passed:

ORDER

From the documents filed on record, there is reason to believe that the matter has become infructuous, and therefore, the O.A. stands disposed of being infructuous without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

**M.A.ST.NO.664/2022 IN O.A.ST.NO.665/2022
(Reshma Kamble & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 13-07-2022

ORAL ORDER :

Shri S.S.Jadhavar, learned Advocate for the applicant
and Shri M.S.Mahajan, learned Chief Presenting Officer for
the respondents, are present.

2. S.O. to 24-08-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 13-07-2022

ORIGINAL APPLICATION NO.223/2020
(Divya Nandi & 115 Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 13-07-2022

ORAL ORDER :

Shri S.S.Jadhavar, learned Advocate for the applicant
and Shri M.S.Mahajan, learned Chief Presenting Officer for
the respondents, are present.

2. At the request of learned CPO, S.O. to 19-07-2022.

MEMBER (A)

VICE CHAIRMAN

**T.A.NO.01/2018 IN W.P.NO.15249/2017
(Chanda Hingole Vs. State of Maharashtra & Ors.)**

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

DATE : 13-07-2022

ORAL ORDER :

Heard Shri S.D.Joshi, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents.

2. This matter was extensively heard in the month of March, 2022. However, decision could not be rendered in the matter since a Reference was pending in one of the issues involved in the present matter. Reference is now stood decided. In the circumstances, we have today briefly heard the arguments in the present matter again.

3. O.A. is, therefore, reserved for order.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.658/2018
(Raosaheb S. Bangar Vs. State of Maharashtra & Ors.)**

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

DATE : 13-07-2022

ORAL ORDER :

Shri I.D.Maniyar, learned Advocate holding for Shri R.R.Bangar, learned Advocate for the applicant, Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities and Shri S.D.Dhongde, learned Advocate for respondent nos.2 and 3, are present.

2. S.O. tomorrow i.e. on 14-07-2022. High on Board.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.762/2018
(Sahebrao Deshmukh & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 13-07-2022

ORAL ORDER :

Shri S.D.Joshi, learned Advocate for the applicants and Shri N.U.Yadav, learned Presenting Officer for the respondents, are present.

2. At the request of learned Advocate for the applicant, S.O. to 20-07-2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.349/2021
(Anil Hugge & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 13-07-2022

ORAL ORDER :

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

2. Learned Counsel for the applicants has completed his arguments. Learned Counsel has placed on record copy of the order passed by this Tribunal in O.A.No.390/2020 in support of his arguments. Written notes of arguments are also filed by the learned Counsel.

3. Learned P.O. has sought time to argue the matter. Learned P.O. submits that the matter is entrusted to Shri V.R.Bhumkar, learned P.O., who is stated to be not available today.

4. Hence, S.O. to 19-07-2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.314/2016
(Mohd. Majeed Vs. State of Maharashtra & Ors.)**

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

DATE : 13-07-2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 05-08-2022.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO.41/2022 IN O.A.NO.458/2018
(Anita Kolgane Vs. State of Maharashtra & Ors.)**

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

DATE : 13-07-2022

ORAL ORDER :

Heard Shri R.N.Bharaswadkar, learned Advocate for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondents.

2. After hearing the parties for some time on the M.A., it is noticed that it would be more appropriate to hear M.A. along with O.A. and both deserve to be decided at a time. Matter, therefore, stands adjourned to 26-07-2022 for arguing the M.A. as well as the O.A. finally.

3. S.O. to 26-07-2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.312/2021
(Subodh Dhonde Vs. State of Maharashtra & Ors.)**

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

DATE : 13-07-2022

ORAL ORDER :

Heard Shri A.S.Khedkar, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents.

2. Heard arguments of both sides. Learned Counsel for the applicant has tendered across the bar Circular dated 13-08-2014 along with corrigendum dated 19-12-2018. Same are taken on record. Learned Counsel has also tendered copy of the judgment 22-03-2022 delivered by the Division Bench of the Hon'ble Bombay High Court in Writ Petition No.4814/2017.

3. Case is reserved for order.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.828/2021
(Sambhaji Karle Vs. State of Maharashtra & Ors.)**

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

DATE : 13-07-2022

ORAL ORDER :

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

2. S.O. to 28-07-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 13-07-2022

**ORIGINAL APPLICATION NO.329/2021
(Somnath Gaikwad Vs. State of Maharashtra & Ors.)**

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

DATE : 13-07-2022

ORAL ORDER :

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

2. Arguments are heard. Case is reserved for order.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.95/2022
(Vijay Kale Vs. State of Maharashtra & Ors.)**

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

DATE : 13-07-2022

ORAL ORDER :

Shri G.M.Jadhav, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents, are present.

2. Learned P.O. has urged for few days more time for filing affidavit in reply though on the last occasion the order was passed giving last chance for filing affidavit in reply. Considering the request so made, time is granted till 26-07-2022.

3. S.O. to 26-07-2022.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO.165/2021 IN O.A.NO.36/2013
(Anil B. Tirthkar Vs. State of Maharashtra & Ors.)**

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

DATE : 13-07-2022

ORAL ORDER :

Shri Shritej Surve, learned Advocate holding for
Shri Hemant Surve, learned Advocate for the applicant and
Smt. M.S.Patni, learned Presenting Officer for the
respondents, are present.

2. S.O. to 01-08-2022.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO.308/2021 IN O.A.NO.492/2021
(Ganesh Chate & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 13-07-2022

ORAL ORDER :

Shri V.B.Wagh, learned Advocate for the applicants
and Shri M.S.Mahajan, learned Chief Presenting Officer for
the respondents, are present.

2. S.O. to 23-07-2022.

MEMBER (A)

VICE CHAIRMAN

M.A.NO.13/2022 IN O.A.NO.553/2019
(Markand Gangaram & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 13-07-2022

ORAL ORDER :

Shri Mujahed Hussain, learned Advocate for the applicants is **absent**. Shri B.S.Deokar, learned Presenting Officer for the respondents is present.

2. S.O. to 23-08-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 13-07-2022

**ORIGINAL APPLICATION NO.01/2015, 626/2015,
627/2015 and 08/2017
(Dr. Balaji Phalke & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 13-07-2022

ORAL ORDER :

Shri J.S.Deshmukh, learned Advocate for himself and holding for Shri Milind Patil and Shri P.P.Dama, learned Advocates for the applicants in respective matters and Shri I.S.Thorat, learned Presenting Officer for the respondents, are present.

2. S.O. to 05-08-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.134/2016
(Madansing Rajput Vs. State of Maharashtra & Ors.)

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

DATE : 13-07-2022

ORAL ORDER :

Shri A.S.Deshmukh, learned Advocate for the applicant, Shri S.K.Shirse, learned Presenting Officer for the respondent authorities and Shri Kakasaheb B. Jadhav, learned Advocate for respondent no.4, are present.

2. S.O. to 12-08-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.211/2016
(Jayshri More & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 13-07-2022

ORAL ORDER :

Shri V.B.Anjanwatikar, learned Advocate for the applicants is **absent**. Shri I.S.Thorat, learned Presenting Officer for the respondents is present.

2. S.O. to 17-08-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 13-07-2022

**ORIGINAL APPLICATION NO.598/2018
(Ganpat Sansare Vs. State of Maharashtra & Ors.)**

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

DATE : 13-07-2022

ORAL ORDER :

Ku. Anagha Pandit, learned Advocate holding for Shri S.B.Talekar, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents, are present.

2. S.O. to 22-08-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.847/2018
(Ananda Kolewad Vs. State of Maharashtra & Ors.)

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

DATE : 13-07-2022

ORAL ORDER :

Ku. 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 and Shri M.R.Wagh, learned Advocate for respondent no.4, are present.

2. S.O. to 23-08-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 13-07-2022

ORIGINAL APPLICATION NO. 1105 OF 2019
(Shrikant D. Mitkari Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

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

2. Record shows that nobody is appearing on behalf of the applicant since last three dates i.e. on 21.12.2021, 10.02.2022 and 21.04.2022. In view of the same, it appears that the applicant is not interested in prosecuting the matter. Hence, the O.A. stands dismissed in default.

MEMBER (J)

M.A. No. 258/2022 in O.A. No. 410/2022
(Anand T. Chintakute Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Shri N.P. Dube, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 05.08.2022.

MEMBER (J)

KPB ORAL ORDERS 13.07.2022

ORIGINAL APPLICATION NO. 440 OF 2022

(Khan Mohammed Arbaz Mohammed Kazim Khan Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri Shaikh Wajeed Ahmed, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 11.08.2022.
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 11.08.2022.
8. Steno copy and Hamdast is allowed to both parties.

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 : 13.07.2022

ORAL ORDER :

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

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

3. At the request of learned Advocate for the applicant, S.O. to 19.07.2022.

MEMBER (J)

KPB ORAL ORDERS 13.07.2022

ORIGINAL APPLICATION NO. 25 OF 2022
(Shailesh V. Gavit Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri Swapnil Joshi, learned Advocate holding for J.P. Legal Associates, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Pleadings are complete. The present matter is pertaining to minor punishment. Hence, the O.A. is admitted and it be fixed for final hearing on 11.08.2022.

MEMBER (J)

KPB ORAL ORDERS 13.07.2022

ORIGINAL APPLICATION NO. 431 OF 2021
(Smt. Sabirabi Harun Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri D.R. Irale Patil, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 and 2 and Shri H.P. Bondar, learned Advocate holding for Shri Sartaj H. Pathan, learned Advocate for respondent Nos. 3 to 6.

2. Record shows that affidavit in reply is filed jointly on behalf of respondent Nos. 1 & 2 and on behalf of respondent Nos. 3 to 6 jointly.

3. Learned Advocate for the applicant submits that he has filed rejoinder affidavit to the affidavit in reply filed by the respondent Nos. 1 and 2 only. He further submits that he has received copy of the affidavit in reply filed on behalf of respondent Nos. 3 to 6 today itself. Therefore, he seeks time for filing rejoinder affidavit to the affidavit in reply filed by the respondent Nos. 3 to 6, if any.

4. In view of above, time is granted for filing rejoinder affidavit to the affidavit in reply filed on behalf of respondent Nos. 3 to 6, if any.

5. S.O. to 28.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 355 OF 2021
(Laxman H. Talekar Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate holding for Shri K.B. Jadhav, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Pleadings are complete. The present matter is pertaining to recovery / refund of recovered amount. Hence, the O.A. is admitted and it be fixed for final hearing on 12.08.2022.

MEMBER (J)

KPB ORAL ORDERS 13.07.2022

ORIGINAL APPLICATION NO. 117 OF 2021
(Sudhir R. Tambe Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Shri A.B. Gaikwad, learned Advocate for the applicant (**Absent**). Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 12.08.2022.

MEMBER (J)

KPB ORAL ORDERS 13.07.2022

ORIGINAL APPLICATION NO. 91 OF 2020
(Shyam K. Bhavsar Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

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

2. Pleadings are complete. The present matter is pertaining to interest on delayed payment. Hence, the O.A. is admitted and it be fixed for final hearing on 12.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 939 OF 2019
(Dr. Yashwant S. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri P.D. Bodade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Pleadings are complete. The present matter is pertaining to minor punishment. Hence, the O.A. is admitted and it be fixed for final hearing on 12.08.2022.

MEMBER (J)

KPB ORAL ORDERS 13.07.2022

ORIGINAL APPLICATION NO. 514 OF 2022
(Madhukar S. Dudhgaonkar Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 20.07.2022.

MEMBER (J)

KPB ORAL ORDERS 13.07.2022

ORIGINAL APPLICATION NO. 159 OF 2022
(Sanjay D. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri Akshay Kulkarni, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted as a last chance for filing affidavit in reply on behalf of respondents.
3. S.O. to 29.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 160 OF 2022
(Anant A. Kendrekar Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri Akshay Kulkarni, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted as a last chance for filing affidavit in reply on behalf of respondents.
3. S.O. to 29.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 380 OF 2021
(Prabhakar A. Bhagat Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri N.L. Chaudhari, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Pleadings are complete. The present matter is pertaining to correction in date of birth. Hence, the O.A. is admitted and it be fixed for final hearing on 05.08.2022.

MEMBER (J)

KPB ORAL ORDERS 13.07.2022

ORIGINAL APPLICATION NO. 52 OF 2021
(Dr. Rekha G. Gaikwad Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Ms. P.S. Gondhalekar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 & 2. Shri S.B. Solanke, learned Advocate for respondent Nos. 3 & 4, **absent**. None present on behalf of respondent No. 5, though duly served.

2. Record shows that already two last chances were granted for filing affidavit in reply on behalf of respondent Nos. 1, 3 & 4.

3. Learned Presenting Officer submits that the para-wise remarks are received and therefore, he seeks one more last chance for filing affidavit in reply on behalf of respondent No. 1.

4. In view of above, one more last chance is granted for filing affidavit in reply on behalf of respondent No. 1

5. S.O. to 29.07.2022.

MEMBER (J)

**MA 294/2022 with MA St. 1026/2022 in OA St. 1027/2022
(Ravikiran R. Ahire & Anr. Vs. State of Maharashtra & Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri Mohit Deshmukh, learned Advocate holding for Shri S.G. Chapalgaonkar, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. By this Misc. Application No. 294/2022, the applicants are seeking permission to sue the respondents jointly stating that the applicants are seeking relief of compassionate appointment on similar cause of action.

3. The applicant Nos. 1 and 2 respectively are the son and widow of the deceased Government servant named Rajesh Ahire, who died in harness on 05.08.2002, while serving as Wireless Operator under the establishment of respondent No. 3. Widow of the deceased Rajesh Ahire i.e. the applicant No. 2 applied for appointment on compassionate ground. Her name was taken in the waiting list. On attaining the age of 40 years, her name was removed from the waiting list vide communication dated 25.08.2010 (Annexure A-5

//2// MA 294/22 with MA St.
1026/21 in OA St. 1027/22

in O.A.) as per prevailing rules. The date of birth of the applicant No. 1 is 10.11.1996. He attained the age of majority on 10.11.2014. Thereafter, his mother i.e. the applicant No. 2 made application dated 15.12.2014 (Annexure A-10 in O.A.) to the respondent No. 3 seeking compassionate appointment to the applicant No. 1 and consequently, the applicant No. 1 also applied on 02.01.2015 (page No. 49 of the paper book of O.A.). However, by the impugned communications dated 21.01.2015 (Annexure A-12 in O.A.) and 07.04.2022 (Annexure A-14 in O.A.) rejected the claim of the applicant No. 1 for compassionate appointment.

4. Learned Advocate for the applicants submitted that the applicants have filed application for condonation of delay.

5. In view of above, it is apparent that the applicants are seeking claim of compassionate appointment on similar nature of cause of action and the interest of applicants cannot be said to have been conflicting and they can be said to have common underline interest. Therefore, this is a fit case to grant permission to the applicants to sue the respondents jointly. Hence, I proceed to pass following order :-

//3// MA 294 /22 with MA St.
1026/21 in OA St. 1027/22

ORDER

1. The M.A. No. 294/2022 is allowed.
2. The applicants are allowed to sue the respondents jointly subject to payment of court fee stamps, if not paid.
3. The M.A. No. 294/2022 stands disposed of accordingly without any order as to costs.

MEMBER (J)

**MA St. No. 1026/2022 in OA St. No. 1027/2022
(Ravikiran R. Ahire & Anr. Vs. State of Maharashtra & Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri Mohit Deshmukh, learned Advocate holding for Shri S.G. Chapalgaonkar, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Upon registration of M.A., issue notice to the respondents in M.A., returnable on 10.08.2022.

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 10.08.2022.

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

MEMBER (J)

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

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks leave of this Tribunal to amend the O.A. to add the Assistant Registrar, Co-Operative Societies, Newasa, Tq. Newasa, Dist. Ahmednagar as party respondent No. 3 to the O.A.

3. Leave as prayed for by the applicant is granted. The applicant shall amend the O.A. forthwith.

4. The present Original Application is filed challenging the impugned order of transfer dated 06.07.2022 (Annexure A-4) to the extent of the present applicant issued by the respondent No. 1 i.e. the Divisional Joint Registrar, Co-Operative Societies, Nashik thereby transferring the applicant from the post of Head Clerk, Assistant Registrar, Co-operative Societies, Newasa, Tq. Newas Dist. Ahmednagar to the post of Shirestedar, Co-operative Court, Kopergaon, Dist. Ahmednagar.

//2//

O.A. No. 624/2022

5. The applicant said to have been worked on the present post of Head Clerk as per his earlier transfer order dated 24.05.2018 (Annexure A-1). The applicant belongs to Group-C category. His normal tenure of posting is of two tenures of three years each i.e. total six years. He has been transferred by the impugned order dated 06.07.2022 i.e. within the period of four years and two months. In view of the same, it is mid-tenure and mid-term transfer order.

6. Learned Advocate for the applicant submitted that the impugned order is issued in contravention of the provisions of Section 4(4)(ii) and 4(5) of the Transfer Act, 2005 and also in contravention of the provisions of the G.R. dated 27.05.2022 (Annexure A-3). By the said G.R. dated 27.05.2022, the general transfers are banned till 30.06.2022 and it is provided that if for administrative transfer order is to be issued, it is to be done with the approval of the Hon'ble Chief Minister. Such approval is not obtained in this case. In view of the same, he submitted that the applicant is entitled for interim relief of stay to the execution and implementation of the impugned order of transfer.

7. Learned Presenting Officer opposed the submissions made on behalf of the applicant and submitted that the applicant has been relieved from his present post on 12.07.2022 before noon in order to enable to join him on the transferred place. In this regard, she placed on record the relieving order dated 12.07.2022. Same is taken on record and marked as document 'X' for the purpose of identification. Therefore, she submitted that the time may be granted for filing affidavit in reply and this is not a fit case to grant interim relief, as the order of transfer is already executed.

8. Learned Advocate for the applicant submitted that as on the date of filing of the present O.A. on 11.07.2022, the applicant was very much on duty and was not relieved and he has not handed over charge of his post. He submitted that the copy of the present O.A. proceeding is already served in the office of learned C.P.O. on 11.07.2022 itself and thereafter, the present O.A. is being registered. In view of the same, according to him, the relieving order dated 12.07.2022 produced by the learned P.O. is afterthought and it is issued only to frustrate the relief of stay as sought for by the applicant in the present O.A.

9. Considering the rival submissions as above, if the impugned order of transfer dated 06.07.2022 (Annexure A-4) is scrutinized, it appears that there is mention of concurrence of the Civil Services Board No. 2 as per the minutes of meeting dated 13.04.2022 and approval of the immediate higher authority as stated in the reference letters at Sr. Nos. 6 & 8 in the said order. It appears that there is also mention of G.R. dated 27.05.2022 at Sr. No. 7. However, in the body of the said transfer order, it is not mentioned that the approval of the Hon'ble Chief Minister as stated in G.R. dated 27.05.2022 is taken. It is seen that the respondents themselves have restricted the scope of provisions of Section 4(4)(ii) and 4(5) of the Transfer Act, 2005 by issuing G.R. dated 27.05.2022. In view of the same, it is incumbent upon them to follow the said G.R. dated 27.05.2022 in letter and spirit and this is not happened in this case. Therefore, the impugned order comes into the teeth of the G.R. dated 27.05.2022. Hence, prima-facie, the said transfer order cannot be said to be in accordance with law. So far as the relieving order dated 12.07.2022 issued by the Assistant Registrar, Co-operative Society, Newasa is concerned, it is evident that the same is issued on

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O.A. No. 624/2022

12.07.2022 i.e. after filing of the present O.A. and communicated filing of the same to the office of C.P.O. In view of the same, it was expected from the said authority to use the reasonable discretion judiciously, when the matter is already subjudice. In the circumstances, the said order is to be ignored when it is evident that prima-facie that is done to defeat the purpose of filing of the present O.A.

10. In view of above, execution and implementation of the impugned order of transfer dated 06.07.2022 (Annexure A-4) to the extent of the applicant issued by the respondent No. 1 is stayed till filing of the affidavit in reply by the respondents and status-quo-ante as on 11.07.2022 is ordered to be restored immediately.

11. Issue notice to the respondents, returnable on 08.08.2022.

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

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

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O.A. No. 624/2022

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.

14. 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.

15. 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.

16. S.O. to 08.08.2022.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 341 OF 2022
(Shaikh Shaflquedin Shaikh Ahmed Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri P.R. Randhavae, learned Advocate holding for Shri P.D. Jarare, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. S.O. to 11.08.2022.

MEMBER (J)

KPB ORAL ORDERS 13.07.2022

ORIGINAL APPLICATION NO. 259 OF 2022
(Rahul Kumar M. Wagh Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 & 2. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 08.08.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 223 OF 2022
(Rahul V. Padavi Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri S.R. Awad, learned Advocate holding for Shri A.S. Bayas, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Notices not collected by the applicant.

3. At the request of the learned Advocate for the applicant, S.O. to 17.08.2022 for taking necessary steps.

MEMBER (J)

ORIGINAL APPLICATION NO. 31 OF 2022
(Vijay R. Bangar Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri H.P. Jadhav, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri G.B. Kadlag, learned Advocate for respondent No. 5.

2. Record shows that already two last chances were already granted for filing affidavit in reply on behalf of respondent Nos. 1 to 4.

3. Learned Presenting Officer seeks one more last chance for filing affidavit in reply on behalf of respondent Nos. 1 to 4 contenting that inadvertently he could not communicate the earlier order of grant of second last chance to the respondent Nos. 1 to 4.

4. In view of the same, one more last chance is granted to the respondent Nos. 1 to 4 for filing affidavit in reply.

5. S.O. to 04.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 512 OF 2021
(Usha A. Gaikwad Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Presenting Officer submits that the affidavit in reply of respondent No. 2 is not necessary.
3. Learned Advocate for the applicant filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.
4. S.O. to 11.08.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 389 OF 2021
(Baburao C. Mahire Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri H.P. Jadhav, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent No. 1 and Shri S.P. Pandit, learned Advocate for respondent Nos. 2 to 5.

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 05.08.2022 for admission.

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 : 13.07.2022

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Smt. M.S. Patni, 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 22.07.2022 for admission.

MEMBER (J)

KPB ORAL ORDERS 13.07.2022

ORIGINAL APPLICATION NO. 599 OF 2021
(Bhima D. Chavan and Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri H.P. Jadhav, learned Advocate for the applicants, Shri S.K. Shirse, learned Presenting Officer for the respondent No. 1 and Shri S.P. Pandit, learned Advocate for respondent Nos. 2 to 5.

2. Learned Advocate for the applicants filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 05.08.2022 for admission.

MEMBER (J)

KPB ORAL ORDERS 13.07.2022

ORIGINAL APPLICATION NO. 01 OF 2021
(Prasad S. Bhise Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit.
3. S.O. to 05.08.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 45 OF 2021

(Akhilujjamakha Shafiujjamakha Pathan Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri M.B. Bharaswadkar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit.
3. S.O. to 05.08.2022 for admission.

MEMBER (J)

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

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks leave of this Tribunal to amend the O.A. to add the Assistant Registrar, Co-Operative Societies, Shevgaon, Tq. Shevgaon, Dist. Ahmednagar as party respondent No. 3 to the O.A.

3. Leave as prayed for by the applicant is granted. The applicant shall amend the O.A. forthwith.

4. The present Original Application is filed challenging the impugned order of transfer dated 06.07.2022 (Annexure A-4) to the extent of the present applicant issued by the respondent No. 1 i.e. the Divisional Joint Registrar, Co-Operative Societies, Nashik thereby transferring the applicant from the post of Head Clerk, Assistant Registrar, Co-operative Societies, Shevgaon, Tq. Shevgaon, Dist. Ahmednagar to the post of Shirestedar, Co-operative Court, Shrirampur, Dist. Ahmednagar.

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O.A. No. 625/2022

5. The applicant said to have been worked on the present post of Head Clerk as per his promotion order dated 25.01.2019 (Annexure A-1). The applicant belongs to Group-C category. His normal tenure of posting is of two tenures of three years each i.e. total six years. He has been transferred by the impugned order dated 06.07.2022 i.e. within the period of three years and five months. In view of the same, it is mid-tenure and mid-term transfer order.

6. Learned Advocate for the applicant submitted that the impugned order is issued in contravention of the provisions of Section 4(4)(ii) and 4(5) of the Transfer Act, 2005 and also in contravention of the provisions of the G.R. dated 27.05.2022 (Annexure A-3). By the said G.R. dated 27.05.2022, the general transfers are banned till 30.06.2022 and it is provided that if for administrative transfer order is to be issued, it is to be done with the approval of the Hon'ble Chief Minister. Such approval is not obtained in this case. In view of the same, he submitted that the applicant is entitled for interim relief of stay to the execution and implementation of the impugned order of transfer.

7. Learned Chief Presenting Officer opposed the submissions made on behalf of the applicant and submitted that the applicant has been relieved from his present post on 12.07.2022 before noon in order to enable to join him on the transferred place. In this regard, he placed on record the relieving order dated 12.07.2022. Same is taken on record and marked as document 'X' for the purpose of identification. Therefore, he submitted that the time may be granted for filing affidavit in reply and this is not a fit case to grant interim relief, as the order of transfer is already executed.

8. Learned Advocate for the applicant submitted that as on the date of filing of the present O.A. on 11.07.2022, the applicant was very much on duty and was not relieved and he has not handed over charge of his post. He submitted that the copy of the present O.A. proceeding is already served in the office of learned C.P.O. on 11.07.2022 itself and thereafter, the present O.A. is being registered. In view of the same, according to him, the relieving order dated 12.07.2022 produced by the learned C.P.O. is afterthought and it is issued only to frustrate the relief of stay as sought for by the applicant in the present O.A.

9. Considering the rival submissions as above, if the impugned order of transfer dated 06.07.2022 (Annexure A-4) is scrutinized, it appears that there is mention of concurrence of the Civil Services Board No. 2 as per the minutes of meeting dated 13.04.2022 and approval of the immediate higher authority as stated in the reference letters at Sr. Nos. 6 & 8 in the said order. It appears that there is also mention of G.R. dated 27.05.2022 at Sr. No. 7. However, in the body of the said transfer order, it is not mentioned that the approval of the Hon'ble Chief Minister as stated in G.R. dated 27.05.2022 is taken. It is seen that the respondents themselves have restricted the scope of provisions of Section 4(4)(ii) and 4(5) of the Transfer Act, 2005 by issuing G.R. dated 27.05.2022. In view of the same, it is incumbent upon them to follow the said G.R. dated 27.05.2022 in letter and spirit and this is not happened in this case. Therefore, the impugned order comes into the teeth of the G.R. dated 27.05.2022. Hence, prima-facie, the said transfer order cannot be said to be in accordance with law. So far as the relieving order dated 12.07.2022 issued by the Assistant Registrar, Co-operative Society, Shevgaon is concerned, it is evident that the same is

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issued on 12.07.2022 i.e. after filing of the present O.A. and communicated filing of the same to the office of C.P.O. In view of the same, it was expected from the said authority to use the reasonable discretion judiciously, when the matter is already subjudice. In the circumstances, the said order is to be ignored when it is evident that prima-facie that is done to defeat the purpose of filing of the present O.A.

10. In view of above, execution and implementation of the impugned order of transfer dated 06.07.2022 (Annexure A-4) to the extent of the applicant issued by the respondent No. 1 is stayed till filing of the affidavit in reply by the respondents and status-quo-ante as on 11.07.2022 is ordered to be restored immediately.

11. Issue notice to the respondents, returnable on 08.08.2022.

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

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

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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.

14. 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.

15. 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.

16. S.O. to 08.08.2022.

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

MEMBER (J)

KPB ORAL ORDERS 13.07.2022

ORIGINAL APPLICATION ST.NO.1106 OF 2022

(Shankar S. patange Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri A.S. Khedkar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 24.08.2022.

MEMBER (J)

SAS ORAL ORDERS 13.07.2022

**O.A.NOS.60, 61, 116 TO 136 AND 158 ALL OF 2022
(Abhaykumar S. Salve & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

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

2. The present matters have already been treated as part heard.
3. Learned Advocate and learned C.P.O. to produce necessary documents on the next date.
4. By consent of both the sides, S.O. to 15.07.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO.287 OF 2022
(Pratibha M. Lohar Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri H.P. Jadhav, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. The present matter is closed for order.

MEMBER (J)

SAS ORAL ORDERS 13.07.2022

**ORIGINAL APPLICATION NO.784 OF 2015
(Malappa P. Shendule Vs. State of Maharashtra & Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri A.S. Khedkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The present matter be treated as part heard.
3. By consent of both the sides, S.O. to 27.07.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO.822 OF 2018
(Virendra P. Dhivare Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

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

3. S.O. to 08.08.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO.698 OF 2017
(Jalamsing D. Valvi Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 18.08.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 13.07.2022

ORIGINAL APPLICATION NO.963 OF 2018
(Vitthal G. Mhashal Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO.964 OF 2018
(Laxman C. Zole Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO.965 OF 2018
(Navnath G. Vairal Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri R.J. Godbole, learned Advocate for the applicants in all these O.As. and Shri D.R. Patil, learned Presenting Officer for the respondents in all these O.As.

2. By consent of both the sides, S.O. to 28.07.2022 for final hearing.

MEMBER (J)

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

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri J.N. Patil, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos.1 & 2 and Ms. Vaishali S. Chaudhari, learned Advocate for the respondent Nos.3 & 4.

2. By consent of all the parties, S.O. to 25.07.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 13.07.2022

**ORIGINAL APPLICATION NO.301 OF 2019
(Sakharam B. Rakh Vs. State of Maharashtra & Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent No.1 and Shri S.B. Mene, learned Advocate for the respondent Nos.2 to 4.

2. By consent of all the parties, S.O. to 11.08.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO.317 OF 2019

(Mangala D. Lasurkar (died) Lrs. Purushottam E. Joshi Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri D.K. Dagadkhair, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 11.08.2022 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO.623 OF 2019
(Umesh B. Shahane Vs. State of Maharashtra & Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

Shri A.P. Sonpethkar, learned Advocate for the applicant, is **absent**. Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 11.08.2022 for final hearing.

MEMBER (J)

**O.A.NOS.740 TO 743, 745 AND 746 ALL OF 2019
(Natharao R. Dodabe Vs. State of Maharashtra & Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri M.B. Bharaswadkar, learned Advocate for the applicants in all these O.As and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these O.As.

2. By consent of both the sides, S.O. to 05.08.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 13.07.2022

**ORIGINAL APPLICATION NO.515 OF 2020
(Aniket D. Rakh Vs. State of Maharashtra & Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri S.S. Tandale, learned Advocate holding for Shri B.R. Kedar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 27.07.2022 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO.104 OF 2021
(Chandrakant L. Shirkhedkar Vs. State of Maharashtra &
Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 11.08.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 13.07.2022

**ORIGINAL APPLICATION NO.522 OF 2021
(Ravindra D. Raut Vs. State of Maharashtra & Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri O.D. Mane, 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 10.08.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 13.07.2022

ORIGINAL APPLICATION NO.448 OF 2022
(Laxmikant S. Gojre Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri A.B. Rajkar, learned Advocate holding for Shri K.B. Jadhav, 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 08.08.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO.330 OF 2019
(Tukaram S. Khedkar Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Shri P.H. Sukale, learned Advocate for the applicant, is **absent**. Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 10.08.2022 as a last chance for filing affidavit-in-rejoinder

MEMBER (J)

SAS ORAL ORDERS 13.07.2022

ORIGINAL APPLICATION NO.331 OF 2019
(Laxman S. Bade Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Shri P.H. Sukale, learned Advocate for the applicant, is **absent**. Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 10.08.2022 as a last chance for filing affidavit-in-rejoinder

MEMBER (J)

**ORIGINAL APPLICATION NO.895 OF 2019
(Dinakar K. Shelar Vs. State of Maharashtra & Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

Shri P.B. Patil, learned Advocate for the applicant, is **absent**. Heard Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 10.08.2022 as a last chance for filing affidavit-in-rejoinder, if any.

MEMBER (J)

ORIGINAL APPLICATION NO.173 OF 2020
(Dr. Santosh S. Palve Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Shri V.M. Mane, learned Advocate for the applicant, is **absent**. Heard Shri I.S. Thorat, learned Presenting Officer for the respondent Nos.1 to 3 and Shri D.T. Devane, learned Advocate for the respondent No.4.

2. At the request made on behalf of the respondents, time is granted as a last chance for filing affidavit-in-reply.

3. S.O. to 04.08.2022.

MEMBER (J)

SAS ORAL ORDERS 13.07.2022

**ORIGINAL APPLICATION NO.298 OF 2020
(Ramraje G. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

Shri K.G. Salunke, learned Advocate for the applicant, is **absent**. Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 04.08.2022 for complying the order dated 20.01.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO.349 OF 2020
(Prakash S. Raut Vs. State of Maharashtra & Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

Ms. Preeti R. Wankhade, learned Advocate for the applicant, is **absent**. Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Record shows that on 17.06.2022 final chance was granted to the respondents to file affidavit-in-reply.

3. Today also learned P.O. seeks time for filing affidavit-in-reply.

4. In view of same, though the learned P.O. for the respondents seeks time for filing affidavit-in-reply, the respondents are not entitled for seeking time.

5. In view of above, the prayer for granting time is rejected. The matter to proceed further in accordance with law.

6. The applicant to produce on record the requisite documents necessary for deciding the said Original Application.

7. S.O. to 04.08.2022 for admission

MEMBER (J)

**ORIGINAL APPLICATION NO.456 OF 2020
(Parvatibai B. Mali Vs. State of Maharashtra & Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

Shri V.B. Dhage, learned Advocate for the applicant, is **absent**. Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 04.08.2022 as a last chance for filing affidavit-in-rejoinder, if any.

MEMBER (J)

**ORIGINAL APPLICATION NO.272 OF 2021
(Jayawant R. Bhangare Vs. State of Maharashtra & Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, time is granted as a last chance for filing affidavit-in-rejoinder, if any.

3. S.O. to 03.08.2022.

MEMBER (J)

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

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri A.B. Rajkar, learned Advocate holding for Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., last chance is granted for filing affidavit-in-reply on behalf of the respondent No.4.

3. S.O. to 03.08.2022.

MEMBER (J)

SAS ORAL ORDERS 13.07.2022

**ORIGINAL APPLICATION NO.538 OF 2021
(Manohar K. Suryawanshi Vs. State of Maharashtra & Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

None present on behalf of the applicant.

Heard Smt. Deepali S. Deshpande, learned Advocate for the applicant Nos.1 to 4 and Shri S.B. Jadhav, learned Advocate for the respondent No.5.

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

3. Affidavit-in-reply today filed on behalf of the respondent No.5 is taken on record.

4. Learned Advocate for the respondent No.5 deposited extra copy of reply for the applicant.

5. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent No.4.

6. The applicant is at liberty to file affidavit-in-rejoinder to the affidavit-in-reply filed on behalf of the respondent Nos.1 to 3 and 5.

7. S.O. to 12.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.576 OF 2021
(Atmaram M. Raut Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri A.B. Rajkar, learned Advocate holding for Shri K.B. Jadhav, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, time is granted for filing affidavit-in-rejoinder, if any.
3. S.O. to 05.08.2022.
4. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO.772 OF 2021
(Prakash J. Salve & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

None present on behalf of the applicants.

Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of the respondent No.2 is taken on record.
3. Learned P.O. deposited extra copy of reply for the applicants.
4. At the request of learned P.O., time is granted for filing affidavit-in-rejoinder on behalf of the respondent No.1.
5. S.O. to 10.08.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.817 OF 2021
(Vilas K. Dhole Vs. State of Maharashtra & Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

K.N. Shermale, learned Advocate for the applicant, is **absent**. Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.
3. In view of absence of learned Advocate for the applicant, S.O. to 10.08.2022 for taking necessary steps.

MEMBER (J)

ORIGINAL APPLICATION NO.87 OF 2022
(Pandurang A. Joshi Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri R.A. Joshi, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. S.O. to 11.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.260 OF 2022
(Ravindra V. Tarkas Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

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

3. S.O. to 08.08.2022.

MEMBER (J)

SAS ORAL ORDERS 13.07.2022

ORIGINAL APPLICATION NO.427 OF 2022
(Vijay M. Kamble Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

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

2. Await service of notice on the respondents.
3. At the request of the learned Advocate for the applicant, S.O. to 27.07.2022 for taking necessary steps.

MEMBER (J)

SAS ORAL ORDERS 13.07.2022

**M.A.NO.358 OF 2021 IN O.A.ST.NO.313 OF 2021
(Sarita V. Rode Vs. State of Maharashtra & Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

Shri V.S. Undre, learned Advocate for the applicant, is **absent**. Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.
3. At the request of the learned Advocate for the applicant, S.O. to 12.08.2022 for taking necessary steps.

MEMBER (J)

SAS ORAL ORDERS 13.07.2022

ORIGINAL APPLICATION NO.419 OF 2022
(Dr. Bharat R. Sonwane Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

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

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

3. S.O. to 04.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.420 OF 2022
(Dr. Rajashri B. Sonwane Vs. State of Maharashtra & Ors.)

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. S.O. to 04.08.2022.

MEMBER (J)

**M.A.NO.166 OF 2022 IN O.A.ST.NO.644 OF 2022
(Shaikh Mohseen Shaikh Khadar Vs. State of Maharashtra &
Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

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

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

3. S.O. to 05.08.2022.

MEMBER (J)

SAS ORAL ORDERS 13.07.2022

**M.A.NO.209 OF 2022 IN O.A.ST.NO.108 OF 2021
(Ashok R. Jujgar Vs. State of Maharashtra & Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

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

3. S.O. to 08.08.2022.

MEMBER (J)

SAS ORAL ORDERS 13.07.2022

**M.A.NO.252 OF 2022 IN O.A.ST.NO.954 OF 2022
(Pallavi E. Bhand Vs. State of Maharashtra & Ors.)**

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

DATE : 13.07.2022

ORAL ORDER :

Heard Shri O.D. Mane, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. S.O. to 04.08.2022.

MEMBER (J)

SAS ORAL ORDERS 13.07.2022

Date :13.07.2022

ORIGINAL APPLICATION NO.637 OF 2022

(Vishal G. Bochare V/s The State of Maharashtra & Ors.)

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

1. Shri A.B. Rajkar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, ld. P.O. for the respondents, are present
2. Circulation is granted. Issue notices to the respondents, returnable on 19.08.2022. The case be listed for admission hearing on **19.08.2022**.
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

13.07.2022/sas registrar notice/

**M.A.NO. 259/2022 IN O.A.ST.NO. 718/2022
(Prashant S Morale & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 13.7.2022

ORAL ORDER :

Heard Shri A.V. Thombre, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief 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)

VICE CHAIRMAN

**ORIGINAL APPLICATION ST. NO. 718 OF 2022
(Prashant S Morale & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 13.7.2022

ORAL ORDER :

Heard Shri A.V. Thombre, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 5.8.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 5.8.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 376 OF 2022
(Priyanka S. Bansode Vs. State of Maharashtra & Ors.)**

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

DATE : 13.7.2022

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 23.8.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
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 23.8.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 619 OF 2022
(Archana Trimbak Tribhuvan Vs. State of Maha. & Ors.)**

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

DATE : 13.7.2022

ORAL ORDER :

Shri Shamsunder B. Patil, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 19.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 13.7.2022-HDD

ORIGINAL APPLICATION NO. 627 OF 2022
(Niteenchandra K. Mandale Vs. State of Maha. & Ors.)

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

DATE : **13.7.2022**

ORAL ORDER :

Heard Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. It is the case of the applicant that he has been wrongly reverted to the post of Talathi based on the report of enquiry conducted against him. Learned counsel appearing for the applicant sought to contend that the Enquiry Officer has recorded findings without there being any evidence therefor. In the circumstances, according to the learned counsel findings recorded by the Enquiry Officer are apparently perverse. It is further contended that the land which is alleged to have purchased by the applicant in his own name, as well as, in the name of his wife was purchased by Registered Sale Deed and due entries are taken at the appropriate register. Learned counsel further submitted that no one has deposed against the applicant in the enquiry conducted against him.

Learned counsel further submitted that though the disciplinary authority has passed the impugned order on 6.6.2022 reverting the applicant to the post of Talathi, the charge has not yet been taken from the applicant and he is still holding the charge of the promoted post. The prayer has, therefore, been made to direct the respondents to maintain status quo till filing of the affidavit in reply by the respondents.

3. Learned Chief Presenting Officer has strongly opposed for granting any such interim relief. It is submitted that in the present matter having regard to the fact that regular departmental enquiry has been conducted, it may be improper to reach to any conclusion at this stage unless affidavit in reply is there on record of the respondents. Many facts may come on record, which may have material bearing on the contentions raised in the O.A.

4. We have considered the submissions advanced by the learned counsel appearing for the applicant, as well as, learned Chief Presenting Officer.

5. It is not disputed that the departmental enquiry has been conducted against the applicant. The fact apart that, no one came forward to depose against the applicant in the said departmental enquiry, as has been contended by the applicant the enquiry officer has held the applicant guilty of

the misconduct alleged against him. We have cursorily perused the report of the enquiry. It appears that on the basis of material on record the enquiry officer has recorded his conclusions. Merely because no one came forward to depose against the applicant cannot be a ground for exonerating the applicant of the charges leveled against him. There may be a strong documentary evidence sufficient to hold the applicant guilty. Nonetheless, at this juncture without affidavit in reply filed by the respondents on record, it will be unsafe to record any conclusion. Therefore, we are not inclined to grant any interim relief as prayed for by the applicant. The request for interim relief is hence, rejected.

6. Issue notice to respondents, returnable on 23.8.2022.

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

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

9. 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.

10. 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.

11. S.O. to 23.8.2022.

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

MEMBER (A)

VICE CHAIRMAN

**O.A.NO. 323/2020 WITH M.A.NO. 239/2020
(Mangala Pandurang Naik Vs. State of Maharashtra & Ors.)**

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

DATE : 13.7.2022

ORAL ORDER :

Shri Govind R. Ingole, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. It is revealed that neither the applicant nor counsel for the applicant has attended the present matter since beginning. It appears that the applicant has lost interest in prosecuting the matter further. Today also no one has caused appearance for the applicant. In the circumstances, the following order is passed.

ORDER

The Original Application, as well as, Miscellaneous Application both stand dismissed for want of prosecution.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 58 OF 2020
(Ritesh Kaware & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : **13.7.2022**

ORAL ORDER :

Shri R.K. Ashtekar, learned counsel for the applicants, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri Avinash S. Deshmukh, learned counsel for respondent No. 4, were present.

2. The present case is not on today's board. It is taken on board at the request of learned counsel for the applicant.

3. S.O. to 19.7.2022 for further consideration.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 13.7.2022-HDD

**ORIGINAL APPLICATION NO. 535 OF 2019
(Nitin D. Ingale Vs. State of Maharashtra & Ors.)**

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

DATE : **13.7.2022**

ORAL ORDER :

Shri D.R. Irale Patil, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. The present case is not on today's board. It is taken on board at the request of learned counsel for the applicant.

3. Learned counsel for the applicant has filed a copy of Government Resolution dated 17th September, 2018 along with copy of order passed by the Principal Seat of this Tribunal in O.A. No. 380/2015 and the same is taken on record.

4. S.O. to 15.7.2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 367 OF 2022
(Ikramoddin K. Khatib Vs. State of Maharashtra & Ors.)**

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

DATE : **13.7.2022**

ORAL ORDER :

Shri R.A. Joshi, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. The present case is not on today's board. It is taken on board at the request of learned counsel for the applicant.

3. Leave is sought to delete the name of the respondent No. 4. Learned counsel submits that though the notice was issued to respondent No. 4, the same was returned un-served. Leave granted as prayed for. The necessary amendment be carried out within a week.

4. S.O. to 23.8.2022.

MEMBER (A)

VICE CHAIRMAN