

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH AT AURANGABAD**

List of Cases set down for Hearing/Admission/Order/etc. Hon'ble Single Bench Mumbai

Before: - THE HON'BLE SMT. JUSTICE MRIDULA BHATKAR, CHAIRPERSON

Date: -13/09/2023 Through Video Conferencing at 10:30 A.M.

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Regular Admission Matter (Medical Education & Drugs Dept.)						
1	OA830/23	Dhule	Adv.M.R. Kulkarni (Dr. Nita K Hatkar)	Transfer	Circulation	27.9.2023
2	OA831/23	Dhule	Adv.J.B. Choudhary/ Adv.P.D. Bodade (Dr.MukramGulamGhouse Khan)	Transfer		20.9.2023
3	OA832/23	A'bad	Adv.J.B. Choudhary/ Adv.P.D. Bodade (DR. Abdul Rafe Abdul Quadeer)	Transfer		27.9.2023
Due Admission Matters (Medical Education & Drugs Dept.)						
4	OA618/23	J'gaon	Adv.K.B. Jadhav (Kishor A Salunke)	Transfer	One More Last Chance For Filing Affidavit In Reply Cost is Not Deposited of Rs.1000/- by Respondent No.2 for his inaction	27.9.2023
5	OA537/23 with	A'bad	Adv.P.R. Wankhade (Dr.Snehalata T Yellambkar)	Transfer	For Hearing	27.9.2023
6	OA538/23 with	A'bad	Adv.P.R. Wankhade (Dr.AsmaFarheen Abdul Quadeer)	Transfer	For Hearing	27.9.2023
7	OA539/23 With	A'bad	Adv.P.R. Wankhade (Dr.ShaikhJunaidMinhajMo bin Ahmed)	Transfer	For Hearing	27.9.2023
8	OA550/23	A'bad	Adv.J.B. Choudhary	Transfer	For Hearing	27.9.2023

	with		(Dr.Surajkumar S Kuril)		Reply Filed by R-1 to R-3	
9	OA551/23 with	A'bad	Adv.J.B. Choudhary (Dr.Amarnath V Awargaonkar)	Transfer	For Hearing	27.9.2023
10	OA552/23 with	A'bad	Adv.J.B. Choudhary (Dr.Smita M Mundada)	Transfer	For Hearing	27.9.2023
11	OA553/23 with	Nanded	Adv.J.B. Choudhary (Dr.Sarfaraz Ahmed Sirajuddin)	Transfer	For Hearing Reply Filed by R-1 to R-5	27.9.2023
12	OA554/23 with	A'bad	Adv.J.B. Choudhary (Laiq Ahmed Jaffari)	Transfer	For Hearing	27.9.2023
13	OA555/23 with	A'bad	Adv.J.B. Choudhary (Dr.Pratibha R Deshmukh)	Transfer	For Hearing	27.9.2023
14	OA556/23 with	A'bad	Adv.J.B. Choudhary (Dr.Rupali A Gaikwad)	Transfer	For Hearing	27.9.2023
15	OA557/23 with	A'bad	Adv.J.B. Choudhary (Dr.Shilpa Y Pawar)	Transfer	For Hearing	27.9.2023
16	OA558/23 with	A'bad	Adv.J.B. Choudhary (Dr.Deelip G Jaiswal)	Transfer	For Hearing	27.9.2023
17	OA559/23 with	A'bad	Adv.J.B. Choudhary (Dr.AbdullahMohdmateenu ddin Ansari)	Transfer	For Hearing	27.9.2023
18	OA563/23 with	Latur	Adv.J.B. Choduhary (Dr.Shashikant B Kukale)	Transfer	For Hearing Reply Filed by R-1 to R-5	27.9.2023
19	OA565/23 with	A'bad	Adv.J.B. Choudhary (Dr.Mukta N Khaparkhantikar)	Transfer	For Hearing	27.9.2023
20	OA566/23 with	Latur	Adv.J.B. Choudhary (Dr. Anita G Pawar)	Transfer	For Hearing Reply Filed by R-1 to R-5	27.9.2023
21	OA571/23 with	Latur	Adv.J.B. Choudhary (Dr. Rahul S Abhange)	Transfer	For Hearing Reply Filed by R-1 to R-5	27.9.2023
22	OA581/23 with	Dhule	Adv.J.S. Deshmukh (Dr. Hitesh R Adchitre)	Transfer	For Hearing Reply Filed by R-1 to R-3	27.9.2023
23	OA582/23 with	A'bad	Adv.J.B. Choudhary (Shaikh Nek Parveen H.)	Transfer	For Hearing	27.9.2023
24	OA585/23 with	Dhule	Adv.J.B. Choudhary (Dr.Jinendra M Jain)	Transfer	For Hearing Reply Filed by R-1 to R-5	27.9.2023

25	OA629/23 with	Dhule	Adv.J.B. Choudhary (Dr.Bhavana P Kothari(Kakaria))	Transfer	For Hearing Reply Filed by R-1 to R-5	27.9.2023
26	OA531/23 with	A'bad	Adv.S.B. Patil (Dr.Manohar K Shelake)	Transfer	Reply Filed by R-1 to R-3	27.9.2023
27	OA591/23 with	A'nagar	Adv.P.B. Umrani (Sanjay P Shinde)	Transfer	For Filing Affidavit in Reply	27.9.2023

28	OA631/23 with	A'bad	Adv.J.B. Choudhary (Dr.Rajendra T Ankushe)	Transfer	Reply Filed by R-1 to R-5	27.9.2023
29	OA632/23 with	A'bad	Adv.Shamsunder B Patil (Dr. Anil A Gaikwad)	Transfer	Reply Filed by R-1 to R-3	27.9.2023
30	OA633/23 with	A'bad	Adv.Shamsunder B Patil (Dr.Nilesh I Kachnerkar)	Transfer	Reply Filed by R-1 to R-3	27.9.2023
31	OA635/23 with	Beed	Adv.K.G. Salunke (Dr.Namdev P June)	Transfer	Reply Filed by R-1 to R-3	27.9.2023
32	OA749/23	Nanded	Adv.M.R. Kulkarni (Dr.HumeraNishat Md. Mujataba Khan)	Transfer	For Filing Affidavit in Reply	27.9.2023
33	OA741/23	Beed	Adv.J.B. Choudhary (Dr.Abhimanyu S Tarkase)	Transfer	For Reply	27.9.2023
34	OA742/23	Beed	Adv.J.B. Choudhary (Dr.Siddheshwar V Birajadar)	Transfer	For Reply	27.9.2023
35	OA743/23	Beed	Adv.J.B. Choudhary (Dr.Mukund R Mogarekar)	Transfer	For Reply	27.9.2023
36	OA744/23	Beed	Adv.J.B. Choudhary (Dr.Prashant M Hippargekar)	Transfer	For Reply	27.9.2023
37	OA745/23	A'bad	Adv.J.B. Choudhary (Dr.Sudhir P Choudhari)	Transfer	For Reply	27.9.2023
38	OA747/23	A'bad	Adv.Shamsunder B Patil (Dr.Kailas U Zine)	Transfer	For Reply	27.9.2023

39	OA753/23	A'bad	Adv.Jayant B Choudhary (Avinash R Lamb)	Transfer	For Reply	27.9.2023
40	OA755/23	Latur	Adv.J.B. Choudhary (Dr. Ajay G Ovhal)	Transfer	For Reply	27.9.2023
41	OA764/23	A'bad	Adv.A.V. Sakolkar (Dr.Rajashri K Virshid)	Trnasfer	For Reply	27.9.2023
42	OA765/23	A'bad	Adv.A.V.Sakolkar (Dr.Mirza Shiraz Baig)	Transfer	For Reply	27.9.2023
43	OA543/23	A'bad	Adv.Dhananjay Mane (Shaikh Abdul RizwanMannan)	Transfer	Await Service of Notice	27.9.2023
44	OA651/23	A'bad	Adv.K.B. Bhise (Shrikant B Borade)	Directions/ Transfer	For Filing Affidavit in Reply	27.9.2023
45	OA653/23	A'bad	Adv.Santosh B Mene (Dr. Anil S Joshi)	Transfer	For Reply	27.9.2023
46	OA665/23	O'bad	Adv.M.R. Kulkarni (Sahas J Mandlik)	Transfer	For Filing Affidavit in Reply	27.9.2023
47	OA775/23	Nanded	Adv.M.R. Kulkarni (Dr.Dhondba P Bhurke)	Transfer	Await Service For R-1 to R-3	27.9.2023
48	OA781/23	Nanded	Adv.J.B. Choudhary/ Adv.P.D. Bodade (Dr.Hemant V Godbole)	Transfer	Await Service	27.9.2023
49	OA791/23	A'bad	Adv.Ajay S Deshpande (Dr.Meenakshi A Bhattacharya)	Transfer	For Reply	27.9.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench
Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -13/09/2023

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Regular Admission Matters						
1	MA295/23 In MASt1234/23 In OAS213/22	Nanded	Adv.A.G. Vasmatkar (Vishwanath S Kirtane)	M.A. For Sue Jointly		19.10.2023
High On Board Matter						
2	OA313/21	Nanded	Adv.P.B. Rakhunde (Pandurang M Kamble)	Direction/ Interest on Delayed Payment	Reply Filed by R-3	15.9.2023
Order Matters						
3	MA34/22 In OAS861/21	A'bad	Adv.D.H. Jadhavar (Ankush B Badke)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R-4	16.10.2023
4	MA203/22 In OAS783/22	Dhule	Adv.P.R. Wankhade (Dr.Smita A Bora)	M.A. For Condonation of Delay	For Hearing	
5	MA204/22 In OAS792/22	Dhule	Adv.P.R. Wankhade (Dr.Bharat M Patil)	M.A. For Condonation of Delay	For Hearing	
6	MA205/22 In OAS794/22	Dhule	Adv.P.R. Wankhade (Dr.Deepak K Shejwal)	M.A. For Condonation of Delay	For Hearing	
7	MA206/22 In OAS796/22	Dhule	Adv.P.R. Wankhade (Dr.Amol P Khairnar)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R-3	

8	MA207/22 In OASt798/22	Dhule	Adv.P.R. Wankhade (Dr.Manjusha P Tambse)	M.A. For Condonation of Delay	For Hearing	
9	MA565/22 In OASt1941/22	Nanded	Adv.A.S. Deshpande (Rajeev U Saxena)	M.A. For Condonation of Delay	<u>For Further Consideration</u> Reply Filed by R-1 to R-3	M.A. dispsod
10	MA331/23 In OA532/07	Nanded	Adv.MS A.N. Ansari (Amir Khan Ibrahim Khan)	M.A. to Bring LR's on record with prayer of delay & Setting aside abatement		16.10.2023
Due Admission Matters						
11	OA508/17	P'bhani	Adv.A.N. Ansari (Syed Azam Syed Lal)	Pensionery Benefits	For Hearing Reply Filed by R-1 to R-3	16.10.2023
12	OA1066/19	A'bad	AdvAvinsh S Deshmukh (Vasant A Manorkar) <u>AdvShamsunder B PatilR.Nos. 3 & 4</u>	Fixation of Pay	For Hearing Reply Filed By R-3 & 4	11.10.2023
13	OA487/20	P'bhani	Adv.Shirish M Kamble (Usha R Bahirat)	Police Patil		9.10.2023
14	OA521/20	A'bad	Adv.Ajay S Deshpande (Laxman B Jadhav)	Benefit of G.R./ Revise Pay/ Modified Assured career Advancement Scheme	For Hearing Reply Filed by R-1 & R-2	4.10.2023
15	OA114/22	A'bad	Adv.J.S. Deshmukh (Dr.Bhauasheb S Randhe) <u>Adv.U.S. Mote for R.No.3</u>	Relieve	For Hearing Reply Filed by R-3	3.10.2023
16	OA232/22	A'bad	Adv.Rahul O Awasarmol (Sudhakar Y Dandge)	Pay Fixation/ Recovery	For Hearing Reply Filed by R-1 to R-3	20.10.2023

17	OA915/22	A'bad	Adv.Kakasaheb B Jadhav (Kailas M Prajapati)	Recovery/ Refund of Recovered Amount	For Hearing Reply Filed by R-1 to R-5	10.10.2023
18	OA972/22	Beed	Adv.K.B. Jadhav (Saurabh J Tribhuvan)	Compassionate Appointment	For Hearing	13.10.2023
19	OA297/23	P'bhani	Adv.K.G. Salunke (Prashant B Kachhawa) <u>Adv.R.R. Imale/Adv.R.D. Khadap for R.No.4</u>	Directions	For Hearing Reply Filed by R-1 to R-3	25.9.2023
20	OA430/23	O'bad	Adv.K.G. Salunke (Indubai B Kashe)	Arrears	For Hearing Reply Filed by R-4	11.10.2023
Final Hearing Matters						
21	OA116/17	P'bhani	Adv.Vijay V Deshmukh (Dr.Dhanraj W Kendre)	Deemed date of Promotion	Reply filed by R-1 & R-4	13.10.2023
22	OA962/17	Latur	Adv.A.S. Bayas (Bhauasaheb B Rayate)	Time Bound Promotion/ ACPS/ Benefit of Assured Career Progressive Scheme	Reply Filed by R-1 to R-4	19.10.2023
23	OA422/19	Nanded	Adv.Suchita A Dhongde (Syed Khaja Syed Meeran)	Interest on Delayed Payment	Reply Filed by R-2 & R-3	25.10.2023
24	OA03/20	Beed	Adv.M.S. Karad (Anil V Lad) <u>Adv.A.S. Deshmukh for R.No.5</u>	Transfer	Reply Filed by R-2 to R-5	26.9.2023
25	OA70/20	Hingoli	Adv.Suresh D Dhongde (ShaikhHamedShaikhDa damiyan)	Minor Punishment	Reply Filed by R-2 & R-3	25.10.2023
26	OA497/20	Nanded	Adv.V.B. Wagh (Bhujang V Godbole)	Leave/ Recovery	Reply Filed by R-1 & R-2	11.10.2023
27	OA534/20	A'nagar	Adv.Kakasaheb B Jadhav (Rajesh N Bade)	Directions/ Probation Period	Reply Filed by R-1 to R-5	11.10.2023

28	OA106/21	Latur	Adv.Umakant P Giri (Manoj C Salagar)	Compassionate Appointment	Reply Filed by R-2 & R-3	13.10.2023
29	OA166/21	P'bhani	Adv.Sanjay A Wakure (Suryakant V Tatode)	Recovery/ Minor Punishment	Reply Filed by R-1 to R-5	13.10.2023
30	OA761/21	Dhule	Adv.Avinash S Deshmukh (Pradeep B Pawar) <u>Adv.N.N. Desale for R.No.3</u>	Relieve	<u>For Further Consideration</u> Reply filed by R-1to R-3	13.10.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench
Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN
Compassionate Appointment Substitution Matter

Date: -13/09/2023

Time : 03:00 P.M.

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
4	OA603/22	A'bad	Adv.S.D. Kotkar (Sachin G Shelke)	Directions/ Compassionate Appointment	For Hearing Reply Filed by R-2	

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench
Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -13/09/2023

Suplimentary Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	OA389/23	A'bad	Adv.K.G. Salunke/ Adv.A.S.Deshpande (Vandana G Sukale) <u>Adv.A.B. Rajkar for R.No.3 in OA389/23</u>	Transfer	<u>For Further Consideration</u> For Hearing Reply Filed by R-1 to R-3	27.9.2023

Order Matters						
2	MA124/22 In OAS260/22	A'nagar	Adv.V.B. Wagh (Dr.Radhakisan N Pokharkar&Ors.) <u>Adv.Milind S Mahajan</u> <u>for R.Nos.3 & 4</u>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 & R-2	27.9.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc.before Hon'ble Single Bench

Before: -THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -13/09/2023

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	OA687/21	Jalna	Adv I D Maniyar (Vipul R Bhagwat)	Pay Protection	Reply Filed By R-1 & For Filing Affidavit in Rejoinder and For Filing Affidavit in Reply other Respondents <u>Ref Order</u> <u>Dtd.</u> <u>21.10.2023</u>	11.10.2023
2	TA01/23 WP9807/22	A'nagar	Adv P V Suryawanshi (Ganesh D Gund)	Compassionate Appointment	For Filing Affidavit in Reply	13.10.2023
3	OA419/22	A'bad	Adv S D Joshi (Dr. Bharat R Sonwane)	Annual Grade Pay	For Filing Affidavit in Reply	29.9.2023
4	OA965/22 with	O'bad	Adv.Ganesh J Kore (Prabhakar M Kawathekar)	Annual Increments/ Other Monetary Benefits	One More Last Chance For Filing Affidavit in Reply <u>Ref Order</u> <u>Dtd.</u> <u>16.03.2023</u>	Allowed

5	OA966/22 with	O'bad	Adv.Ganesh J Kore (Bhalchandra P Dharurkar)	Annual Increments	One More Last Chance For Filing Affidavit in Reply	Allowed
6	OA967/22 with	O'bad	Adv.Ganesh J Kore (Pandharenath B Dhorge)	Annual Increments/ Other Monetary Benefits	One More Last Chance For Filing Affidavit in Reply	Allowed
7	OA968/22 with	O'bad	Adv.Ganesh J Kore (JilaniAzimoddinShaikh) <u>Adv S D Dhongde For R- No.2</u>	Annual Increments/ Other Monetary Benefits	One More Last Chance For Filing Affidavit in Reply	Allowed
8	OA969/22 with	O'bad	Adv Ganesh J Kore (Shaikh Rahim Shaikh Chand)	Annual Increments/ Other Monetary Benefits	Reply Filed By R-1 & R-2 & One More Last Chance For Filing Affidavit in Reply	Allowed
9	OA880/22	O'bad	Adv.Ganesh J Kore (Ajgar Ali MohiddinShaikh)	Annual Increments	Reply Filed By R- 1 & R-2 One More Last Chance For Filing Affidavit in Reply	Allowed
10	OA881/22	O'bad	Adv.Ganesh J Kore (Vilas V Sathe)	Annual Increments/ Other Monetary Benefits	Reply Filed By R- 1 & R-2 One More Last Chance For Filing Affidavit in Reply	Allowed
11	OA1140/22	O'bad	Adv A S Shelke (Rameshwar A Harbhare)	Subsistance Allowance/ Pay Fixation/Salary	By Way of Last Chance For Filing Affidavit in Reply	16.10.2023

12	OA07/23	Jalna	Adv A S Deshmukh (Sonali D Haregaonkar)	Benefits of A.C.P.S	For Reply	10.10.2023
13	TA12/23 WP6494/22	Latur	Adv Adgoankar Ravibhushan P Kashibai A Shrimangale & Ors.	Compassionate Appointment	For Filing Affidavit in Rejoinder	13.10.2023
14	OA47/23	Beed	Adv K B Jadhav (Anil R Waghmare)	Minor Punishment/ Pay & Allowances	Reply R-1 to R-4 & For Reply	16.10.2023
15	OA100/23	O'bad	Adv S SKulkarni/ Adv V S Kadam (Rajendra P Sanap)	Suspension/ Re-instatement	For Reply	16.10.2023
16	OA122/23	Dhule	Adv J S Deshmukh (Dr.Teli Shaikh Emaran Shaikh Ismail)	Recovery	For Reply	4.10.2023
17	OA453/23	Latur	Adv V D Gunale/ Adv K B Bhise (Shamkumar V Wallekar)	Transfer	By Way of Last Chance For Filing Affidavit in Reply	20.9.2023
18	OA530/23	A'bad	Adv K B Jadhav (Manjusha M Mutha)	Transfer+	For Filing Affidavit in Rejoinder to the Affidavit in Reply Filed By Sole Respondents	15.9.2023
19	OA598/23	Latur	Adv S B Bhosale (Dr.Jitendra G Jaiswal)	Directions/ Posting	For Reply	29.9.2023
20	OA599/23	Hingoli	Adv S B Bhosale (Dr.Devendra R Jaybhaye)	Directions/ Posting	For Reply	29.9.2023
21	OA669/23	O'bad	Adv J S Deshmukh (Manojkumar A Rathod)	Transfer	By Way of Last Chance For Filing Affidavit in Reply	3.10.2023
22	OA672/23	Beed	Adv A AKhande (Ganpat U Radkar)	Recovery/ Refund of Amount	Await Service	10.10.2023

23	OA674/23	Latur	Adv S L Bhapkar (Vithal H Awale)	Recovery/ Refund of Recovered Amount	For Reply	29.9.2023
24	OA792/23	Nanded	Adv S SThombre (Jyoti R Pawar)	Suspension	Await Service	25.9.2023
25	OA1087/22	Hingoli	Adv A B Rajkar (Dipak S Thorat) <u>Adv S B Mene For R-2 & R-3</u>	Compassionate Appointment	For Reply	13.10.2023
Order Matters						
26	MA334/23 In OAS744/23	A'bad	Adv S V Salve (Bansi S Shejwal)	M.A For Condonation in Filing	For Take Necessary Steps Await Service & Reply Filed By R-4	16.10.2023
27	MA437/22 In OAS1552/22	Nanded	Adv B G Deshmukh (Balaji G Harale)	M.A For Condonation of Delay	For Reply	18.10.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Hearing/Admission/Order/etc. before Hon'ble Divison Bench Mumbai
Before: - THE HON'BLE SMT. JUSTICE MRIDULA BHATKAR, CHAIRPERSON

And

THE HON'BLE SMT. MEDHA GADGIL, MEMBER (A)

Only Old DB Matters

Through Video Confercingat 10:30 A.M.

Date:- 13/09/2023

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matter						
1	OA586/12	Beed	Adv.SudhirPatil (Bharat M Bhosale)	Promotion	For Hearing Reply Filed by R-1 to R-3	11.10.2023
Final Hearing Matters						
2	OA633/12	A'bad Beed	Adv.H.A. Joshi (Sachin S Unawane&Ors.)	Selection/ Appointment	Reply Filed by R-1 & R-2 Pending Befor Supreme Court	6 weeks

3	OA736/12	Nanded	Adv.SudhirPatil (Devidas R Jadhav)	Extention of Age of Retirment	Rply Filed by R-1 to R-3	11.10.2023
4	OA111/13	Nanded	Adv.V.S. Panpatte/ Adv.S.S. Haikude (Gajanan M Shikare) <u>Adv.S.K. Sawangikar</u> <u>for R.No.4</u> <u>Adv.G.J. Kore for</u> <u>R.No.3</u>	Appointment	Reply Filed by R-2 & R-3	11.10.2023
5	OA297/13	Hingoli	Adv.M.R. Kulkarni (Prakash B Joshi)	Promotion	Reply Filed by R-2	27.9.2023
6	OA439/13	Beed	Adv.R.D. Khadap (Sakharam G Choughule)	D.E./ Increment	Reply Filed by R-2 & R-3	20.9.2023
7	OA491/13	J'gaon	Adv.S.D. Joshi/ Adv.AshishRajkar (Devidas T Patil)	Recovery/ Departmental Enquiry	Reply Filed by R-1 to R-4	14.9.2023
8	OA624/13	P'bhani	Adv.M.C. Ghode (Yogesh P Ghuge&Ors.)	Post of Civil Engineer		27.9.2023
9	OA694/13	Hingoli	Adv.Avinash S Deshmukh (Bashir Khan Daulat Khan Patel)	Promotion	Reply Filed by R-1	4.10.2023
10	OA250/14	A'bad	Adv.Avinash S Deshmukh (The KaryakariAdhikariSanghatna (R.T.O.) Through its Joint Secretary Rameshchandra L Kharade)	Revised Pay Scale	Highcourt Pending Reply Filed by R-2 & R-3	4.10.2023
11	OA575/14	Latur	Adv.A.D. Gadekar (Deepak B Patil)	Selection	Reply Filed by R-2	20.9.2023

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

List of Cases set down for Physical Hearing/Admission/Order/etc. before Hon'ble Division Bench

DB is Not Available

Date: -13/09/2023

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Urgent Admission Matters						
1	CPSt991/23 In OA485/20	Beed	Adv.Preeti R Wankhade (Vijay S Jadhav)	Contempt Petition	with Office Objection	20.9.2023
2	MASSt1958/22 In MASSt1611/22 In OASSt1612/22	A'bad	Adv.M.A. Kulkarni (Fakirchand S Thorat&Ors.)	M.A. For Condonation of Delay	With Office Objection	4.10.2023
3	MA407/23 In OASSt1789/23	P'bhani	Adv.R.R. Shinde (Santosh N Shendge)	M.A. For Sue Jointly		12.10.2023
4	OA836/23	Nanded	Adv.Pooja S Mundhe (Nagorao N Waghmare)	Selection Process	Circulation	9.10.2023
5	MASSt1790/23 In OASSt1791/23	A'bad	Adv.Shamsunder B Patil (Avinash A Bagul&Ors.)	M.A. For Sue Jointly	Circulation With Office Objection	
Order Matters						
6	MA93/17 In OA801/22	A'bad	Adv.H.A. Joshi (Manjushree B Deshpande)	M.A. For Amendment	For Hearing	13.10.2023
7	MA56/23 In MA540/22 In OASSt2016/22	A'bad	Adv.A.B. Girase (Sanjay A Gholave&Ors.)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R-4	13.10.2023

8	MA388/23 In MA370/23 In MA225/23 In OA356/23	A'bad	Adv.V.B. Wagh (Sharad P Jare) <u>Adv.K.G. Salunke for R.No.3</u>	MA388/23 For Amendment MA370/23 for I.R. MA225/263 for I.R.		15.9.2023
Due Admission Matters						
9	CP33/23 In OA14/23	Nanded	Adv.P.R. Wankhede (Rajesj N Kadam)	Contempt Petition	For Hearing Reply Filed by R-2	20.9.2023
10	CP34/23 In OA15/23	Nanded	Adv.P.R. Wankhede (Balaji G Magre)	Contempt Petition	For Hearing Reply Filed by R-2	20.9.2023
11	CP35/23 In OA16/23	Nanded	Adv.P.R. Wankhede (Vilas N Ingle)	Contempt Petition	For Hearing Reply Filed by R-2	20.9.2023
12	OA771/18	P'bhani	Adv.B.A. Dhengle (Shrihari D Ghogare) <u>Adv.M.V. Bharuka for R.No.4</u>	Selection/ Appointment	For Hearing Reply Filed by R-1 to R-3	25.10.2023
13	OA892/18 With	A'bad	Adv.S.S. Thombre (Dhananjay D Chandodkar&Ors.)	Discharge From Service	For Admission Reply Filed by R-1 to R-5	5.10.2023
14	OA901/18	Beed	Adv.S.S. Thombre (Bhagwat S Somase)	Termination	For Admission Reply Filed by R-1 to R-3	5.10.2023
15	OA294/19 with	A'bad	Adv.Abhishek C Deshpande (Sujata R Palve)	Advertisement	For Hearing	26.10.2023
16	OA296/19	Latur	Adv.Abhishek C Deshpande (Ashwini G Bele&Ors.)	Advertisement	For Hearing	26.10.2023
17	OA708/19 with	Hingoli	Adv.J.S. Deshmukh (Dr. Udaykumar T Helkar) <u>Adv.V.V. Bhavthankar for R.No.4</u>	Condonation of Technical Breaks	For Hearing Reply Filed by R-1 to R-3	30.10.2023

18	OA709/19 With	Beed	Adv.J.S. Deshmukh (Dr.Santosh K Gunjkar)	Condonation of Technical Breaks/ Revised Pay Fixation	For Hearing Reply Filed by R-1 to R-3	30.10.2023
19	OA710/19 With	Jalna	Adv.J.S. Deshmukh (Dr.SK IrfanUsman)	Condonation of Technical Breaks/ Revised Pay Fixation	For Hearing Reply Filed by R-1 to R-3	30.10.2023
20	OA711/19 With	Jalna	Adv.J.S. Deshmukh (Dr.Parvez J Quershi) <u>Adv.M.S. Shendge for R.Nos.3 & 4</u>	Condonation of Technical Breaks/ Revised Pay Fixation	For Hearing Reply Filed by R-1 to R-3	30.10.2023
21	OA712/19 with	Beed	Adv.J.S. Deshmukh (Dr.Pravin S Deshmukh)	Condonation of Technical Breaks/ Revised Pay Fixation	For Hearing Reply Filed by R-1 to R-4	30.10.2023
22	OA781/19 with	J'gaon	Adv.J.S. Deshmukh (Dr.Mohansing B Rathod) <u>Adv.S.R. Dheple for R.No.3</u>	Condonation of Technical Breaks/ Increments	For Hearing Reply Filed by R-1 to R-4	30.10.2023
23	OA782/19 With	P'bhnai	Adv.J.S. Deshmukh (Dr.Santosh A Deshmukh)	Condonation of Technical Breaks/ Increments etc.	For Hearing Reply Filed by R-1 to R-4	30.10.2023
24	OA1052/19 With	P'bhnai	Adv.J.S. Deshmukh (Dr.Rameshwar G Rodge)	Condonation of Technical Breaks/	For Hearing Reply Filed by R-1 to R-4	30.10.2023
25	OA1053/19 with	P'bhnai	Adv.J.S. Deshmukh (Dr.Jayashree A Jadhav)	Condonation of Technical Breaks/	For Hearing Reply Filed by R-1 to R-3	30.10.2023
26	OA1054/19 with	Beed	Adv.J.S. Deshmukh (Dr.Ravikant A Choudhare)	Condonation of Technical Breaks/	For Hearing Reply Filed by R-1 to R-4	30.10.2023
27	OA1055/19	Beed	Adv.J.S. Deshmukh (Dr.Rajashri B Shinde)	Condonation of Technical Breaks/ Increment/ Leave	For Hearing Reply Filed by R-1 to R-4	30.10.2023

28	OA886/19	Beed	Adv.C.A. Shingare (Tukaram S Jagtap)	Termination (Nominne of Freedom Fighter)	For Further Consideration Reply Filed by R-2 & R-3	31.10.2023
29	OA1076/19	Beed	Adv.S.D. Joshi (Ramling S Kamble)	Promotion	For Admission Reply Filed by R-3 to R-5	31.10.2023
30	OA375/20 with	Beed	Adv.Avinash S Deshmukh (Amol M Naikwade)	Termination	For Hearing Reply Filed by R-2 to R-4	6.10.2023
31	OA376/20 with	P'bhani	Adv.Avinash S Deshmukh (Govind KSurnar)	Termination	For Hearing Reply Filed by R-4	6.10.2023
32	OA418/20 with	Beed	Adv.Avinash S Deshmukh (Popat K Gonde&Ors.)	Termination	For Hearing Reply Filed by R-2 & R-3	6.10.2023
33	OA428/20 with	Hingoli	Adv.Avinash S Deshmukh (Bandu S Bontalwar)	Termination	For Hearing Reply Filed by R-1 to R-3	6.10.2023
34	OA434/20	P'bhani	Adv.Avinash S Deshmukh (Mahesh D Desai)	Termination	For Hearing Reply Filed by R-1 to R-3	6.10.2023
35	OA421/21	P'bhani	Adv.V.G. Pingle (Manohar M Bharane) <u>Adv.Shamsunder B Patil</u> <u>For R.No.3</u>	Benefit of G.R./ Time Bound Promotion/ ACPS	For Admission Reply Filed by R-3	25.10.2023
36	OA547/21	Jalna	Adv.S.D. Dhongde (Jalamsing D Valvi)	Enquiry/ All Pensionery Benefits	For Hearing Reply Filed by R-1 & R-2	25.10.2023
37	OA731/21	Dhule	Adv.Kakasaheb B Jadhav (Sunil L Mali)	Dismissal From Service	For Hearing Reply Filed by R-1 to R-4	26.10.2023
38	OA461/22	J'gaon	Adv.Kakasaheb B Jadhav (Sunil P Vispute)	Promotion	For Hearing Reply Filed by R-1 to R-4	4.10.2023
39	OA614/22 with	Beed	Adv.V.P. Golewar/ Adv.A.D. Sugdare	Recruitment Process/ Interview	<u>For Further Consideratio</u> <u>n</u>	29.9.2023

			(Dr.Deepak N Kawale) <u>Adv.M.B. Kolpe for R.No.3</u>		For Hearing Reply Filed by R-3	
40	OA666/22 with	A'bad	Adv.A.D. Sugdare (Dr.Archana B Dhavale) <u>Adv.M.B. Kolpe for R.No.3</u>	Appointment	For Hearing Reply Filed by R-1 & R-2	29.9.2023
41	OA693/22 with	Nanded	Adv.A.D. Sugdare (Dr.AayeshaMunwar Mohammed Ayub) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing Reply Filed by R-1 & R-2	29.9.2023
42	OA737/22 with	A'bad	Adv.A.D. Sugdare (Dr.Monali T Bhorge) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing Reply Filed by R-1 & R-2	29.9.2023
43	OA780/22 with	A'bad	Adv.A.D. Sugdare/ Adv.V.P. Golewar (Dr.Kailash P Kagne) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	29.9.2023
44	OA747/22 with	A'bad	Adv.Jayant S Deshmukh (Dr. Sanjyot G Giri) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	For Hearing	29.9.2023
45	OA748/22 with	Latur	Adv.J.S. Deshmukh (Drf.Abhijeet M Yadav) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	For Hearing	29.9.2023
46	OA769/22 with	Nanded	Adv.J.S. Deshmukh (Dr.Omprasad B Damkondwar) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing Reply Filed by R-1 & R-2	29.9.2023
47	OA749/22 with	A'bad	Adv.V.S. Kadam (Dr.Sphoorti P Bende) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	For Hearing	29.9.2023
48	OA750/22 with	A'bad	Adv.V.S. Kadam (Dr.Pragati S Kadam) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	For Hearing	29.9.2023
49	OA751/22 with	A'bad	Adv.V.S. Kadam (Dr.Dipti K Bhagat) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	For Hearing	29.9.2023

50	OA771/22	Jalna	Adv.V.S. Kadam (MulaniManzuraRustum) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	29.9.2023
51	OA777/22 with	J'gaon	Adv.V.S. Kadam (Dr.Shital S Patil) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	29.9.2023
52	OA778/22 with	Latur	Adv.V.S. Kadam (Dr.Sharada U Sonkhedkar) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	29.9.2023
53	OA787/22 with	Nanded	Adv.V.S. Kadam (Dr.Krishna T Pawar) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview (M.P.S.C.)	For Hearing	29.9.2023
54	OA788/22 with	Beed	Adv.V.S. Kadam (Dr.Vaibhav V Deshmukh) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	29.9.2023
55	OA796/22 with	O'bad	Adv.V.S. Kadam (Dr.Amol A Kapse) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview (M.P.S.C.)	For Hearing	29.9.2023
56	OA803/22 with	A'bad	Adv.A.D. Sugdare (DrSyedaMunezaNasusheen Mohammad Ali) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	29.9.2023
57	OA790/22 with	A'bad	Adv.A.S. Deshmukh (Dr.Pravin G Ranvir) <u>Adv.M.B. Kolpe for R.No.2</u>	Selection Process	For Hearing Reply Filed by R-1	29.9.2023
58	OA791/22 with	Latur	Adv.Vikrant S Valse (Rajshekhar L Mengule) <u>Adv.M.B. Kolpe for R.No.2 & 4</u>	Selection Process/ Interview	For Hearing	29.9.2023
59	OA832/222	Jgaon	Adv.S.N. Pagare (Dr. Harshal M Mahajan) <u>Adv.M.B. Kolpe For R.No.3</u>	Interview	Await Service	29.9.2023

60	OA899/22	Latur	Adv.R.K. Ashtekar (Hansraj R Jadhav)	Seniority/ Promotion	For Admission Reply Filed by R-2 & R-3	27.10.2023
61	OA900/22	Latur	Adv.R.K. Ashtekar (Navneet C Jamnik)	Seniority/ Promotion	For Admission Reply Filed by R-2 & R-3	27.10.2023
62	OA901/22	Latur	Adv.R.K. Ashtekar (Madhav V Joshi)	Seniority/ Promotion	For Admission Reply Filed by R-2 & R-3	27.10.2023
63	OA1084/22	Latur	Adv.Ram S ShindeBorolkar (Uddhav M Jadhav)	Seniority List	For Admission Reply Filed by R-3	13.10.2023
Final Hearing Matters						
64	OA749/16	J'gaon	Adv.Talekar Associates(MadhaviAyyappan) (Sachi A Palkhe)	Selection/ Appointment	For Hearing Reply Filed by R-1 to R-3	25.10.2023
65	OA345/17	P'bhani	Adv.V.G. Pingle (Abhiman M Kale) <u>Adv.Shamsunder B Patil for R.Nos.2 to 6</u>	Termination	Reply Filed by R-1 to R-6	26.10.2023
66	OA404/17	A'bad	Adv.K.B. Jadhav (Ravindra R Mungale)	Departmental Enquiry/ Punishment	Reply filed by R-1 to R-5	27.10.2023
67	OA360/19 with	A'bad	Adv.AjayDeshpande (Dr.Atul A Deshmukh)	Termination	For Hearing Additional Affidavit of Reply Filed by Respondent For Filing Short Affidavit in Reply on behalf of the MPSC	27.9.2023

68	OA67/18	P'bhani	Adv.K.G. Salunke (Dr.Mohd. FerozIqbal)	Not to Terminate the Services	For Hearing Reply Filed by R-2 & R-3 For Filing Short Affidavit in Reply on behalf of the MPSC	27.9.2023
69	OA684/21	A'bad	Adv.Sapna D Tangde/ Adv.NehaKamble (Dr.Rekha G Gaikwad)	Seniority/ Promotion	Reply Filed by R-1, R-2 & R-4	30.10.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. before Hon'ble Division Bench

DB is Not Available

Date: -13/09/2023

for reply board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	OA415/21	A'bad	Adv.Sanotsh S Dambe (Vivekanand V Auti&Ors.)	Selection	One More Last Chance For Filing Affidavit in Reply Ref.Order dtd.20.01.2023 For Taking Instructions	6.10.2023
2	OA81/22	A'bad	Adv.S.B. Patil (Archana T Tribhuvan)	Challenging Clause of An Advertisement/ Recruitment Process	For Filing Affidavit in Rejoinder to the Affidavit in Reply Filed by R-2	25.10.2023
3	OA111/22 with	A'bad	Adv.S.K. Mathpati (Pandurang V Hande)	Challenging Clause of G.R.	One More Last Chance For Filing Affidavit in Reply For R-2 in all these O.A.s	30.10.2023
4	OA151/22 with	A'bad	Adv.S.K. Mathpati (Chhaban V Kulkarni)	Challenging Clause of G.R.	One More Last Chance For Filing Affidavit in Reply For R-2 in all these	30.10.2023

					O.A.s	
5	OA152/22	A'bad	Adv.S.K. Mathpati (Duryodhan S Wankhede)	Challenging Clause of G.R	One More Last Chance For Filing Affidavit in Reply For R-2 in all these O.A.s	30.10.2023
6	OA474/22	Beed	Adv.S.S. Kulkarni/ Adv.V.S. Kadam (Anurath A Lande)	Selection	As a Last Chance For Filing Affidavit in Rejoinder	9.10.2023
7	OA521/22	O'bad	Adv.I.D. Maniyar (Shivling S Hankare)	Examination/ Eligibility	As a Last Chance For Filing Affidavit in Rejoinder	26.10.2023
8	OA700/22	A'nagar	Adv.R.R. Karpe (Sujay S Gaydhane)	Appointment	Additional Affidavit Reply Filed by R-2	17.10.2023
9	OA876/22	N'bar	Adv.A.D. Sugdare (Dr.Pravinkumar Y Thakare)	Advertisement	As a Last Chance For Filing Affidavit in Reply	26.10.2023
10	OA902/22	A'bad	Adv.Rajendra N Chavan (Anil V Mule)	Misconduct	For Filing Affidavit in Rejoinder	27.10.2023
11	OA49/23	Dhule	Adv.K.B. Jadhav (Sagar S Patil)	Departmental Enquiry	For Filing Affidavit in Reply	27.10.2023
12	OA193/23	Jalna	Adv.S.S. Jadhavar (Vinayak U Banchod)	Direction/ Seniority List	For Filing Affidavit in Reply	19.10.2023
13	OA315/23	A'bad	Adv.Jiwan J Patil (Gajanan B Dandge)	Non Selection	For Filing Affidavit in Reply	3.10.2023
14	OA326/23	A'bad	Adv.Ganesh M Hiwale (Deepak B Navgire&Ors.) <u>Adv.K.B. Jadhav for R.No.6 Adv.V.G. Pingle for R.Nos.3 to 5, 7, 8 & 10 to 13 & 15 to 20</u>	Promotion	For Filing Affidavit in Reply	3.10.2023

15	OA355/23	A'bad	Adv.Amol R Gaikwad (Vishwanath B Gitte)	Departmental Enquiry	For Filing Affidavit in Reply	Dispoed
16	OA661/23	N'bar	Adv.A.M. Hajare (Vijaysing K Wagh)	Departmental Enquiry	For Reply	30.10.2023
17	OA693/23	Nanded	Adv.S.S. Jadhavar (Satish R Nirde)	Selection Process	For Reply	19.10.2023
18	OA723/23	A'nagar	Adv.S.S. Jadhavar (Santosh C Sabale&Ors.)	Selection Process	Await Service	19.10.2023
19	OA724/23	N'bar	Adv.S.S. Jadhavar (Navnath V Sakhare&Ors.)	Selection Process	For Reply	19.10.2023
20	OA725/23	Jalna	Adv.S.S. Jadhavar (Suresh D Dukare&Ors.)	Selection Process	For Reply	19.10.2023
Order Matters						
21	MA463/22 In OAS1779/22	Nanded	Adv.SuchitaDhongde (Chakardhar P Wadje)	M.A. For Condonation of Delay	As a Last Chance For Filing Affidavit in Reply	25.10.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Divison Bench

Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -13/09/2023

Time : 03:00 P.M.

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Review Petition Matters						
1	Rev2/21 In OA654/18	Nashik	Adv.S.D. Dhongde (Somnath B Bagul&Ors.)	Review Application		30.10.2023

2	Rev3/21 In OA653/18	A'nagar	Adv.S.D. Dhongde (Gorakshanath N Londhe&Ors.)	Review Application		30.10.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. before Hon'ble Division Bench

DB is Not Available

Date: -13/09/2023

Suplimentary Board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Urgent Admission Matters						
1	MA406/23 In OAS1761/23	Nanded	Adv.Pavan P Uttarwar (AlmoddinBabuShaikh&Ors.)	M.A. For Sue Jointly		9.10.2023
2	OAS1822/23	Nanded	Adv.R.N. Bharaswadkar (Vikas P Gore)	Selection Process	Circulation with Office Objection	Remove from board
3	OAS1823/23	Nanded	Adv.R.N. Bharaswadkar (Avdhut S Waghmode)	Selection Process	Circulation with Office Objection	9.10.2023
4	OAS1824/23	Nanded	Adv.R.N. Bharaswadkar (Vinod H Rampure)	Selection Process	Circulation with Office Objection	9.10.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. before Hon'ble Division Bench

DB is Not Available

Date: -13/09/2023

Suplimentary Board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Urgent Admission Matters						
1	OA354/23	A'bad	Adv.Amol R Gaikwad (Bhanudas D Shrirao)	Departmental Enquiry	Reply Filed by R-1, R-2 & R-4 to R-6	Disposed

ORIGINAL APPLICATION NO.598/2023
(Dr. Jitendra Jaiswal Vs. State of Maharashtra & Ors.)

ORIGINAL APPLICATION NO.599/2023
(Dr. Devendra Jaybhaye Vs. State of Maharashtra & Ors.)

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

DATE : 13-09-2023

ORAL ORDER :

Shri S.B.Bhosale, learned Counsel for the applicants and Shri N.U.Yadav & Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks two weeks' time to file affidavit in reply by way of last chance. Request is opposed by the learned Counsel for the applicant stating that specific directions were given for filing reply on today. Considering the subject matter, reply will be necessary. In the interest of justice, time granted by way of last chance. If reply is not filed on or before the next date, matter will be heard on the same day without reply of the respondents.

3. S.O. to 29-09-2023.

VICE CHAIRMAN

**ORIGINAL APPLICATION ST.NO.1822/2023
(Vikas P. Gore Vs. State of Maharashtra & Ors.)**

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

DATE : 13-09-2023

ORAL ORDER :

Heard Shri R.N.Bharaswadkar, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities.

2. Remove from Board.

VICE CHAIRMAN

YUK ORAL ORDER 13.09.2023

ORIGINAL APPLICATION ST.NO.1823/2023
(Avdhut S. Waghmode Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman
(This case is placed before Single Bench
due to non-availability of Division Bench)
DATE : 13-09-2023

OPERATIVE ORDER :

Heard Shri R.N.Bharaswadkar, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 09-10-2023.

3. Subject to outcome of the present O.A., Respondent nos.2 to 4 are directed not to reject the candidature of the applicant on the ground that he is not resident of Sajja Mendhla (B), if the applicant makes an application for the post of Kotwal for the said village, if he is otherwise complying with other eligibility conditions for the said appointment.

=2=

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

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

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

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

8. S.O. to 09-10-2023.

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

VICE CHAIRMAN

ORIGINAL APPLICATION ST.NO.1824/2023
(Vinod H. Rampure Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman
(This case is placed before Single Bench
due to non-availability of Division Bench)
DATE : 13-09-2023

OPERATIVE ORDER :

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

2. Issue notices to the respondents, returnable on 09-10-2023.

3. Subject to outcome of the present O.A., Respondent nos.2 to 4 are directed not to reject the candidature of the applicant on the ground that he is not resident of Sajja Atala, if the applicant makes an application for the post of Kotwal for the said village, if he is otherwise complying with other eligibility conditions for the said appointment.

=2=

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

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

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

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

8. S.O. to 09-10-2023.

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

VICE CHAIRMAN

ORIGINAL APPLICATION ST.NO.1823/2023
(Avdhut S. Waghmode Vs. State of Maharashtra & Ors.)

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

(This case is placed before Single Bench
due to non-availability of Division Bench)

DATE : 13-09-2023

ORAL ORDER :

Heard Shri R.N.Bharaswadkar, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities.

2. Applicant is resident of Village Karwadi, Post Pardi, Tq. Ardhapur, which falls in Sajja Pardi. The recruitment is being carried out for the post of Kotwal in Taluka Ardhapur for Talathi Sajja Dabhad, Loni (B), Pardi (M), Mendhla (B) and Malegaon. Advertisement is published on 02-09-2023. In the said advertisement one of the clauses mandates that the candidate applying to the post of Kotwal must be the resident of the Sajja for which he is applying. Learned Counsel for the applicant submitted that the condition so incorporated in the advertisement is contrary to the Rules for Recruitment and Employment of Kotwals, 1959 ("Rules of 1959" for short). Learned Counsel

submitted that Recruitment Rules, more particularly, Rule 10 thereof provides that the candidate concerned must be having complete knowledge and information of the Sajja concerned and he must be ready and willing to reside in any of the villages in the said Talathi Sajja during the course of his appointment as Kotwal of the said Sajja.

3. Learned Counsel submitted that post of Kotwal in Pardi Sajja is shown to be reserved for Scheduled Tribe (ST) [General]. Learned Counsel submitted that since the applicant does not belong to ST category and belongs to Nomadic Tribes-C [NT (C)] category, though he is the resident of the said village he cannot apply for the post of Kotwal. Learned Counsel further submitted that post of Kotwal for Sajja Mendhla (B) is, however, reserved for candidates belonging to NT(C) category. Applicant, in the circumstances, has prayed for direction by way of interim relief against the respondents to allow the applicant to apply for the post of Kotwal for Sajja Mendhla (B). Learned Counsel submitted that the applicant is ready to submit an undertaking

as required to reside at Sajja Mendhla (B) if he is selected and appointed as Kotwal of the said Sajja.

4. Learned P.O. has opposed the submissions made on behalf of the applicant. It is submitted that the condition so incorporated cannot be said to be contrary to the Recruitment Rules of 1959. Learned P.O. submitted that even otherwise the person to be appointed as Kotwal is expected to be having complete knowledge of villages in the Sajja and he must be ready to reside in the said village during the period of his appointment as Kotwal. Learned P.O. submits that both the aforesaid conditions can be fulfilled only if the applicant is resident of the said Sajja. As such, said condition has been incorporated in the impugned advertisement and it cannot be said to be in breach of the Recruitment Rules of 1959 or contrary to the same. She has, therefore, prayed for rejecting the request of the applicant for interim relief.

5. I have carefully gone through the Recruitment Rules of 1959 and the advertisement dated 02-09-2023. Apparently, condition as has been included in the advertisement requiring the candidate

concerned to be resident of the same Sajja for which he is making an application appears contrary to the provisions under the Recruitment Rules. Recruitment Rules provide that the person concerned must be resident of the said Taluka and must be having knowledge of the Sajja for which he is seeking his appointment as Kotwal and after his appointment he must be ready to reside in the said village during his tenure as Kotwal.

6. As noted hereinabove, the applicant is ready to furnish an undertaking that he will reside in Sajja Mendhla (B) if he is selected and appointed as Kotwal of the said Sajja. Applicant has also submitted that he being the resident of the adjoining village, he is having complete knowledge and information of Sajja Mendhla (B).

7. Having regard to the submissions so made, it appears to me that *prima facie* case is certainly made out by the applicant to accept the alternative request made by him. The applicant is resident of Village Karwadi, Post Pardi, Tq. Ardhapur. As such, he can be permitted to apply for the post of Kotwal

for Sajja Mendhla (B), which is reserved for the candidates belonging to NT (C) category.

8. For the reasons stated above following order is passed:

ORDER

[i] Issue notices to the respondents, returnable on 09-10-2023.

[ii] **Subject to outcome of the present O.A., Respondent nos.2 to 4 are directed not to reject the candidature of the applicant on the ground that he is not resident of Sajja Mendhla (B), if the applicant makes an application for the post of Kotwal for the said village, if he is otherwise complying with other eligibility conditions for the said appointment.**

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

[iv] 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.

[v] 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.

[vi] 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.

[vii] S.O. to 09-10-2023.

[viii] Steno copy, authenticated copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION ST.NO.1824/2023
(Vinod H. Rampure Vs. State of Maharashtra & Ors.)

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

(This case is placed before Single Bench
due to non-availability of Division Bench)

DATE : 13-09-2023

ORAL ORDER :

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

2. Applicant is resident of Village Shelgaon, Tq. Dharmabad, which falls in Sajja Shelgaon. The recruitment is being carried out for the post of Kotwal in Taluka Dharmabad for Talathi Sajja Balapur, Vilegaon, Atala, Naygaon (D), Bellur (B) and Salegaon (D). Advertisement is published on 31-08-2023. In the said advertisement one of the clauses mandates that the candidate applying to the post of Kotwal must be the resident of the Sajja for which he is applying. Learned Counsel for the applicant submitted that the condition so incorporated in the advertisement is contrary to the Rules for Recruitment and Employment of Kotwals, 1959 ("Rules of 1959" for short). Learned Counsel

submitted that Recruitment Rules, more particularly, Rule 10 thereof provides that the candidate concerned must be having complete knowledge and information of the Sajja concerned and he must be ready and willing to reside in any of the village in the said Talathi Sajja during the course of his appointment as Kotwal of the said Sajja.

3. Learned Counsel submits that the applicant belongs to OBC category. Learned Counsel further submitted that post of Kotwal for Sajja Atala, though, is reserved for OBC, in view of the conditions incorporated in the advertisement he cannot apply for the said post since he is not resident of the said Sajja or any of the villages in the said Sajja. Learned Counsel in the circumstances has prayed for staying the effect and operation of the advertisement dated 31-08-2023 or in the alternative direction to the concerned authorities to accept the candidature of the applicant for Sajja Atala since he is resident of village Shelgaon where

there is no vacancy of Kotwal. Applicant submits that he is complying with the eligibility criteria as provided in the Rules of 1959.

4. Learned P.O. has opposed the submissions made on behalf of the applicant. It is submitted that the condition so incorporated cannot be said to be contrary to the Recruitment Rules of 1959. Learned P.O. submitted that even otherwise the person to be appointed as Kotwal is expected to be having complete knowledge of villages in the Sajja and he must be ready to reside in the said village during the period of his appointment as Kotwal. Learned P.O. submits that both the aforesaid conditions can be fulfilled only if the applicant is resident of the said Sajja. As such, said condition has been incorporated in the impugned advertisement and it cannot be said to be in breach of the Recruitment Rules of 1959 or contrary to the same. She has, therefore, prayed for rejecting the request of the applicant for interim relief.

5. I have carefully gone through the Recruitment Rules of 1959 and the advertisement dated 02-09-2023. Apparently, condition as has been included

in the advertisement requiring the candidate concerned to be resident of the same Sajja for which he is making an application appears contrary to the provisions under the Recruitment Rules. Recruitment Rules provide that the person concerned must be resident of the said Taluka and must be having knowledge of the Sajja for which he is seeking his appointment as Kotwal and after his appointment he must be ready to reside in the said village during his tenure as Kotwal. Learned Counsel submits that the applicant will submit the necessary undertaking and he is ready to reside in village Atala if he is selected and appointed on the said post. It is further contended that the applicant being resident of village in same taluka, he is having complete knowledge of Sajja Atala.

6. Having considered the submissions made on behalf of the applicant and respondents, it appears to me that there is substance in the alternative prayer made by the applicant and it deserves to be accepted. In view of the fact that the applicant is resident of the same taluka, he is eligible to apply for the post of Kotwal for any of the villages falling in

the said taluka. Applicant is claiming to be belonging to OBC category, he therefore, can apply for the post of Kotwal for Sajja Atala which is reserved for the candidate belonging to OBC category. The applicant has thus made out a prima facie case for accepting his request to the aforesaid extent and the interim relief to that extent can be granted in his favour. Hence, the following order:

ORDER

[i] Issue notices to the respondents, returnable on 09-10-2023.

[ii] **Subject to outcome of the present O.A., Respondent nos.2 to 4 are directed not to reject the candidature of the applicant on the ground that he is not resident of Sajja Atala, if the applicant makes an application for the post of Kotwal for the said village, if he is otherwise complying with other eligibility conditions for the said appointment.**

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

[iv] 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.

[v] 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.

[vi] 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.

[vii] S.O. to 09-10-2023.

[viii] Steno copy, authenticated copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 836/2023
(Nagorao Namdeo Waghmare Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench)

DATE : 13.09.2023

OPERATIVE ORDER

Heard Shri P.P Uttarwar, learned counsel holding for Smt. Pooja Mundhe, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 9.10.2023.

3. Subject to outcome of the present O.A., Respondent nos. 2 to 4 are directed not to reject the candidature of the present applicant on the ground that he is not resident of Sajja Dabhad, if the applicant makes an application for the post of Kotwal for the said village, if he is otherwise complying with other eligibility conditions for the said appointment.

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

5. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly

authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

8. S.O. to 9.10.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 313 OF 2021
(Pandurang M. Kamble Vs. State of Maharashtra & Ors.)**

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 13.9.2023

ORAL ORDER :

Shri P.B. Rakhunde, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 15.9.2023.

VICE CHAIRMAN

ORAL ORDERS 13.9.2023-hdd

M.A.NO. 407/2023 IN O.A.ST.NO. 1789/2023
(Santosh N. Shendge & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Justice Shri P.R. Bora, Vice Chairman**
[This matter is placed before the Single
Bench due to non-availability of Division
Bench]

DATE : **13.9.2023**

ORAL ORDER :

Heard Shri R.R. Shinde, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

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, 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.

VICE CHAIRMAN

ORIGINAL APPLICATION ST.NO. 1789 OF 2023
(Santosh N. Shendge & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Justice Shri P.R. Bora, Vice Chairman**
[This matter is placed before the Single
Bench due to non-availability of Division
Bench]

DATE : **13.9.2023**

ORAL ORDER :

Heard Shri R.R. Shinde, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Respondent No. 3 has issued an advertisement on 28.08.2023 inviting applications from the eligible candidates for various posts to be filled in the Public Health Department of the State of Maharashtra. One of the posts advertised is of 'Dietician'. In the advertisement for the post of dietician the qualification prescribed is degree of B.Sc. (Home Science) of statutory university. It is the grievance of the present applicants that as because they are holding the degree of B.Tech. (Food Science) of the Vasantrya Naik Marathwada Agriculture University, Parbnai, they are deprived of an opportunity of making an application for the said post.

3. Shri Shinde, learned counsel appearing for the applicants submitted that B.Tech. (Food Science) and B.Sc. (Home Science) are the equivalent degrees. Learned counsel submitted that the same issue was raised in one previous recruitment process and the

matter was referred to Vasantnao Naik Marathwada Agriculture University, Parbnai. Thereupon, a Committee of experts was appointed and the said Committee has given a verdict that B.Tech. (Food Science) is equivalent to B.Sc. (Home Science). Learned counsel submitted that the degree, which was being conferred by the Agriculture University, Parbhani of B.Tech. in Food Science, nomenclature of the same has been changed and now it is known as B.Tech. (Food Technology). Learned counsel also pointed out that even in the Health Department of the State the appointments are made on the post of Dietician of the persons holding the degree of B.Tech. (Food Science). Learned counsel in the circumstances prayed for directions to the respondents to allow the applicants to apply for the said post and to participate in the further selection process by way of interim relief. Learned counsel for the applicants submitted that last date for filling online application is 18.9.2023.

4. Learned Presenting Officer has opposed the contentions raised on behalf of the applicants. Learned PO submitted that the recruitment rules provide the qualification as degree of B.SC. (Home Science) of Statutory University and adhering to that qualification, the same qualification has been prescribed in the

advertisement. Learned PO further submitted that the applicants have not challenged the recruitment rules or have not come out with any prayer seeking declaration that degree of B.Tech in Food Science or Technology shall be held equivalent to the degree of B.Sc. (Home Science). Learned PO further submitted that now the entire process has been outsourced by the State Government and even scrutiny of the applications will be done by the Agency to which the process of recruitment has been outsourced. Learned PO further submitted that the appointment on which the applicants have relied upon was a temporary appointment and the same norms cannot be applied while making permanent appointments. It is further contended that the documents produced on record by the learned counsel for the applicants in supports of his contention that there is Government order to the effect that B.Sc. (Home Science) and B.Tech. (Food Technology) are equivalent degrees cannot be accepted for the reason that in the said order the equivalence was to be considered with the degree of B.Sc. (Agriculture) and in that context reference has come. Learned P.O submitted that the said Government order therefore may not be of much help to the present applicants. Learned PO submitted that now at the advanced stage of the recruitment process if the

request of the applicants is accepted, respondents may be required to even postpone the recruitment process and then all similarly placed candidates will have to be given an opportunity. For all these reasons, learned PO has opposed for granting interim relief.

5. I have duly considered the contentions made on behalf of the applicants and the State authorities. I have also perused the documents filed on record. It is not in dispute that in the Recruitment Rules for the post of Dietician the qualification prescribed is of the Degree of B.Sc. (Home Science) of any statutory University. It is thus evident that the qualification, which has been prescribed in the advertisement, is in tune with the Recruitment Rules.

6. Applicants have come out with the case that B.Tech. (Food Technology) or B.Tech. (Food Science) are the equivalent degrees to B.Sc. (Home Science) and as such, the candidates possessing the degree of B.Tech. (Food Science) are also required to be permitted to compete for the post advertised vide the aforesaid advertisement and cannot be deprived of an opportunity to participate in the selection process of the said recruitment.

7. Learned counsel has relied upon one Government order, as well as, opinion given by the Agriculture University, Parbhani in support of his contentions. It is true that the Government Order, prima-facie, supports the contention of the applicants and the opinion given by the expert committee, which has been reflected in the correspondence of Agriculture University also reveal that the degrees of B.Sc. (Home Science) and B.Tech. (Food Technology) both are equivalent degrees.

8. The question however, is whether the applicants possessing the degree of B.Tech (Food Science) can be permitted to compete for the post of Dietician when in the advertisement qualification prescribed for the said post is B.Sc. (Home Science). Had in the advertisement the qualification would have been prescribed as B.Sc. (Home Science) or the degree equivalent thereto, there could be some basis for considering the argument made on behalf of the applicants that the applicants cannot be deprived from competing the post of Dietician only on the ground that they do not possess the degree of B.Sc. (Home Science) and instead hold the degree of B.Tech. (Food Science). It is well settled that the question in regard to equivalence of educational qualification is technical question based on proper assessment and evaluation of the relevant academic standard and

practical attainment of such qualification. When the qualification has been prescribed as Degree of B.Sc. (Home Science) of statutory university that cannot be obliterated by allowing the candidates who do not have that qualification. Further it cannot be lost sight of that the last date of filling online application is 18.9.2023. As has been submitted on behalf of the respondents even the work of scrutiny of the applications has also been outsourced. According to the terms and conditions in the advertisement the Software is prepared for online scrutiny of the applications. To permit any change in the qualification prescribed in the advertisement would require consequential changes. Secondly, if the present applicants are allowed to participate in the selection process, the respondents will have to provide such opportunity to all other candidates possessing degree of B.Tch (Food Science) or Food Technology or any other degree equivalent to B.Sc. (Home Science). This would inevitably result in delaying the selection process presently undertaken by the respondents.

9. Having considered all above circumstances, I am not inclined to grant the interim relief as has been prayed by the applicants. However, since the issue raised in the matter do deserve consideration, I deem it

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O.A. ST.NO. 1789/2023

appropriate to issue notice to the respondents in O.A.
Hence the following order: -

ORDER

- (i) Issue notice to respondents, returnable on 12.10.2023.
- (ii) Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- (iii) 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.
- (iv) 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.
- (v) 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.
- (vi) S.O. to 12.10.2023.
- (vii) Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 669 OF 2023
(Manojkumar A. Rathod Vs. The State of Maharashtra & Ors.)

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

DATE : 13.9.2023

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has submitted affidavit in reply on behalf of respondent No.3. It is taken on record and copy is given to learned counsel appearing for the applicant.

3. List the matter for hearing on 03.10.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

VICE CHAIRMAN

T.A.NO. 01/2023 (W.P.NO. 9807/2022)
(Ganesh Dilip Gund Vs. The State of Maharashtra & Ors.)

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

DATE : 13.9.2023

ORAL ORDER :

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

2. Learned P.O. has submitted affidavit in reply on behalf of respondent Nos. 1 to 4. The same is taken on record and copy of it is given to learned counsel appearing for the applicant.

3. List the matter for hearing on 13.10.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

VICE CHAIRMAN

ORAL ORDERS 13.9.2023 sas

ORIGINAL APPLICATION NO. 315 OF 2023
(Gajanan Bhagwan Dandge Vs. The State of Maharashtra & Ors.)

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

(This matter is placed before the Single Bench
due to non-availability of Division Bench)

DATE : 13.9.2023

ORAL ORDER :

Shri Adinath Jagtap, learned counsel holding for Shri Jiwan J. Patil, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has sought time to file reply on behalf of the respondents. Time granted by way of last chance till 03.10.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 487 OF 2020
(Usha Ranoji Bahirat Vs. The State of Maharashtra & Ors.)

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

DATE : 13.9.2023

ORAL ORDER :

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

2. Learned counsel appearing for the applicant submits that the matter is filed in the year 2020 and the respondents were duly served. However, after availing due opportunities the respondents have not filed their reply till date.

3. Learned P.O. has again sought time to file affidavit in reply. The request is rejected.

4. List the matter for hearing on 09.10.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 7 OF 2023
(Sonali Dilip Haregaonkar Vs. The State of Maharashtra & Ors.)

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

DATE : 13.9.2023

ORAL ORDER :

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

2. Learned P.O. has sought time to file affidavit in reply. The request is opposed by learned counsel appearing for the applicant. However, in the interest of justice, time granted by way of last chance till 10.10.2023.

VICE CHAIRMAN

M.A.NO. 334/2023 IN O.A.ST.NO. 744/2023
(Bansi S. Shejwal Vs. The State of Maharashtra & Ors.)

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

DATE : 13.9.2023

ORAL ORDER :

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

2. Await service of notice on the respondents.
3. At the request of learned P.O., time granted for filing affidavit in reply to M.A. till 16.10.2023.

VICE CHAIRMAN

ORAL ORDERS 13.9.2023 sas

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

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

DATE : 13.9.2023

ORAL ORDER :

Shri A.B. Rajkar, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has submitted affidavit in reply on behalf of respondent Nos. 1 to 3. The same is taken on record and copy of it is given to learned counsel appearing for the applicant.

3. Learned counsel for the applicant has prayed for listing the matter after two weeks.

4. List the matter for hearing on 29.09.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 453 OF 2023
(Shamkumar V. Wallekar Vs. The State of Maharashtra & Ors.)

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

DATE : 13.9.2023

ORAL ORDER :

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

2. In the present matter on previous date last chance was granted to respondents for filing affidavit in reply. However, learned P.O. has again sought time to file affidavit in reply. The request is opposed by learned counsel appearing for the applicant. However, in the interest of justice, one more last chance is granted for filing affidavit in reply till 20.09.2023.

3. S.O. to 20.09.2023.

VICE CHAIRMAN

**M.A.NO. 295/2023 IN M.A.ST.NO. 1234/2023 IN
O.A.ST.NO. 213/2022**
**(Vishwanath Shankar Kirtane & Ors. Vs. The State of
Maharashtra & Ors.)**

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

DATE : 13.9.2023

ORAL ORDER :

Heard Shri A.G. Vasmatkar, learned counsel for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. 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, to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

3. Accompanying M.A. & 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.

VICE CHAIRMAN

ORAL ORDERS 13.9.2023 sas

M.A.ST.NO. 1234/2023 WITH O.A.ST.NO. 213/2022
(Vishwanath Shankar Kirtane & Ors. Vs. The State of
Maharashtra & Ors.)

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

DATE : 13.9.2023

ORAL ORDER :

Heard Shri A.G. Vasmatkar, learned counsel for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. After having considered the submissions and having regard to the subject matter in the Original Application it appears to me that the application for condonation of delay will have to be heard along with Original application, for the reason that delay occurred in filing O.A. may have impact on the original prayer made in the O.A. With this condition the O.A. be registered.

3. Issue common notices in the M.A. and O.A. to the respondents, returnable on 19.10.2023.

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

5. Applicants are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with

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complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

8. S.O. to 19.10.2023.

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

VICE CHAIRMAN

ORAL ORDERS 13.9.2023 sas

ORIGINAL APPLICATION NO. 674 OF 2023
(Vithal H. Awale Vs. The State of Maharashtra & Ors.)

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

DATE : 13.9.2023

ORAL ORDER :

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

2. Learned P.O. has sought time to file affidavit in reply. Time granted as prayed for.

3. S.O. to 29.09.2023. Interim relief granted earlier to continue till filing of reply by the respondents.

VICE CHAIRMAN

ORAL ORDERS 13.9.2023 sas

M.A.NO. 437/2022 IN O.A.ST.NO. 1552/2022
(Balaji Ganpatrao Harale Vs. The State of Maharashtra & Ors.)

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

DATE : 13.9.2023

ORAL ORDER :

Shri B.G. Deshmuk, learned counsel for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. has tendered short affidavit in reply on behalf of respondent No.2. The same is taken on record along with extra copy for the applicant.

3. Learned P.O. has sought time for filing affidavit in reply on behalf of respondent Nos. 1 & 3. Time granted by way of last chance.

4. S.O. to 18.10.2023.

VICE CHAIRMAN

ORAL ORDERS 13.9.2023 sas

T.A.NO. 12/2023 (W.P.NO. 6494/2022)
(Kashibai A. Shrimangale & Ors. Vs. The State of Maharashtra & Ors.)

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

DATE : 13.9.2023

ORAL ORDER :

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

2. Learned counsel for the applicant submits that the applicant is not intending to file rejoinder.
3. List the matter for hearing on 13.10.2023.

VICE CHAIRMAN

ORAL ORDERS 13.9.2023 sas

ORIGINAL APPLICATION NO. 723 OF 2023
(Santosh Chindhu Sabale & Ors. Vs. The State of Maharashtra & Ors.)

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

(This matter is placed before the Single Bench
due to non-availability of Division Bench)

DATE : 13.9.2023

ORAL ORDER :

Heard Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 19.10.2023.

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

4. Applicants 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. Applicants are directed to file affidavit of compliance and notice.

7. S.O. to 19.10.2023.

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

VICE CHAIRMAN

1. **ORIGINAL APPLICATION NO. 360 OF 2019**
(Dr. Atul Ashokrao Deshmukh Vs. The State of Maharashtra & Ors.)
2. **ORIGINAL APPLICATION NO. 67 OF 2018**
(Dr. Mohd. Feroz Iqbal Vs. The State of Maharashtra & Ors.)

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

(These matters are placed before the Single Bench due to non-availability of Division Bench)

DATE : 13.9.2023

ORAL ORDER :

S/Shri Ajay Deshpande & K.G. Salunke, learned counsel for the respective applicants in respective O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in both these O.As., are present.

2. S.O. to 27.09.2023 for final hearing. Interim relief granted in O.A.No. 67/2018 to continue till then.

VICE CHAIRMAN

ORAL ORDERS 13.9.2023 sas

O.A.NOS. 375, 376, 418, 428 & 434 ALL OF 2020
(Shri Amol N. Naikwade & Ors. Vs. the state of
Maharashtra & Ors.)

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

(These matters are placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 13.09.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for
Shri A.S. Deshmukh, learned counsel for the
applicants in all these O.As. and Shri I.S. Thorat,
learned Presenting Officer for the respondent
authorities in all these O.As., are present.

2. S.O. to 06.10.2023 for hearing. Interim relief,
if any granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 892 OF 2018
(Dhananjay D. Chandodkar & Ors. Vs. the state of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 901 OF 2018
(Bhagwat S. Somase Vs. the state of Maharashtra & Ors.)

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

(This matter is placed before the Single Bench
due to non-availability of Division Bench)

DATE : 13.09.2023

ORAL ORDER :

Shri M.S. Karad, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicants in both the O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in both the O.As., are present.

2. S.O. to 05.10.2023 for admission. Interim relief granted earlier in O.A.No. 892/2018 to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 461 OF 2022
(Sunil Purushottam Vispute Vs. The State of Mah. & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

(This case is placed before the Single Bench due to non-availability of Division Bench)

DATE : 13.9.2023

ORAL ORDER :

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

2. S.O. to 04.10.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDERS 13.9.2023 sas

**O.A. Nos. 614, 666, 693, 737, 780, 747, 748, 769
749, 750, 751, 771, 777, 778, 787, 788, 796,
803, 790, 791 & 832 all of 2022**
(Dr. Deepak N. Kawale & Ors. Vs. State of Maharashtra & Ors.)

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

(This matter is placed before the Single Bench due to
non-availability of Division Bench)

DATE : 13.09.2023

ORAL ORDER :

S/shri A.D. Sugdare, J.S. Deshmukh, Vikram Sarse,
learned counsel holding for V.S. Kadam, S.S. Tandale, learned
counsel holding for Shri B.R. Kedar, Avinash Desmukh, V.S.
Valse & Smt. Jyoti Sadawarde, learned counsel holding for
Shri S.N. Pagare, learned counsel for the respective applicants
in respective O.As., Shri M.S. Mahajan, learned Chief
Presenting Officer for the respondent authorities in all these
O.As. and Shri M.B. Kolpe, learned Advocate for respondent
No. 3 in 14 O.As., are present.

2. S.O. to 29.09.2023.

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

VICE CHAIRMAN

ORAL ORDER 13.09.2023 sas

M.A.NO. 203/2022 IN O.A.ST.NO. 783/2022
(Dr. Smita A. Bora Vs. the state of Maharashtra & Ors.)

M.A.NO. 204/2022 IN O.A.ST.NO. 792/2022
(Dr. Bharat M. Patil Vs. the state of Maharashtra & Ors.)

M.A.NO. 205/2022 IN O.A.ST.NO. 794/2022
(Dr. Deepak K. Shejwal Vs. the state of Maharashtra & Ors.)

M.A.NO. 206/2022 IN O.A.ST.NO. 796/2022
(Dr. Amol P. Khairnar Vs. the state of Maharashtra & Ors.)

M.A.NO. 207/2022 IN O.A.ST.NO. 798/2022
(Dr. Manjusha P. Tambse Vs. the state of Maharashtra & Ors.)

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

DATE : 13.09.2023

ORAL ORDER

Ms. P.R. Wankhade, learned counsel for the applicants in all these matters, S/Shri M.S. Mahajan, learned C.P.O., S.K. Shirse, N.U. Yadav, M.P. Gude & Smt. Deepali S. Deshpande, learned Presenting Officers for the respondent authorities in respective matters, are present.

2. Learned P.Os. seek leave to submit affidavit in reply on behalf of respondent Nos. 1 to 3 in M.A.No. 204/2022 in O.A.St.No. 792/2022, M.A.No. 205/2022 in O.A.St.No. 794/2022 & M.A.No. 207/2022 in O.A.St.No. 798/2022. Leave as prayed for is granted. The affidavits are taken on record and copies are given to other sides.

3. S.O. to 13.10.2023 for hearing.

VICE CHAIRMAN

M.A. No. 565/2022 in O.A. St. No. 1941/2022
(Rajeev Umeshchandra Saxena Vs. State of Maharashtra & Ors.)

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

DATE : 13.09.2023

ORAL ORDER :

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

2. The present Misc. Application is filed seeking condonation of delay, which has occasioned in filing the accompanying O.A. by the present applicant, wherein he has claimed the benefit of increment, which fall due on 1st July on the date of his retirement and consequently, the monetary benefits arising therefrom.

3. Learned counsel for the applicant submitted that judicial pronouncement making the annual increment being given on 1st July of every year applicable for the Government Employees retired on 30th June of that year came in the year 2022 and immediately thereafter the applicant has preferred the present application. Learned counsel submits that the applicant cannot be deprived of right which has accrued in his favour, only on the ground of his approaching late.

4. Learned Presenting Officer has opposed for condonation of delay stating that the applicant was

// 2 //

awaiting for decision in some other employees matters and did not approach the Tribunal within time and as such cannot be held entitled for the relief in the case of other employees. He therefore, prayed for rejecting the application.

5. It has to be stated that during pendency of the present matter and similar other matters, it has now come on record that the Government itself has taken a policy decision to extend the said benefit in favour of all such employees, who are entitled therefor. It is to be further stated that the monetary benefits, otherwise also are restricted for preceding 3 years.

6. For the reasons stated above, the following order is passed :-

ORDER

- (i) Misc. Application is allowed.
- (ii) The delay caused in filing the accompanying O.A. is condoned.
- (iii) The accompanying O.A. be registered in accordance with law.
- (iv) The M.A. stands disposed of without any order as to costs.

VICE CHAIRMAN

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI, BENCH AT AURANGABAD.**

OFFICE NOTES

TRIBUNAL'S ORDERS

O.A. St. No. 1941/2022
(Rajeev Umeshchandra Saxena Vs. State of Maharashtra & Ors.)

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

DATE : 13.09.2023

ORAL ORDER :

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

2. Issue notices to the respondents.

3. In view of the Government Circular dated 28.06.2023 ^{on the or} subject matter, learned P.O. has waived notice for the respondents.

4. Learned counsel for the applicant submitted that the applicant has on oath stated that he retired on 30th June, ~~2016~~ ²⁰¹⁹ on attaining the age of superannuation. Learned counsel further submitted that as such, he is entitled for increment, which fell due on 1st July, ~~2016~~ ²⁰¹⁹ as provided in the Government Circular dated 28.06.2023. Learned counsel for the applicant therefore, prayed for allowing the Original Application.

5. Learned Presenting Officer has conceded for passing such order in view of the Government Circular. Learned P.O. however submitted that the order may be made granting benefits subject to verification of date of

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI, BENCH AT AURANGABAD.**

OFFICE NOTES

TRIBUNAL'S ORDERS

//2//

O.A. St. 1941/2022

retirement of the applicant, since he does not have factual information with him as about the applicant.

6. The Government has taken a policy decision to grant annual increment falling due on 1st July of every year also to the Government employees retiring on 30th June of the respective year and to extend the consequential monetary benefits. In the present matter, the applicant has on oath stated that he retired on attaining the age of superannuation on 30.06.2016. According to the Government Circular he is therefore, entitled for the increment, which fell due on 01.07.2016 and the consequential benefits flowing therefrom. As such, the following order is passed :-

ORDER

- (i) In view of Government Circular dated 28.06.2023, the respondents shall grant annual increment which fell due on 01.07.2016 in favour of the applicant and extend all monetary benefits flowing therefrom restricted to 3 years period preceding the date of making this Original Application by the applicant within 12 weeks from the date of this order.

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI, BENCH AT AURANGABAD.**

OFFICE NOTES

TRIBUNAL'S ORDERS

//3//

O.A. St. 1941/2022

ORIGINAL APPLICATION NO. 549 OF 2023

(Rajveer Umeshchandra Saxena Vs. State of Maharashtra & Ors.)

(ii) The Original Application is allowed in the aforesaid terms.

CORAM : Justice Shri P.R. Bora, Vice Chairman

(iii) There shall be no order as to costs.

ORAL ORDER :

KPB ORAL ORDER 13.09.2023

VICE CHAIRMAN

* Dates / years corrected as per order

dt. 25/9/23.

P.M. Subhedar

Registrar

ST/10/23

ORDER

(i) The date of retirement, mentioned as '30th June, 2016' in paragraph No. 4, be corrected as '30th June, 2019'. Similarly the correction be carried out in third line thereafter, wherein the date is mentioned as '1st July, 2016', it be corrected as '1st July, 2019'. Similarly in paragraph No. 6 similar dates are to be corrected as '1st July, 2016' be substituted with '1st July, 2019'.

ORIGINAL APPLICATION NO. 836/2023

(Nagorao Namdeo Waghmare Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

(This matter is placed before the Single Bench
due to non-availability of Division Bench)

DATE : 13.09.2023

ORAL ORDER :

Heard Shri P.P Uttarwar, learned counsel holding for Smt. Pooja Mundhe, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Leave is sought by the learned counsel for the applicant to add the Sub Divisional Magistrate, Nanded as respondent no. 4. Leave granted as prayed for. Necessary amendment be carried out forthwith and copy of amended O.A. be supplied to other side.

3. Applicant has preferred the present Original Application seeking quashment of the advertisement dated 2.9.2023, whereby the applications are invited for recruitment on the post of Kotwal in villages of Taluka Ardhapur, Dist. Nanded. Applicant is resident of village Malegaon, Tq. Ardhapur. It is the grievance of the applicant that for 02 reasons he has

been deprived from offering his candidature for the post of Kotwal as advertised, first that the condition has been imposed in the advertisement that a person seeking appointment must be resident of the said Sajja for which appointment is sought by him and other that Sajja of which the applicant is resident of, post is reserved for the category of EWS (Women) and as such he cannot apply for the said post.

4. In the Rules for the Recruitment and Employment of Kotwals, 1959 (for short Rules of 1959) there is no such eligibility criterion prescribed and only condition is that the candidate, who is seeking appointment as Kotwal, must be having knowledge and information about said village and he must be ready to reside at the said village during the period of his appointment. Learned counsel submitted that both the eligibility conditions prescribed in the advertisement are contrary to the rules and hence cannot be sustained. The learned counsel, therefore, prayed for staying the implementation of the advertisement till decision of the O.A. In the alternative, learned counsel has

prayed that since the applicant is ready to reside in any village for which the applications are invited and he has knowledge of all those villages, he may be permitted to apply for the subject post for Sajja Dabhad.

5. Learned Chief Presenting Officer has opposed the submissions as are made by the learned counsel for the applicant. Insofar as the contention of the applicant that he cannot apply for the post for his own village, where he is residing since the post of Kotwal is reserved for the category EWS (Women) is concerned, learned C.P.O. submits that a conscious decision has been taken as per the reservation policy by the competent body as per the prescribed procedure. Learned C.P.O. submitted that insofar as the condition imposed that the person must be resident of same village also cannot be said to be contrary to the Recruitment Rules, 1959, since for all practical purposes the Committee, which was appointed for the said Taluka has taken a conscious decision and even otherwise the Recruitment Rules provide that the person concerned must have the knowledge of the said village and he shall be ready

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O.A. NO. 836/2023

to reside there. According to learned C.P.O., no interim relief, therefore, can be granted in the present matter.

6. I have duly considered the submissions made by the learned counsel for the applicant and the learned C.P.O. for the respondent authorities. Insofar as the first contention of the applicant is concerned that since the post is reserved for EWS (Women) category, opportunity of the applicant is taken away, is against the constitutional provision and hence, cannot be entertained. According to reservation policy, the reservations are in advance fixed for the villages and challenge to the said decision cannot be raised before this Tribunal. Insofar as second aspect is concerned, there appears substance in the contention of the applicant. If the applicant is ready to reside in the village if he is appointed as Kotwal of said village and if he possesses knowledge of the said village, there may not be any impediment for making his application and seeking appointment on the said post. As has been submitted, the applicant can apply for the post of Kotwal for Sajja Dabhad since the said post is

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O.A. NO. 836/2023

reserved for S.C. category and the applicant belongs to that category. Moreover the applicant is ready to submit necessary undertaking that he will reside in the said village if he is appointed as Kotwal. Applicant has, thus, made out a prima-facie case for grant of interim relief to that extent. Hence, the following order :-

O R D E R

(i) Issue notice to the respondents, returnable on 9.10.2023.

(ii) Subject to outcome of the present O.A., Respondent nos. 2 to 4 are directed not to reject the candidature of the present applicant on the ground that he is not resident of Sajja Dabhad, if the applicant makes an application for the post of Kotwal for the said village, if he is otherwise complying with other eligibility conditions for the said appointment.

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

(iv) 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. 836/2023

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.

(v) 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.

(vi) 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.

(vii) S.O. to 9.10.2023.

(viii) Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 354 OF 2023
(Bhanudas Dangal Shirao Vs. The State of Maharashtra & Ors.)

AND

ORIGINAL APPLICATION NO. 355 OF 2023
(Vishwanath Bansi Gite Vs. The State of Maharashtra & Ors.)

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

(This matter is placed before the Single Bench
due to non-availability of Division Bench)

DATE : 13.9.2023

ORAL ORDER :

Heard Shri Amol R. Gaikwad, learned counsel for the applicants in both the O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in both the O.As.

2. The O.A.No. 354/2023 is not on board. At the request of learned counsel it is taken on board.

3. Learned C.P.O. has submitted affidavit in reply on behalf of respondent Nos. 1,2 and 4 to 6 in O.A.No. 355/2023. The same is taken on record and copy thereof has been served on the learned counsel appearing for the applicants.

4. When the present matters are taken up for consideration, learned counsel for the applicants has prayed for disposing of the present matters finally by giving direction to the respondents to complete the enquiry in all respects within the time

//2// O.A. 354 & 355 OF 2023

bound period. Learned C.P.O. for the respondent consented for disposing of the matters finally.

5. After having considered the prayers made by the applicants as has been stated by the learned counsel for the applicants, during pendency of the Original Applications the enquiry has been completed and the enquiry report has been submitted and now the matters remain only to submit reply/say of the applicants to the report of enquiry and then the final decision is to be taken by the Disciplinary Authority.

6. Learned counsel for the applicants submits that though the petitions are filed for seeking quashment of the enquiry proceedings, in view of the fact that the enquiry has been completed in the meanwhile period, the applicants are now not intending to proceed with these applications and prayed that the directions be given to the respondents to complete the enquiry in all respects by stipulating some period therefore, the request is worth considering. The leaned C.P.O. has consented

//3// O.A. 354 & 355 OF 2023

for final disposal of matters. In view of the submissions made, the following order is passed.

ORDER

- (i) Both the Original Applications stand disposed of.
- (ii) Respondents are directed to complete the Departmental Enquiry against the present applicants in all respects within four weeks from the date of this order. Needless to state that decision of the Disciplinary Authority can be subject matter for judicial scrutiny.
- (iii) No order as to costs.

VICE CHAIRMAN

M.A. NO. 406/2023 IN O.A. ST. 1761/2023
(Almoddin Babu Shaikh & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench)

DATE : 13.09.2023

ORAL ORDER :

Heard Shri P.P Uttarwar, learned counsel for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

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.

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO. 1761/2023
(Almoddin Babu Shaikh & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

(This matter is placed before the Single Bench
due to non-availability of Division Bench)

DATE : 13.09.2023

ORAL ORDER :

Heard Shri P.P Uttarwar, learned counsel for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. The dispute raised by the applicants is in respect of the recruitment on the post of Kotwal in Loha Taluka of District Nanded for which advertisement has been issued on 2.9.2023. Father of applicant no. 1 had worked on the post of Kotwal of village Raiwadi. He got retired on attaining the age of superannuation. Father of applicant no. 2 died while working as Kotwal, whereas father of applicant no. 3 had also worked on compassionate ground since his father i.e. grandfather of applicant no. 3 had worked as Kotwal. It is the grievance of the applicant no. 4 that village in which he is residing, post of Kotwal is reserved for S.C. and as such he cannot make an application for the said post.

3. Learned counsel for the applicants invited my attention to the advertisement published to submit that the advertisement as has been published is liable to be set aside on more than one grounds. Learned counsel submitted that the advertisement has been published in the newspaper, which does not have large circulation and as such the advertisement cannot be said to have received wide circulation.

4. It is the further contention of the learned counsel that the condition as has been imposed that the person to be appointed as Kotwal must be resident of the village to which his appointment will be made, is contrary to the Recruitment Rules of Kotwal, 1959 (for short the Recruitment Rules, 1959) and no such condition could have been imposed in the advertisement. In other Talukas the advertisements, which have been published, are having some different conditions and there is no uniformity in the advertisements published at different Talukas. Learned counsel, in the circumstances, prayed for staying the implementation of the advertisement dated 2.9.2023 till decision of the present Original Application.

5. Insofar as the contention as about preference in appointment on compassionate ground, the learned counsel has relied upon Government Resolution dated 20.5.2010. Learned counsel further submitted that since the posts are reserved for particular caste or tribe, the candidates not belonging to the said caste or tribe are deprived from making an application for the said post. Learned counsel submits that insofar as applicant no. 4 is concerned, the post is reserved for S.C. and the applicant no. 4 is not belonging to S.C. category and as such as per the advertisement he cannot submit his candidature for the post of Kotwal.

6. Learned Presenting Officer has opposed the submissions so made by the learned counsel for the applicants. Learned P.O. submitted that the G.R. on which reliance has been placed by the learned counsel is no more in existence and has been superseded by the subsequent G.R. dated 5.9.2013. Other grievance as has been raised on behalf of the applicants, learned P.O. submitted that the applicant no. 1 is resident of village Raywadi and he can very well apply for the post of Kotwal as

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O.A. ST. NO. 1761/2023

advertised for the said village. Learned P.O. submitted that in all Talukas the Rules have been duly followed with little variance in the procedure adopted by the said Taluka. Insofar as Loha Taluka is concerned, conscious decision has been taken by the Committee appointed for the said purpose to incorporate a condition that the person to be appointed must be resident of that Sajja. In a Sajja, there are 03 villages and the person aspiring for the post for the said villages may be resident of any of said 03 villages. So far as applicant no. 1 is concerned, he may not have any hurdle for applying the post. Learned P.O. submitted that the reservations are prescribed as per the settled norms and the Committee appointed for the said purpose has by adopting DRAW system prescribed reservation for the villages.

7. After having considered the submissions made on behalf of the applicants and the respondent authorities, it does not appear to me that any case is made out by the applicants for grant of interim relief as has been prayed by them. Relief insofar as appointment on compassionate ground is concerned,

which was on the basis of G.R. dated 20.05.2010, it has been submitted by learned P.O. that the said G.R. has been superseded by subsequent G.R. dated 05.09.2013. Insofar as condition as has been imposed in the advertisement that the candidate must be resident of particular village for which he is applying for the post, prima-facie, do not appear in consonance with the Recruitment Rules of 1959. Recruitment Rules provide that candidate concerned must have knowledge about the village and must be ready to reside in the said village. No other condition could have been imposed in the advertisement concerned.

8. Applicant No. 4 though submitted that he is deprived of making application for his village, but reason, as has been quoted by him is different i.e. the post is reserved for S.C. category. Reservations are prescribed as per the policy of reservation. The said policy decision cannot be a subject matter before the Tribunal. In the circumstances, I do not see any reason for accepting the request of the applicants for interim relief, thereby staying the effect and operation of the impugned advertisement.

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O.A. ST. NO. 1761/2023

Request for interim relief thus stands rejected.

Hence, I pass the following order :-

ORDER

(i) Issue notice to the respondents, returnable on 9.10.2023.

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

(iii) Applicants 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.

(iv) 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.

(v) 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. Applicants are directed to file affidavit of compliance and notice.

(vi) S.O. to 9.10.2023.

(vii) Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN