

**C.P.NO. 43 OF 2019 IN M.A.NO. 97 OF 2012 IN  
O.A.NO. 817 OF 2011**

**(Dharampal U. Dethe Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri A.B. Rajkar, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned Advocate for the respondent No.3, are present.

2. Record shows that in spite of several opportunities, affidavit in rejoinder is not filed on behalf of the applicant.

3. In view of the same, S.O. to 08.03.2023 for admission.

**MEMBER (A)**

**MEMBER (J)**

**C.P.NO. 61 OF 2019 IN O.A.NO. 533 OF 2015**  
(Shivaji P. Shinde Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri Ajay S. Deshpande, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of the learned Advocate for the applicant, one more last chance is granted for filing affidavit in reply on behalf of the respondent No.2.

3. S.O. to 10.03.2023 for filing affidavit in rejoinder to the affidavit in reply filed on behalf of the respondent No.1.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 14.02.2023.

**C.P.NO. 22 OF 2021 IN O.A.NO. 947 OF 2018**  
(Bhagwat T. Chaudhari Vs. State of Maharashtra & Ors.)

**With**

**C.P.NO. 23 OF 2021 IN O.A.NO. 432 OF 2018**  
(Ajabrao R. Patil Vs. State of Maharashtra & Ors.)

**with**

**C.P.NO. 24 OF 2021 IN O.A.NO. 169 OF 2018**  
(Shankar D. Chaudhari Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri A.D. Sugdare, learned Advocate for the applicants in all these matters, Shri S.K. Shirse and Smt. Deepali S. Deshpande, learned Presenting Officers for the respondent authorities in respective matters and Smt. Sunita D. Shelke, learned Advocate for the respondent No.3 in C.P.No.22/2021 and C.P.No. 23/2021, are present.

Shri Yogesh M. Patil, learned Advocate for the respondent No.3 in C.P.No. 24/2021 (**Absent**).

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

3. S.O. to 14.03.2023.

**MEMBER (A)**

**MEMBER (J)**

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

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 13.03.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 442 OF 2020**  
(Bhagwan S. Naik Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri Vijay V. Deshmukh, learned Advocate for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Await service of notice upon the respondents.
3. S.O. to 14.03.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 540 OF 2020**  
(Shaikh Akbar Shaikh Rasul Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 21.03.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 221 OF 2021**  
(Subhash S. Jawadekar Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri K.B. Jadhav, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 15.03.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 224 OF 2021**  
(Chandu M. Waghmare Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri S.B. Jadhav, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Record shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondent No.1. Hence the matter will proceed further without affidavit in reply of the respondent No.1.

3. S.O. to 28.03.2023 for filing rejoinder affidavit to the affidavit in reply filed on behalf of the respondent Nos. 2 & 3.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 415 OF 2021**  
(Vivekanand V. Auti & Ors. Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri Santosh S. Dambe, learned Advocate for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. for the respondents placed on record the copy of communication dated 07.09.2021 addressed by the respondent No.1 to respondent No.4. It is taken on record and marked as document 'X' for the purpose of identification.

3. Learned P.O. for the respondents submits that in view of the above said letter, the grievance raised by applicant can be said to be redressed.

4. At the request of the learned Advocate for the applicant, S.O. to 17.03.2023 for taking instructions.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 424 OF 2021**  
(Dr. Vaibhav G. Wakade Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri J.S. Deshmukh, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri V.G. Pingle, learned Advocate holding for Shri V.D. Patnoorkar, learned Advocate for the respondent No.4, are present. None present on behalf of the respondent No.5, though duly served.

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

3. S.O. to 16.03.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 594 OF 2021**  
(Dr. Meena R. Jadhav Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri Kalyan V. Patil, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 21.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 663 OF 2021**  
(Kiran K. Komwad Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Smt. Priay R. Bharaswadkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. At the request of the learned Advocate for the applicant, one more last chance is granted for filing affidavit in rejoinder.

3. S.O. to 20.03.2023.

**MEMBER (A)**

**MEMBER (J)**

**T.A.NO. 16/2022 (W.P.NO. 9150/2022)**  
**(Santosh S. Chavan & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri Krushana Bhosale, learned Advocate holding for Shri Ajay T. Kanawade, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 27.03.2023.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 14.02.2023.

**ORIGINAL APPLICATION NO. 254 OF 2022**  
(Sandip W. Khadse Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Heard Shri R.J. Nirmal, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Record shows that in spite of grant of two more last chances, affidavit in reply is not filed on behalf of the respondents. Instead learned P.O. placed on record the copy of communication dated 10.02.2023 addressed by the respondent No.1 to respondent No.2 intimating that the Civil Services Board meeting is scheduled to be held on 27.02.2023 for giving posting to the officers who are considered for promotion from Group 'A' as well as Group 'B'. Learned P.O. specifically submitted that the name of the applicant is also in the said promotional list. The said document is taken on record and marked as document 'X' for the purpose of identification.

3. S.O. to 10.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 472 OF 2022**  
(Pandhari G. Devershe Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri Amol Gaikwad, learned Advocate holding for Shri Sanjay Kolhare, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 14.03.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 705 OF 2022**  
(Amol V. Sanap & Ors. Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Await service of notice on the respondent No.3.
3. At the request of the learned P.O. for the respondents, time is granted for filing affidavit in reply on behalf of other respondents.
4. S.O. to 27.03.2023.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 716 OF 2022**  
(Dr. Pravinkumar C. Govande Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri A.D. Sugdare, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 03.03.2023. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 14.02.2023.

**ORIGINAL APPLICATION NO. 771 OF 2022**  
(Mulani Manzura Rustum Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri V.S. Kadam, learned Advocate for the applicant and Shri M.B. Kolpe, learned Advocate for the respondent No.3, are **absent**. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. Service affidavit is not filed by the applicant.
3. S.O. to 21.03.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 802 OF 2022**  
(Dnyaneshwar S. Andhale Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri R.A. Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of the respondent Nos. 1,3 & 4.

3. S.O. to 24.03.2023.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 14.02.2023.

**ORIGINAL APPLICATION NO. 837 OF 2022**  
(Manisha S. Ahire Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri S.M. Sangle, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 09.03.2023 for filing affidavit in rejoinder, if any.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 952 OF 2022**  
(Mangesh B. Zore Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri Shaikh Ajim, learned Advocate holding for Shri A.P. Shejul, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri S.S. Pidgewar, learned Advocate holding for Shri C.D. Fernandes, learned Advocate for the respondent No.5, are present.

2. Service affidavit is not filed.
3. S.O. to 28.03.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 960 OF 2022**  
(Sidheshwar P. Darade Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri Shaikh Ajim, learned Advocate holding for Shri A.P. Shejul, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri S.S. Pidgewar, learned Advocate holding for Shri C.D. Fernandes, learned Advocate for the respondent Nos. 4 & 5, are present.

2. Service affidavit is not filed.
3. S.O. to 28.03.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 975 OF 2022**  
(Dattatraya D. Sonune Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri Amol R. Gaikwad, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 16.03.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 981 OF 2022**  
(Dr. Imran Haroon Mohammad Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri Zahed Ali Syed, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 14.03.2023.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 14.02.2023.



**ORIGINAL APPLICATION NO. 1067 OF 2022**  
(Shivaji D. Sirsat Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri P.M. Shinde, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Await service of notice upon the respondent No.5.

3. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of the respondent Nos. 1 to 4.

4. S.O. to 28.03.2023.

**MEMBER (A)**

**MEMBER (J)**

**M.A.499/2019 IN M.A.500/2019 IN O.A.667/2019  
(Sanjay R. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023**

**ORAL ORDER :**

None present on behalf of the applicant.

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

2. Record shows that in spite of several opportunities, affidavit in reply is not filed on behalf of the respondent Nos. 1 & 3 in M.A. Hence, the matter will proceed further without affidavit in reply of the respondent Nos. 1 & 3.

3. In view of the same, S.O. to 10.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 14.02.2023.

**M.A.NO. 5 OF 2021 IN O.A.ST.NO. 778 OF 2020**  
**(Shridhar R. Kundatwad Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri S.P. Dhobale, learned Advocate holding for Shri R.D. Biradar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

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

3. In view of the same, S.O. to 10.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 96 OF 2022 IN O.A.ST.NO. 96 OF 2022**  
**(Panjabrao D. Bhosale & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri Vikram Kadam, learned Advocate for the applicants (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

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

3. In view of the same, S.O. to 14.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 375/2022 IN O.A.ST.NO. 1210/2022**  
(Abhiman G. Saindane Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

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

2. S.O. to 15.03.2023 for filing affidavit in rejoinder.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 14.02.2023.

**M.A.NO. 409/2022 IN O.A.ST.NO. 1053/2022**  
(Punjaji M. Shinde Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri S.V. Suryawanshi, learned Advocate for the applicant (**Absent**). Shri S.K. Shrise, learned Presenting Officer for the respondent authorities, is present.

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

3. S.O. to 17.03.2023.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 14.02.2023.

**M.A.NO. 410/2022 IN O.A.ST.NO. 1052/2022**  
(Uttam T. Padme Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

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

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

3. S.O. to 17.03.2023.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 14.02.2023.

**C.P.NO. 05 OF 2023 IN O.A.NO. 501 OF 2022**  
(Jayvant B. Gaikwad Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Heard Smt. Suchita Dhongde, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant seeks permission to withdraw the present Contempt Petition.

3. We have no reason to refuse permission to withdraw the C.P. when the withdrawal is sought unconditionally.

4. In view of the same, the present Contempt Petition is disposed of as withdrawn. No order as to costs.

**MEMBER (A)**

**MEMBER (J)**



**C.P.ST.NO. 04/2023 IN O.A.NO. 670/2021**

**(Gokul D. Patil Vs. State of Maharashtra & Ors.)**

**WITH**

**C.P.ST.NO. 06/2023 IN O.A.NO. 672/2021**

**(Sanjaykumar M. Sonawane Vs. State of Maharashtra & Ors.)**

**WITH**

**C.P.ST.NO. 07/2023 IN O.A.NO. 673/2021**

**(Rekha S. Chavan (Lohar) Vs. State of Maharashtra & Ors.)**

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

**and**

**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 14.02.2023**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicants in all these cases and Shri M.S. Mahajan, learned C.P.O., Shri V.R. Bhumkar and Shri M.P. Gude, respective learned Presenting Officers for the respondents in respective cases.

2. Pleadings in O.As. are complete up to sur-rejoinder. The matters are pertaining to regularization of services. The matters are admitted and fixed for final hearing.

3. S.O. to 10.03.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 62/2023 IN O.A.ST.NO. 3088/2022**  
(Bharat P. Tiruke & Ors. Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri Ranjeet Kumthekar, learned Advocate for the applicants (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned Advocate for the applicants, S.O. to 14.03.2023.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 14.02.2023.

**M.A.NO. 58 OF 2023 IN O.A.NO. 963 OF 2022**  
(Sanjaykumar P. Deshpande Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Await service of notice upon the respondents in O.A.

3. Affidavit in reply filed on behalf of the respondent Nos. 1 & 2 is taken on record and copy thereof has been served on the other side.

4. S.O. to 14.03.2023.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 14.02.2023.

**ORIGINAL APPLICATION NO. 287 OF 2020**  
(Shahu S. Jaswantsing S. Huzurasingh Vs. State of Maharashtra  
& Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri M.K. Bhosale, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 16.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 14.02.2023.

**ORIGINAL APPLICATION NO. 115 OF 2020**  
(Pravin S. Thakre Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri C.V. Dharurkar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 01.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**C.P.NO. 50 OF 2019 IN O.A.NO. 242 OF 2017  
(Mohan R. Chaudhari Vs. State of Maharashtra & Ors.)**

**WITH**

**C.P.NO. 51 OF 2019 IN O.A.NO. 648 OF 2017  
(Bhaskar S. Patil Vs. State of Maharashtra & Ors.)**

**WITH**

**C.P.NO. 52 OF 2019 IN O.A.NO. 878 OF 2016  
(Nitinkumar T. Adhe Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri Anant D. Sugdare, learned Advocate for the applicants in all these O.As., Shri M.P. Gude, learned Presenting Officer for the respondent authorities in all these O.As. and Smt. Sunita D. Shelke, learned Advocate for the respondent Nos. 2 & 3 in C.P.No. 50/2019 and for respondent Nos. 3 & 4 in C.P.No. 51 & 52 of 2019 are present.

2. At the request of the learned P.O. and learned Advocate for respondent No. 2 & 3 in C.P.No. 50/2019 and for respondent Nos. 3 & 4 in C.P.No.51 & 52/2019, S.O. to 09.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**O.A.Nos. 377/2019, 378/2019, 379/2019,  
381/2019, 382/2019, 565/2019, 630/2019,  
660/2019, 661/2019, 988/2019, 108/2020,  
109/2020 AND 656/2022**  
**(Somnath A. Nande & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Heard Shri V.S. Panpatter with Shri R.C. Bramhankar, learned Advocates for the applicants in respective O.As. and Shri M.P. Gude, learned Presenting Officer for the respondents in all these O.As.

2. The present matters are reserved for order.

**MEMBER (A)**

**MEMBER (J)**

**O.A. Nos. 445, 446, 447, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 494, 113 AND 114, ALL OF 2017, M.A. No. 325/2017 IN O.A. St. No. 941/2017, M.A. No. 36/2019 IN M.A. St. No. 82/2019 IN O.A.ST.NO.83/2019 AND M.A. No. 144/2019 IN O.A. St. No. 400/2019 (Marathwada Van Va Samajik Vanikaran Rojandari Va Kayam Kamgar Karmachari Va Sarva Shramik Sanghatana, Beed & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Heard S/shri A.S. Shelke, S.S. Shinde & V.G. Pingle, learned Advocates for the respective applicants in respective cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these O.As.

2. S.O. to 03.03.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**



**O.A.NO. 774 OF 2022 WITH M.A.NO. 78 OF 2023**  
(Angad R. Shinde Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri R.P. Bhumkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 15.02.2023 for final hearing at 3:00 P.M.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 14.02.2023

**M.A.NO. 80 OF 2023 IN O.A.NO. 826 OF 2022**  
**(Pramod Baburao More & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri A.D. Sugdare, learned Advocate for the applicants in M.A., Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicants in O.A., Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, Shri Ajay Deshpande, learned Advocate for the respondent No.5 in O.A., Smt. Sunita Shelke, learned Advocate holding for Shri D.R. Shelke, learned Advocate for the respondent No.6, Shri Saket Joshi, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the respondent Nos. 7 to 8 in O.A. and Shri H.A. Joshi, learned Advocate holding for Shri Mahesh S. Deshmukh, learned Advocate for the respondent Nos. 9 to 28 in O.A. , are present.

2. S.O. to 15.02.2023 for final hearing at 3:00 P.M.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 37 OF 2017**  
(Balasaheb N. Raut & Ors. Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri S.S. Dambe, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 14.03.2023 for re-hearing. **High on Board.**

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 14.02.2023.

**M.A.NO.340 OF 2022 IN O.A.NO.588 OF 2022  
WITH  
M.A.NO.341 OF 2022 IN O.A.NO.589 OF 2022  
WITH  
M.A.NO.342 OF 2022 IN O.A.NO.590 OF 2022  
WITH  
M.A.NO.343 OF 2022 IN O.A.NO.591 OF 2022  
WITH  
M.A.NO.344 OF 2022 IN O.A.NO.592 OF 2022  
(Ramesh M. Chavan & Ors. Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Shri A.V. Lavte, learned Advocate for the applicants in all these matters and Shri S.K. Shrise, learned Presenting Officer for the respondents in all these matters, are present.

2. S.O. to 02.03.2023 for hearing. **High on Board.**

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 79 OF 2023 IN R.A.NO.6 OF 2022 IN  
M.A.NO.469 OF 2022 IN O.A.NO.536 OF 2021  
(The Charity Commissioner, Maharashtra State, Mumbai  
Dharmaday Ayukt Bhavan Through The Deputy Charity  
Commissioner, Maharashtra State, Mumbai Vs. Mr.  
Dnyaneshwar S. Andhale & Ors. )**

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

**DATE : 14.02.2023**

**ORAL ORDER :**

Heard Shri I.S. Thorat, learned P.O. for the applicant in M.A./respondents in O.A. and Shri R.A. Joshi, learned Advocate for the respondent No.1 in M.A./applicant in O.A.

2. By this application, the applicant in M.A. (Respondent No.2 in O.A.) is seeking extension of time of one month for implementation of order of this Tribunal dated 15.12.2022 passed in Review Application No. 6/2022 in O.A.536/2021. It is stated that response from Law and Judiciary is awaited. In view of the same, it would be just and proper to grant extension of time as prayed for.

3. Accordingly, the Misc. Application is allowed. No order as to costs.

**MEMBER (J)**

**C.P. No. 41/2019 in O.A. No. 25/2018**  
**(Sachin R. Salve Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri S.D. Joshi, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 14.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 14.02.2023

**ORIGINAL APPLICATION NO. 42 OF 2018**  
**(Tukaram P. Bondre Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri R.N. Bharaswadkar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 16.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 694 OF 2018  
(Somnath S. Reddy Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri Avinash Deshmukh, learned Advocate for the applicant (**Leave Note**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri Ajay Deshpande, learned Advocate for respondent Nos. 5 & 6, are present. Shri M.S. Sonawane, learned Advocate for respondent No. 4, **absent**.

2. S.O. to 14.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 771 OF 2018**  
**(Shrihari D. Ghogare Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri B.A. Dhengle, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present. Shri M.V. Bharuka, learned Advocate for respondent No. 4, **absent.**

2. S.O. to 17.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 934 OF 2019**  
**(Madhukar K. Shingade Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri Avinash Deshmukh, learned Advocate for the applicant (**Leave Note**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 16.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1021 OF 2019**  
**(Dr. Prashant D. Warkari Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri C.V. Dharurkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 16.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 308 OF 2020**  
**(Ranjeet T. Bhorje Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri Ameya Sabnis, learned Advocate for the applicant (**Absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present. Shri M.B. Ubale, learned Advocate for respondent No. 3, **absent**.

2. S.O. to 17.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 231 OF 2021**  
**(Sushilkumar B. Jadhav & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri S.B. Solanke, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 20.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 600 OF 2021**  
**(Subhash G. Dhutire Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

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

2. S.O. to 20.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 14 OF 2022**  
**(Baburao S. Mule & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

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

2. S.O. to 21.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 19 OF 2022  
(Bharat B. Gujar Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

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

2. S.O. to 21.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 86 OF 2022**  
**(Ranjit D. Shingare Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri R.D. Khadap, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 23.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 100 OF 2022**  
**(Rakesh A. Salunke Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

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

2. S.O. to 13.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 643 OF 2022**  
**(Raosaheb B. Jangle Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri Ajay Deshpande, learned Advocate for the applicant and Shri M.S. Mahajna, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 21.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**M.A.No. 449/2019 in O.A. St. No. 1490/2019  
(Sunil M. Lagad Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri A.P. Sonpethkar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 28.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 14.02.2023

**M.A. No. 601/2019 in O.A. St. No. 2211/2019  
(Maharashtra Rajya Rekhachitra Shakha Karmachari  
Sanghatna Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri Avinash Khedkar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 16.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 14.02.2023

**M.A.No. 611/2019 in O.A. St. No. 2374/2019  
(Rambhau A. Nikam Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

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

2. S.O. to 16.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 14.02.2023

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

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri Hemant Surve, learned Advocate for the applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present.

2. S.O. to 20.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 14.02.2023

**M.A.No. 194/2021 in O.A. No. 497/2019**  
**(Ravindra N. Turukmane Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri Hemant Surve, learned Advocate for the applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present.

2. S.O. to 20.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 14.02.2023



**M.A. No. 269/2022 in O.A. No. 407/2022**  
**(Vijaykumar S. Waghmare Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

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

2. S.O. to 13.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 14.02.2023

**M.A. No. 332/2022 in O.A. No. 742/2022  
(Ram H. Navtakke Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri A.V. Lavte, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 02.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 14.02.2023

**M.A. 43/2023 in O.A. 671/2021 with C.P. St. 05/2023  
(Nita S. Bedse Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri V.B. Wagh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.02.2023.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 14.02.2023

**Review 08/2017 in O.A. No. 498/2013  
(Shivraj D. Hawanna Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri S.D. Joshi, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 08.03.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 14.02.2023

**O.A. No. 103/2017 with O.A. No. 104/2017**  
(Navanath A. Matsagar & Ors. Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri S.D. Joshi, learned Advocate for the applicants in both the O.As. and Shri D.R. Patil, learned Presenting Officer for the respondent authorities in both the O.As., are present.

2. S.O. to 09.03.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 14.02.2023

**ORIGINAL APPLICATION NO. 278 OF 2017  
(Maharashtra State Vaidyakiya Mahavidyalaya and  
Rugnalya Karmachari Sanghatana Vs. State of  
Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri M.A. Goleganokar, learned Advocate for the applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present.

2. S.O. to 10.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 12 OF 2018**  
**(Khandu T. Chavan Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri P.R. Kadam, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 09.03.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 291 OF 2018**  
**(Sahebrao G. Tawade Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri Y.P. Deshmukh, learned Advocate for the applicant (**Absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 14.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 472 OF 2018**  
**(Kishor G. Lalsare Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri K.B. Jadhav, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.03.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**O.A. No. 519/2018 with O.A. 534/2018**  
(Vishwanath U. Chaoudhary & Ors. Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri Avishkar Shelke, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.03.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 14.02.2023

**O.A. No. 805/2018 with O.A. No. 806/2018**  
**(Nagorao V. Karbhari & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri N.R. Thorat, learned Advocate for the applicants in both the O.As., Smt. M.S. Patni, learned Presenting Officer for the respondent authorities in both the O.As., Shri R.N. Bharaswadkar, learned Advocate for respondent Nos. 4, 5 & 7 in O.A. No. 805/2018 and Shri Ajay Deshpande, learned Advocate for respondent No. 4 in O.A. No. 806/2018, are present.

2. S.O. to 03.03.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 729 OF 2018**  
**(Satish N. Shrimangle Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri J.B. Choudhary, learned Advocate for the applicant (**Leave Note**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 17.03.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**O.A. Nos. 212, 213 and 214 all of 2019**  
(Sunder S. Waghmare & Ors. Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri D.R. Irale Patil, learned Advocate for the applicants in all these O.As. and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. S.O. to 24.02.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 788 OF 2019**  
**(Santoshkumar A. Kaul Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri S.B. Bhosale, learned Advocate for the applicant (**Absent**). Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri S.D. Dhongde, learned Advocate for respondent No. 2, are present.

2. S.O. to 17.03.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 951 OF 2019**  
**(Shankar V. Bansode Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri D.R. Irale Patil, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present. Shri B.S. Deshmukh, learned Advocate for respondent No. 4, **absent.**

2. S.O. to 24.02.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 55 OF 2020**  
**(Bhagwan D. Sonwane Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Ms. Varsha Vyawahare, learned Advocate holding for Shri A.S. Bayas, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 08.03.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 166 OF 2020**  
**(Shashikant P. Kulkarni Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri Avinash Deshmukh, learned Advocate for the applicant (**Leave Note**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 09.03.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 624 OF 2013**  
**(Yogesh P. Ghuge & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri M.C. Ghode, learned Advocate for the applicants (**Absent**).

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

2. Learned Presenting Officer placed on record status report in respect of Special Leave to Appeal (Civil) bearing Nos. 12181-12182/2013 and submitted that the said matter is still pending before the Hon'ble Supreme Court and stay to the order of Hon'ble High Court is granted, which was earlier recorded in farad sheet order dated 11.12.2018.
3. In view of the same, S.O. to 09.03.2023 for final hearing peremptorily.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 694 OF 2013**  
(Bashir Khan Daulat Khan Patel Vs. State of Maharashtra & Ors.)

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri Avinash Deshmukh, learned Advocate for the applicant (**Leave Note**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 08.03.2023 for final hearing peremptorily.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 555 OF 2014  
(Sudhir A. Sathe Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri J.B. Choudhary, learned Advocate for the applicant (**Leave Note**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 09.03.2023 for final hearing peremptorily.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 583 OF 2014**  
**(Bhausahab S. Gaikwad Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Shri S.S. Thombre, learned Advocate for the applicant (**Absent**).

Heard Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

Shri A.C. Deshpande, learned Advocate for respondent Nos. 5 & 6, **absent**.

2. As none present for the applicant, S.O. to 10.03.2023 for final hearing peremptorily / dismissal.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 758 OF 2015**  
**(Dr. Tanuja S. Kulkarni Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. At the request of learned Advocate for the applicant, S.O. to 03.03.2023 as a last chance for final hearing peremptorily.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 750 OF 2016**  
**(Jaysing S. Maher Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent authorities. Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 and 3 and Shri S.T. Shelke, learned Advocate for respondent No. 4, are **absent.**

2. At the request of learned Advocate for the applicant, S.O. to 03.03.2023, as a last chance for final hearing peremptorily/dismissal.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 756 OF 2018**  
**(Barindrakumar C. Gavit Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023.**

**ORAL ORDER :**

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

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

3. The present Original Application is filed for following reliefs :-

"B. *By way of appropriate order or directions, the respondents be directed lift the sealed cover and consider the recommendation of DPC of 2010 and the be promoted to Class-I Post alongwith all the monetary benefits to the post of Chief Officer, Class-I forthwith.*

C. *By way of appropriate order or directions, the respondents be directed to issue order of promotion of the Applicant to the post of Chief Officer, Class-1 with deemed date of 07/04/2008 with all consequential monetary benefits."*

4. In view of above, learned Presenting Officer submits that he will call for minutes of DPC meeting dated 05.12.2008, whereby recommendations were made for promotion in the year 2010 and sealed cover in respect of the present applicant.

5. S.O. to 03.03.2023. **High on board.**

**MEMBER (A)**

**MEMBER (J)**



**M.A. No. 337/2020 in O.A. St. No. 1240/2020  
(Nitin A. Shete Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.02.2023**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant seeks extension of time for depositing the amount of costs as ordered as per the order dated 17.10.2022 passed in M.A. No. 337/2020 in O.A. St. No. 1240/2020.

3. Record shows that the applicant sought to deposit the amount of costs along with cheque. However, the said cheque was returned with reason signature not match on the cheque. The said endorsement is made by the office behind the index of O.A.

4. Learned Advocate for the applicant submits that the applicant has brought D.D.

5. In the circumstances, time is extended till 17.02.2023 for depositing the amount of costs. Thereafter, the office to register the O.A. in accordance with law.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 585 OF 2020  
(Andan B. Datar Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Smt. Vidya Taksal, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 8.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

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

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri Ashish B. Rajkar, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri N.U. Yadav, learned counsel for respondent Nos. 2 & 3, are present.

2. Since nobody appears for the applicant, S.O. to 28.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 117 OF 2020  
(Shivaji V. Kale Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri V.P. Kadam, learned counsel for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 4. Though the order has been passed for hearing the matter without affidavit in reply, in the interest of justice the respondents are permitted to file affidavit in reply and the same is taken on record. Learned P.O. undertakes to serve the copy of the affidavit in reply on the learned counsel for the applicant.

3. List the matter for further consideration on 3.4.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 479 OF 2019  
(Khobraji L. Bele Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri N.R. Thorat, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. Today, when the present matter is taken up for consideration, learned counsel for the applicant has tendered the copy of service book and the same is taken on record. He has also tendered the copy of office order dated 24.11.2011 and the same is also taken on record.

3. Learned Presenting Officer has sought time for getting verified the service book from the concerned officer. Time granted as prayed for.

4. Part heard. High on board.

5. S.O. to 3.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 66 OF 2023  
(Bhagikar C. Malikar Vs. State of Maharashtra & Ors.)**

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

**DATE :** 14.2.2023

**ORAL ORDER :**

Heard Shri Ganesh Jadhav, learned counsel holding for Shri A.S. Shelke, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicant, reissue notice to the respondents, returnable on 28.3.2023.

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

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

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

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

7. S.O. to 28.3.2023.

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

**VICE CHAIRMAN**

**M.A.NO. 88/2021 IN O.A.ST.NO. 323/2021  
(Shrikant K. Bhale Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

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

2. Time to carry out the amendment is extended by one week on request of the learned counsel for the applicant.

3. S.O. to 21.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 576 OF 2022  
(Subhash H. Puri Vs. State of Maharashtra & Ors.)**

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

**DATE :** 14.2.2023

**ORAL ORDER :**

Heard Shri Anant D. Gadekar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel appearing for the applicant seeks leave to correct the designation of respondent No. 3. Leave as prayed for is granted. The necessary correction be carried out forthwith.

3. Issue notice to the said respondent in the corrected name and designation, returnable on 28.3.2023.

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 28.3.2023.

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

**VICE CHAIRMAN**



**M.A.NO. 80/2021 IN O.A.ST.NO. 157/2021  
(Digambar D. Vedpathak Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

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

2. Learned counsel for the applicant submits that the applicant does not wish to file any rejoinder affidavit. List the matter for hearing on 21.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 219 OF 2022  
(Datta G. Tarate Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri S.N. Lute, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 8.3.2023 for further consideration.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 612 OF 2021**  
**(Dr. Arun B. Morale Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri N.R. Thorat, learned counsel holding for Shri Suresh P. Salgar, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

Shri Pramod Pisal, learned counsel for respondent Nos. 3 to 5 (**absent**).

2. At the request of learned counsel for the applicant, S.O. to 15.2.2023. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 492 OF 2022  
(Pankaj J. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri N.L. Choudhary, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 23.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 483 OF 2022  
(Sanjay A. Fasale Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri O.D. Mane, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer is directed to file affidavit of respondent No. 4 more particularly as about certificate issued by him on 3.4.2021.

3. S.O. to 1.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**O.A.NOS. 375, 376, 377, 402, 403, 404 & 417 ALL OF  
2017  
(Ravindra R. Kulkarni & Ors. Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri Prashant Deshmukh, learned counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities in all these cases, are present.

2. S.O. to 27.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**M.A.NO. 3083/2022 IN O.A.ST.NO. 3084/2022  
(Pratulchandra N. Gundre & Ors. Vs. State of  
Maharashtra & Ors.)**

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

**DATE :** 14.2.2023

**ORAL ORDER :**

Heard R.P. Bhumkar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel appearing for the applicants seeks leave of this Tribunal to delete the name of applicant Nos. 7 & 8, as well as, to delete the name of respondent Nos. 5 & 6. Leave granted as prayed for. The necessary amendment be carried out forthwith.

3. This is an application filed by the applicants seeking permission to sue jointly.

4. 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.

5. 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. 3084 OF 2022  
(Pratulchandra N. Gundre & Ors. Vs. State of Maharashtra  
& Ors.)**

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

**DATE :** 14.2.2023

**ORAL ORDER :**

Heard R.P. Bhumkar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Subject to office objections, issue notice to the respondents, returnable on 31.3.2023.

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

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

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

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

7. S.O. to 31.3.2023.

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

**VICE CHAIRMAN**



**M.A.NO. 3085/2022 IN O.A.ST.NO. 3086/2022  
(Shivaji Raosaheb Lagas & Ors. Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Heard R.P. Bhumkar, learned counsel for the applicants and Shri N.U. Yadav, 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**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION ST.NO. 3086 OF 2022  
(Shivaji Raosaheb Lagas & Ors. Vs. State of Maharashtra &  
Ors.)**

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

**DATE :** 14.2.2023

**ORAL ORDER :**

Heard R.P. Bhumkar, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Subject to office objections, issue notice to the respondents, returnable on 31.3.2023.

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

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

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

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

7. S.O. to 31.3.2023.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 852 OF 2022  
(Babusing D. Rathod Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

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

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

3. At the request of learned counsel for the applicant, S.O. to 14.3.2023 for filing rejoinder affidavit, if any.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 853 OF 2022  
(Premsing Poma Rathod Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

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

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

3. At the request of learned counsel for the applicant, S.O. to 14.3.2023 for filing rejoinder affidavit, if any.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 575 OF 2022**  
**(Yayati Tukaram Ghorband Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri A.D. Gadekar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 28.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 595 OF 2022  
(Dr. Dinesh S. Ravtales Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

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

3. S.O. to 23.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 77 OF 2023  
(Deepak H. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Ms. R.L. Jakhade, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Await service.
3. S.O. to 24.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 54 OF 2023**  
**(Sayyad Shafi Sayyad Lal Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

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

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

3. At the request of learned counsel for the applicant, S.O. to 23.3.2023 for filing rejoinder affidavit, if any.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD



**ORIGINAL APPLICATION NO. 78 OF 2023**  
**(Mahesh B. Kavthale Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Ms. R.L. Jakhade, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Await service.
3. S.O. to 24.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**M.A.NO. 394/2019 IN O.A.ST.NO. 1674/2019  
(Bhaskar K. Shinde Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

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

2. S.O. to 27.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**M.A.NO. 167/2022 IN O.A.ST.NO. 553/2022**  
**(Agatrao Nivrati Kolekar Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

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

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondent Nos. 1 to

4. Time granted.

3. S.O. to 28.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**M.A.NO. 188/2022 IN O.A.ST.NO. 480/2019  
(Ashok G. Puri Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Smt. Suchita Amit Dhongde, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 27.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**M.A.NO. 194/2022 IN O.A.ST.NO. 616/2022  
(Sumit Datta Kakade Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri R.A. Joshi, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 27.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**M.A.NO. 208/2022 IN O.A.ST.NO. 794/2021  
(Vishwash R. Nimbalkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri Shamsundar B. Patil, learned counsel holding for Shri A.V. Sakolkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 28.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**M.A.NO. 27/2023 IN O.A.ST.NO. 1510/2022**  
**(Bhagyesh Sunil Marathe Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Smt. Nima R. Suryawanshi, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Await service.
3. S.O. to 8.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**M.A.NO. 31/2023 IN O.A.ST.NO. 89/2023**  
**(Dr. Bhagwan V. Kendre Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

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

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 20.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD



**ORIGINAL APPLICATION NO. 200 OF 2021  
(Sudhir Laxman Borhade Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri Avinash S. Khedkar, learned counsel for the applicant, Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Shri Shamsundar B. Patil, learned counsel for respondent Nos. 4 & 5, are present.

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

3. List the matter for further consideration on 15.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 534 OF 2020**  
**(Rajesh Namdeorao Bade Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

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

2. Not before the Bench to which Justice P.R. Bora, Vice Chairman is party.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 333 OF 2020  
(Arjun M. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri Shamsundar B. Patil, learned counsel for respondent No. 2, are present.

2. S.O. to 28.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 1079 OF 2022**  
**(Vaishali Nemgonda Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri Kakasaheb B. Jadhav, learned counsel for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri Parag V, Barde, learned counsel for respondent No. 4, are present.

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

3. S.O. to 14.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**M.A. No. 109/2018 in O.A. St. No. 408/2018**  
**M.A. No. 110/2018 in O.A. St. No. 410/2018**  
**M.A. No. 111/2018 in O.A. St. No. 412/2018**  
**M.A. No. 269/2018 in O.A. St. No. 1036/2018**  
**M.A. No. 270/2018 in O.A. St. No. 1034/2018**  
**(Punjaram N. Wathore & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 14-02-2023**

**COMMON ORAL ORDER :**

Heard Shri Ajay Deshpande, learned Counsel for the applicants in all these matters and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities in all these matters.

2. Shri Deshpande, learned Counsel for the applicants submitted that the right which the applicants are claiming in the O.A. was crystallized in the year 2016 after the judgment of the Hon'ble Apex Court and after issuance of G.R. dated 07-10-2016. Learned Counsel submitted that even prior to issuance of the said G.R. and thereafter also the applicant had been pursuing the said claim with the Government and in those efforts the time was consumed and the applicants could not approach this Tribunal within the stipulated period of limitation. Learned Counsel submitted that the right accrued in favour of the applicants because of

=2=

M.A.No.109/2018 & Ors.

the G.R. dated 07-10-2016 issued by the Government, the applicant cannot be deprived of the fruits of the said G.R. only on the ground that the applicants committed some delay in approaching this Tribunal. Learned Counsel has, therefore, prayed for condonation of delay which has occurred in filing accompanying O.As.

3. Learned P.O. has resisted the request so made. Learned P.O. has submitted that if the applications are perused there is no specific reason assigned in justification of the delay which has occasioned in approaching the Tribunal. According to the learned P.O. in absence of any such reason made out in the applications, the applications are liable to be rejected.

4. I have duly considered the submissions advanced by the learned Counsel for the applicant and the learned P.O. I have gone through the documents filed on record. Delay appears to be of a period more than 6 months. Perusal of the G.R. dated 07-10-2016 makes it clear that some benefits have been extended in favour of the Government employees like the present applicants. Whether the

=3= M.A.No.109/2018 & Ors.

applicants would be entitled for such benefits or not entitled only can be decided after hearing the O.A. However, merely on some technical grounds the request for condoning the delay which is not of longer period cannot be rejected. In such matters the delay deserves to be condoned, so that the applicants get an opportunity to prosecute their claim on merits. Hence, the following order:

ORDER

- [i] All these M.As. are allowed.
- [ii] Delay caused in preferring the accompanying O.As. is condoned.
- [iii] O.As. be registered and numbered after removal of office objections, if any.
- [iv] No order as to costs.

**VICE CHAIRMAN**

**O.A. St. No. 408/2018, O.A. St. No. 410/2018,  
O.A. St. No. 412/2018, O.A. St. No. 1036/2018,  
O.A. St. No. 1034/2018  
(Punjaram Wathore & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 14-02-2023**

**COMMON ORAL ORDER :**

Shri Ajay Deshpande, learned Counsel for the applicants in all these matters and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities in all these matters, are present.

2. After registration of O.As., issue notices to the respondents, returnable on 29.03.2023.

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. **Learned P.O. submits that an endeavor will be made to file reply on the given date.**

7. S.O. to 29.03.2023.

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



**M.A.NO.10/2023 IN O.A.NO.1048/2022**  
**(Ajaykumar B. Chavan Vs. State of Maharashtra & Ors.)**

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

**DATE : 14-02-2023**

**ORAL ORDER :**

Heard Ku. Anagha Pandit, learned Counsel holding for Talekar & Associates, learned Counsel for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondent authorities.

2. Learned Counsel submits that events which occurred during the pendency of the present O.A. are required to be brought on record and it has also necessitated substitution of the name of respondent no.4 with the person who is now posted at his place.

3. Learned P.O. submits that reply is ready and he has tendered reply to the O.A. today. Same is taken on record. In view of the fact that subsequent events and prayer in that context is sought to be brought on record, M.A. for amendment is allowed.

4. Necessary amendment be carried out within a week. It would be open for the respondents to submit additional reply to the amended portion. No order as to costs.

5. S.O. to 29-03-2023 in O.A.

**M.A.NO.34/2023 IN O.A.ST.NO.1070/2022  
(Kishor Shinde Vs. State of Maharashtra & Ors.)**

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

**DATE : 14-02-2023**

**ORAL ORDER :**

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

2. Present application is filed seeking addition of certain parties and one prayer in the O.A. Respondents have not yet filed reply to the O.A. In the circumstances, there seems no difficulty in allowing the present M.A. as it will not change the nature of the O.A. M.A. is allowed accordingly. Necessary amendment be carried out within a week.

3. Learned Counsel shall place on record the amended copy of the application and serve it upon the respondents. Respondents shall submit their consolidated reply to the O.A. as well as the amended portion on or before the next date.

4. S.O. to 29-03-2023 in O.A.

**VICE CHAIRMAN**

**M.A.NO.227/2021 IN O.A.ST.NO.901/2021  
(Anil Mahajan Vs. State of Maharashtra & Ors.)**

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

**DATE : 14-02-2023**

**ORAL ORDER :**

Shri Kakasaheb B. Jadhav, learned Counsel for the applicant, Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities and Shri V.G.Pingle, learned Counsel for respondent no.6, are present.

2. S.O. to 15-03-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 14.02.2023

**ORIGINAL APPLICATION NO.792/2022  
(Madhukar L. Pradhan Vs. State of Maharashtra & Ors.)**

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

**DATE : 14-02-2023**

**ORAL ORDER :**

Shri O.D.Mane, learned Counsel for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Counsel for the applicant, S.O. to 08-03-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 14.02.2023

**M.A. 366/18 IN M.A. 1591/18 in O.A. St. 1592/2018  
WITH  
M.A. No. 295/2019 in O.A. St. No. 993/2019  
(Dr. Ravindra Daware & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 14-02-2023**

**ORAL ORDER :**

Shri Ajay Deshpande, learned Counsel for the applicants in all these matters and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities in all these matters, are present.

2. S.O. to 24-03-2023 for hearing.

**VICE CHAIRMAN**

YUK ORAL ORDER 14.02.2023

**M.A.NO.338/2021 IN O.A.ST.NO.1455/2021  
(Amol Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 14-02-2023**

**ORAL ORDER :**

Heard Shri S.D.Dhongde, learned Counsel holding for Smt. Suchita Dhongde, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities.

2. Arguments are heard for some time. For further consideration, S.O. to 15-03-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 14.02.2023

**M.A.NO.478/2022 IN O.A.NO.650/2021  
(Prakash Vaichal Vs. State of Maharashtra & Ors.)**

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

**DATE : 14-02-2023**

**ORAL ORDER :**

Shri A.D.Kawre, learned Counsel for the applicant has filed **leave note** on record. Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities is present.

2. In view of leave note of learned Counsel for the applicant, S.O. to 29-03-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 14.02.2023

**ORIGINAL APPLICATION NO.112/2019  
(Sheela Mohite Vs. State of Maharashtra & Ors.)**

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

**DATE : 14-02-2023**

**ORAL ORDER :**

Shri S.P.Dhoble, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 23-03-2023 for final hearing.

**VICE CHAIRMAN**

YUK ORAL ORDER 14.02.2023



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

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

**DATE : 14-02-2023**

**ORAL ORDER :**

Shri V.G.Pingle, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present. Shri S.B.Mene, learned Counsel for respondent nos.2 to 4 has filed **leave note** on record.

2. In view of leave note of learned Counsel for respondent nos.2 to 4, S.O. to 23-03-2023 for final hearing.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.543/2019  
(Shivprasad Potpalliwar & Ors. Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 14-02-2023**

**ORAL ORDER :**

Shri Ganesh R. Jadhav, learned Counsel for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondent authorities, are present. Shri S.B.Mene, learned Counsel for respondent nos.2 & 3 has filed **leave note** on record.

2. In view of leave note of learned Counsel for respondent nos.2 & 3, S.O. to 23-03-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 14.02.2023

**ORIGINAL APPLICATION NO.581/2020  
(Ganesh Khetre Vs. State of Maharashtra & Ors.)**

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

**DATE : 14-02-2023**

**ORAL ORDER :**

Shri V.P.Kadam, learned Counsel for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 23-03-2023 for final hearing.

**VICE CHAIRMAN**

YUK ORAL ORDER 14.02.2023

**ORIGINAL APPLICATION NO.270/2021  
(Nanda Solanki & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 14-02-2023**

**ORAL ORDER :**

Shri A.S.Deshmukh, learned Counsel for the applicant has filed **leave note** on record. Shri B.S.Deokar, learned Presenting Officer for the respondent authorities is present.

2. In view of leave note of learned Counsel for the applicant, S.O. to 23-03-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 14.02.2023

**ORIGINAL APPLICATION NO.393/2021**  
**(Anjanabai Ingle & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 14-02-2023**

**ORAL ORDER :**

Shri A.S.Deshmukh, learned Counsel for the applicant has filed **leave note** on record. Shri I.S.Thorat, learned Presenting Officer for the respondent authorities is present.

2. In view of leave note of learned Counsel for the applicant, S.O. to 23-03-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 14.02.2023

**ORIGINAL APPLICATION NO.534/2021  
(Shaikh Mohammad Vs. State of Maharashtra & Ors.)**

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

**DATE : 14-02-2023**

**ORAL ORDER :**

Shri S.D.Dhongde, learned Counsel for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 29-03-2023 for final hearing.

**VICE CHAIRMAN**

YUK ORAL ORDER 14.02.2023

**ORIGINAL APPLICATION NO.20/2022  
(Dnyaneshwar Sanap Vs. State of Maharashtra & Ors.)**

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

**DATE : 14-02-2023**

**ORAL ORDER :**

Shri S.D.Dhongde, learned Counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 29-03-2023 for final hearing.

**VICE CHAIRMAN**

YUK ORAL ORDER 14.02.2023

**ORIGINAL APPLICATION NO.44/2022**  
**(Rekha Wagatkar & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 14-02-2023**

**ORAL ORDER :**

Shri Subhash Chillarge, learned Counsel for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 16-03-2023 for final hearing.

**VICE CHAIRMAN**

YUK ORAL ORDER 14.02.2023



**ORIGINAL APPLICATION NO.174/2022  
(Sakharam Rakh Vs. State of Maharashtra & Ors.)**

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

**DATE : 14-02-2023**

**ORAL ORDER :**

Shri V.G.Pingle, learned Counsel for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondent authorities, are present. Shri S.B.Mene, learned Counsel for respondent nos.2 to 4 has filed **leave note** on record.

2. In view of leave note of learned Counsel for respondent nos.2 to 4, S.O. to 23-03-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 14.02.2023

**ORIGINAL APPLICATION NO. 77 OF 2020**  
**(Mahesh Suresh Khedkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Heard Shri C.T. Jadhav, learned counsel for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. The facts of the case are as under: -

The Government servant by name Shri Suresh Aasaram Khedkar died while in service on 7.10.2008. The wife of deceased employee i.e. applicant No. 2 viz. Nirmala wd/o Suresh Khedkar applied for appointment on compassionate ground within the stipulated period of one year. At the relevant time, applicant No. 1 was minor. The name of applicant No. 2 was included in the waiting list kept at the office of respondent No. 3 in the list of candidates eligible to be appointed on compassionate ground. In the meanwhile applicant No. 1 became major and hence request came to be made for substitution of his name in place of applicant No. 2 for the compassionate appointment. The said application has been rejected vide the impugned order dated

10.5.2019 on the ground that there is no provision in the G.R. dated 21.9.2017 for such substitution.

3. Learned counsel has placed reliance on the judgment of the Hon'ble Bombay High Court in the case of **Dnyaneshwar S/o Ramkishan Musane Vs. the State of Maharashtra & Ors. (W.P. No. 6267/2018 decided on 11.3.2020)**. Learned counsel submitted that the aforesaid provision in the concerned Government Resolution has been disapproved and directed to be deleted by the Division Bench in the year 2019. Having regard to the facts involved in the present matter it apparently appears that the rejection of the request cannot be sustained. When the claim of applicant No. 2 was pending for consideration and in the meanwhile since son of applicant No. 2 i.e. applicant No. 1 became major and applied for substitution, in view of law laid down by the Bombay High Court in the aforesaid matter, the respondents could not have declined or reject the request of the applicant.

4. During pendency of the present O.A. applicant No. 2 was informed vide communication dated 15.6.2021 that since she has crossed the age of 45 years, her name has been removed from the list of candidates eligible to be appointed on compassionate ground on Class-IV post.

In the circumstances, it was the contention of the learned Presenting Officer that the prayer for substituting the name of applicant No. 1 in place of applicant No. 2 has become infructuous. Argument so made is liable to be rejected. The documents on record show that when the request for substituting the name of applicant No. 1 in place of applicant No. 2 was made, the name of applicant No. 2 was existing in the waiting list. In fact, in view of the judgment of the Hon'ble Bombay High Court in the case of Dnyaneshwar S/o Ramkishan Musane Vs. the State of Maharashtra & Ors. (cited supra), which came to be delivered on 11.3.2020, before removing the name of applicant No.2 from the waiting list of the candidates entitled for appointment on compassionate ground, the respondents must have allowed the application for substitution and must have substituted the name of applicant No. 1 in place of applicant No. 2. In the circumstances, though the respondents have removed the name of applicant No. 2 from the waiting list of the candidates eligible for compassionate appointment, merely on that ground the substitution cannot be rejected. The order of removing the name of applicant No. 2 from the waiting list has been passed after the judgment was delivered by the Hon'ble Bombay High Court in the case of Dnyaneshwar S/o Ramkishan Musane Vs. the State of Maharashtra &

Ors. (cited supra). For the reasons stated above the application deserves to be allowed. Hence, the following order: -

**ORDER**

(i) The respondents shall include the name of applicant No. 1 in the waiting list of the candidates eligible to be appointed on compassionate ground.

(ii) The seniority of the applicant in the said waiting list shall be reckoned from the date of his making application i.e. 27.2.2019. The respondents shall appoint applicant No. 1 on compassionate ground as and when his turn will come, according to his seniority in the waiting list and commensurating his educational qualification.

(iii) The Original Application stands allowed in the aforesaid terms.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 585 OF 2020  
(Andan B. Datar Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Smt. Vidya Taksal, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 8.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

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

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri Ashish B. Rajkar, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri N.U. Yadav, learned counsel for respondent Nos. 2 & 3, are present.

2. Since nobody appears for the applicant, S.O. to 28.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 117 OF 2020  
(Shivaji V. Kale Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri V.P. Kadam, learned counsel for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 4. Though the order has been passed for hearing the matter without affidavit in reply, in the interest of justice the respondents are permitted to file affidavit in reply and the same is taken on record. Learned P.O. undertakes to serve the copy of the affidavit in reply on the learned counsel for the applicant.

3. List the matter for further consideration on 3.4.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD



**ORIGINAL APPLICATION NO. 479 OF 2019  
(Khobraji L. Bele Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri N.R. Thorat, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. Today, when the present matter is taken up for consideration, learned counsel for the applicant has tendered the copy of service book and the same is taken on record. He has also tendered the copy of office order dated 24.11.2011 and the same is also taken on record.

3. Learned Presenting Officer has sought time for getting verified the service book from the concerned officer. Time granted as prayed for.

4. Part heard. High on board.

5. S.O. to 3.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 66 OF 2023  
(Bhagikar C. Malikar Vs. State of Maharashtra & Ors.)**

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

**DATE :** 14.2.2023

**ORAL ORDER :**

Heard Shri Ganesh Jadhav, learned counsel holding for Shri A.S. Shelke, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicant, reissue notice to the respondents, returnable on 28.3.2023.

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

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

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

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

7. S.O. to 28.3.2023.

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

**VICE CHAIRMAN**

**M.A.NO. 88/2021 IN O.A.ST.NO. 323/2021  
(Shrikant K. Bhale Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

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

2. Time to carry out the amendment is extended by one week on request of the learned counsel for the applicant.

3. S.O. to 21.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 576 OF 2022  
(Subhash H. Puri Vs. State of Maharashtra & Ors.)**

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

**DATE :** 14.2.2023

**ORAL ORDER :**

Heard Shri Anant D. Gadekar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel appearing for the applicant seeks leave to correct the designation of respondent No. 3. Leave as prayed for is granted. The necessary correction be carried out forthwith.

3. Issue notice to the said respondent in the corrected name and designation, returnable on 28.3.2023.

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 28.3.2023.

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

**VICE CHAIRMAN**

**M.A.NO. 80/2021 IN O.A.ST.NO. 157/2021  
(Digambar D. Vedpathak Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

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

2. Learned counsel for the applicant submits that the applicant does not wish to file any rejoinder affidavit. List the matter for hearing on 21.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 219 OF 2022  
(Datta G. Tarate Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri S.N. Lute, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 8.3.2023 for further consideration.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 612 OF 2021  
(Dr. Arun B. Morale Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri N.R. Thorat, learned counsel holding for Shri Suresh P. Salgar, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

Shri Pramod Pisal, learned counsel for respondent Nos. 3 to 5 (**absent**).

2. At the request of learned counsel for the applicant, S.O. to 15.2.2023. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 492 OF 2022  
(Pankaj J. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri N.L. Choudhary, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 23.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD



**ORIGINAL APPLICATION NO. 483 OF 2022  
(Sanjay A. Fasale Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri O.D. Mane, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer is directed to file affidavit of respondent No. 4 more particularly as about certificate issued by him on 3.4.2021.

3. S.O. to 1.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**O.A.NOS. 375, 376, 377, 402, 403, 404 & 417 ALL OF  
2017  
(Ravindra R. Kulkarni & Ors. Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri Prashant Deshmukh, learned counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities in all these cases, are present.

2. S.O. to 27.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**M.A.NO. 3083/2022 IN O.A.ST.NO. 3084/2022  
(Pratulchandra N. Gundre & Ors. Vs. State of  
Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Heard R.P. Bhumkar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel appearing for the applicants seeks leave of this Tribunal to delete the name of applicant Nos. 7 & 8, as well as, to delete the name of respondent Nos. 5 & 6. Leave granted as prayed for. The necessary amendment be carried out forthwith.

3. This is an application filed by the applicants seeking permission to sue jointly.

4. 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.

5. 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. 3084 OF 2022  
(Pratulchandra N. Gundre & Ors. Vs. State of Maharashtra  
& Ors.)**

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

**DATE :** 14.2.2023

**ORAL ORDER :**

Heard R.P. Bhumkar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Subject to office objections, issue notice to the respondents, returnable on 31.3.2023.

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

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

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

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

7. S.O. to 31.3.2023.

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

**VICE CHAIRMAN**

**M.A.NO. 3085/2022 IN O.A.ST.NO. 3086/2022  
(Shivaji Raosaheb Lagas & Ors. Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Heard R.P. Bhumkar, learned counsel for the applicants and Shri N.U. Yadav, 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**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION ST.NO. 3086 OF 2022  
(Shivaji Raosaheb Lagas & Ors. Vs. State of Maharashtra &  
Ors.)**

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

**DATE :** 14.2.2023

**ORAL ORDER :**

Heard R.P. Bhumkar, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Subject to office objections, issue notice to the respondents, returnable on 31.3.2023.

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

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

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

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

7. S.O. to 31.3.2023.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 852 OF 2022  
(Babusing D. Rathod Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

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

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

3. At the request of learned counsel for the applicant, S.O. to 14.3.2023 for filing rejoinder affidavit, if any.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 853 OF 2022  
(Premsing Poma Rathod Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

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

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

3. At the request of learned counsel for the applicant, S.O. to 14.3.2023 for filing rejoinder affidavit, if any.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD



**ORIGINAL APPLICATION NO. 575 OF 2022**  
**(Yayati Tukaram Ghorband Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri A.D. Gadekar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 28.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 595 OF 2022**  
**(Dr. Dinesh S. Ravtales Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

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

3. S.O. to 23.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 77 OF 2023  
(Deepak H. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Ms. R.L. Jakhade, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Await service.
3. S.O. to 24.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 54 OF 2023**  
**(Sayyad Shafi Sayyad Lal Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

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

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

3. At the request of learned counsel for the applicant, S.O. to 23.3.2023 for filing rejoinder affidavit, if any.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 78 OF 2023**  
**(Mahesh B. Kavthale Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Ms. R.L. Jakhade, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Await service.
3. S.O. to 24.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**M.A.NO. 394/2019 IN O.A.ST.NO. 1674/2019  
(Bhaskar K. Shinde Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

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

2. S.O. to 27.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**M.A.NO. 167/2022 IN O.A.ST.NO. 553/2022**  
**(Agatrao Nivrati Kolekar Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

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

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondent Nos. 1 to

4. Time granted.

3. S.O. to 28.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**M.A.NO. 188/2022 IN O.A.ST.NO. 480/2019  
(Ashok G. Puri Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Smt. Suchita Amit Dhongde, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 27.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD



**M.A.NO. 194/2022 IN O.A.ST.NO. 616/2022  
(Sumit Datta Kakade Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri R.A. Joshi, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 27.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**M.A.NO. 208/2022 IN O.A.ST.NO. 794/2021  
(Vishwash R. Nimbalkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri Shamsundar B. Patil, learned counsel holding for Shri A.V. Sakolkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 28.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**M.A.NO. 27/2023 IN O.A.ST.NO. 1510/2022**  
**(Bhagyesh Sunil Marathe Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Smt. Nima R. Suryawanshi, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Await service.
3. S.O. to 8.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**M.A.NO. 31/2023 IN O.A.ST.NO. 89/2023**  
**(Dr. Bhagwan V. Kendre Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

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

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 20.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 200 OF 2021  
(Sudhir Laxman Borhade Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri Avinash S. Khedkar, learned counsel for the applicant, Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Shri Shamsundar B. Patil, learned counsel for respondent Nos. 4 & 5, are present.

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

3. List the matter for further consideration on 15.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 77 OF 2020**  
**(Mahesh Suresh Khedkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Heard Shri C.T. Jadhav, learned counsel for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. The facts of the case are as under: -

The Government servant by name Shri Suresh Aasaram Khedkar died while in service on 7.10.2008. The wife of deceased employee i.e. applicant No. 2 viz. Nirmala wd/o Suresh Khedkar applied for appointment on compassionate ground within the stipulated period of one year. At the relevant time, applicant No. 1 was minor. The name of applicant No. 2 was included in the waiting list kept at the office of respondent No. 3 in the list of candidates eligible to be appointed on compassionate ground. In the meanwhile applicant No. 1 became major and hence request came to be made for substitution of his name in place of applicant No. 2 for the compassionate appointment. The said application has been rejected vide the impugned order dated

10.5.2019 on the ground that there is no provision in the G.R. dated 21.9.2017 for such substitution.

3. Learned counsel has placed reliance on the judgment of the Hon'ble Bombay High Court in the case of **Dnyaneshwar S/o Ramkishan Musane Vs. the State of Maharashtra & Ors. (W.P. No. 6267/2018 decided on 11.3.2020)**. Learned counsel submitted that the aforesaid provision in the concerned Government Resolution has been disapproved and directed to be deleted by the Division Bench in the year 2019. Having regard to the facts involved in the present matter it apparently appears that the rejection of the request cannot be sustained. When the claim of applicant No. 2 was pending for consideration and in the meanwhile since son of applicant No. 2 i.e. applicant No. 1 became major and applied for substitution, in view of law laid down by the Bombay High Court in the aforesaid matter, the respondents could not have declined or reject the request of the applicant.

4. During pendency of the present O.A. applicant No. 2 was informed vide communication dated 15.6.2021 that since she has crossed the age of 45 years, her name has been removed from the list of candidates eligible to be appointed on compassionate ground on Class-IV post.

In the circumstances, it was the contention of the learned Presenting Officer that the prayer for substituting the name of applicant No. 1 in place of applicant No. 2 has become infructuous. Argument so made is liable to be rejected. The documents on record show that when the request for substituting the name of applicant No. 1 in place of applicant No. 2 was made, the name of applicant No. 2 was existing in the waiting list. In fact, in view of the judgment of the Hon'ble Bombay High Court in the case of Dnyaneshwar S/o Ramkishan Musane Vs. the State of Maharashtra & Ors. (cited supra), which came to be delivered on 11.3.2020, before removing the name of applicant No.2 from the waiting list of the candidates entitled for appointment on compassionate ground, the respondents must have allowed the application for substitution and must have substituted the name of applicant No. 1 in place of applicant No. 2. In the circumstances, though the respondents have removed the name of applicant No. 2 from the waiting list of the candidates eligible for compassionate appointment, merely on that ground the substitution cannot be rejected. The order of removing the name of applicant No. 2 from the waiting list has been passed after the judgment was delivered by the Hon'ble Bombay High Court in the case of Dnyaneshwar S/o Ramkishan Musane Vs. the State of Maharashtra &



Ors. (cited supra). For the reasons stated above the application deserves to be allowed. Hence, the following order: -

**ORDER**

(i) The respondents shall include the name of applicant No. 1 in the waiting list of the candidates eligible to be appointed on compassionate ground.

(ii) The seniority of the applicant in the said waiting list shall be reckoned from the date of his making application i.e. 27.2.2019. The respondents shall appoint applicant No. 1 on compassionate ground as and when his turn will come, according to his seniority in the waiting list and commensurating his educational qualification.

(iii) The Original Application stands allowed in the aforesaid terms.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 534 OF 2020**  
**(Rajesh Namdeorao Bade Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

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

2. Not before the Bench to which Justice P.R. Bora, Vice Chairman is party.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 333 OF 2020  
(Arjun M. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri Shamsundar B. Patil, learned counsel for respondent No. 2, are present.

2. S.O. to 28.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 1079 OF 2022**  
**(Vaishali Nemgonda Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Shri Kakasaheb B. Jadhav, learned counsel for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri Parag V, Barde, learned counsel for respondent No. 4, are present.

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

3. S.O. to 14.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 14.2.2023-HDD

**ORIGINAL APPLICATION NO. 1106 OF 2022  
(Pandurang Anandrao Joshi Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 14.2.2023**

**ORAL ORDER :**

Heard Shri R.A. Joshi, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. By filing the present Original Application the applicant is praying for grant of increment which fell due on 1<sup>st</sup> July of the year in which the applicant retired on completion of his age of superannuation on 30<sup>th</sup> June of the said year.

3. In this matter the respondents have not yet filed affidavit in reply. However, only for that reason the present matter cannot be kept pending. Factual aspect can be ascertained by the respondents before extending the relief for which the Tribunal is holding the applicant entitled.

4. The learned counsel has relied upon the judgment of the Hon'ble Division Bench of Hon'ble Bombay High Court, Bench at Aurangabad recently delivered on 12.10.2022 in the case of **Shri Ramesh**

**Ek Nath Suryawanshi and Others Vs. the State of Maharashtra through its Chief Secretary and Others, WP No. 10272/2022**, as well as, the judgments earlier delivered by this Tribunal at principal seat at Mumbai and by this Bench in support of his case and has prayed for allowing the application.

5. The learned Presenting Officer fairly conceded that the judgments relied upon by the learned counsel for the applicants are supporting the contentions raised and prayers made by the applicants. Learned P.O. submitted that the respondents will ascertain the facts and if applicant is found eligible the benefit will be extended to the applicant. The learned PO therefore submitted for passing appropriate orders.

6. It is not in dispute that the applicant has retired after attaining the age of superannuation on 30<sup>th</sup> June, 2021. It is also not disputed that the respondents have refused the request made by the applicant for grant of next increment, which fell due on the next day of his retirement.

7. I deem it appropriate to reproduce herein below para nos. 3 & 4 of the judgment delivered by the Hon'ble Bombay High Court, Bench at Aurangabad on 12.10.2022 in the case of **Shri Ramesh Eknath Suryawanshi and Others** (cited supra), which read thus :-

*“3. The issue raised is no longer res integra, having been concluded by the learned Division Bench of the Madras High Court, vide judgment dated 15.09.2017, in WP No.15732/2017, filed by P.Ayyamperumal Vs. The Registrar, Central Administrative Tribunal and others, which judgment has been sustained by the Hon'ble Supreme Court, vide order dated 23.07.2018, in Special Leave Petition (Civil) Diary No.22283/2018. Even this Court has passed several orders granting such benefits, which have been sustained by the Hon'ble Supreme Court.*

*4. In view of the above, this petition is partly allowed. The petitioners are entitled to the notional addition of the last yearly increment for the purpose of calculating their pension, gratuity, earned leave, commutation benefits etc. In so far as arrears of the benefits are concerned, the petitioners would be entitled for the same for a period of three years, preceding the date of filing of this petition or as per actuals, whichever is less. Such arrears should be calculated and be paid to the petitioners, on or before 30.12.2022 .”*

8. It will also be useful to refer to the discussion made by the principal seat of this Tribunal at Mumbai in the case of **Shri Sadashiv Kashinath Inamke & Ors. Vs. the State of Maharashtra & Ors., O.A. No. 950/2019 with other OAs** on 5.7.2022. Considering the earlier judgments on the issue the Tribunal has recorded following finding in para 15 of the said judgment, which reads thus :-

*“15. In view of the aforesaid legal position, the Applicants cannot be deprived of benefit of increment which was due on 1st July of the concerned year. All that learned P.O. submits that since the Applicants have approached belatedly, the actual monetary benefits be restricted to three years preceding to filing of Original Applications. I find merit in her submission on the point of arrears. Indeed, the Applicants have filed these proceedings long after retirement when they got knowledge of the judgment of the Hon’ble Supreme Court giving benefit of increment due on next day of retirement. Be that as it may, insofar as arrears are concerned, it will have to be restricted to three years preceding to the date of filing proceeding.”*

9. In view of the judgments relied upon by the learned counsel for the applicants there has remained no doubt that the employees who stood



retired on 30<sup>th</sup> June of their respective year of retirement on attaining the age of superannuation, must be held entitled for next increment which fell due on immediately next day of their retirement and all the consequential benefits deserve to be granted in their favour. Hence, the following order :-

**ORDER**

(i) The applicant is held entitled for increment which fell due on 1<sup>st</sup> July, 2021 and all the consequential benefits which may flow, if such increment is extended in his favour, the respondents shall ascertain the factual matrix and if it is noticed that the applicant got retired on 30<sup>th</sup> June, 2021 without being any departmental enquiry pending against him or for any other reason simply on attaining the age of superannuation, extend the said benefit in favour of the applicant within 8 weeks from the date of this order.

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

**VICE CHAIRMAN**