

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

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

**And**

THE HON'BLE SHRI. VINAY KARGAONKAR, MEMBER (A)

**Date:- 14/02/2024**

Sr · No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
<b>Urgent Admission Matters</b>						
<b>1</b>	CP10/24 In OA745/22	A'bad	Adv.D K Rajput/ Adv. C D Rajput (Karbhari M Bahure)	Contempt Petition		05.04.2024
<b>2</b>	MA51/24 In OAS2452/23	A'bad	Adv.Vinod P Patil (Shaskiya Adiwasi Ashramshala Adhikshak Sanghatana Through its Presidennt Raju N Sardar)	M.A. Seeking Permission to File OA in representative capacity		07.03.2024
<b>3</b>	MA52/24 In OAS265/24	Jalna	Adv. A S Deshpande (Gajendra R Vasmatkar)	M A For Sue Jointly	<b>Circulation</b>	22.02.2024
<b>4</b>	MA55/24 In OAS281/24	Latur	Adv.J S Deshmukh (Dr Kiran M Karhale & Ors.)	M A For Sue Jointly	<b>Circulation</b>	
<b>5</b>	OA142/23	Beed	Adv.A N Nagargoje (Deelipkumar B Khedkar)	Reversion	<b>Circulation</b> Reply Filed by R-1 to R-3	
<b>6</b>	OA759/22	O'bad	Adv.O D Mane/ Adv.A O Mane (Manisha A Rashinkar)	Departmental Enquiry	<b><u>Part Heard For Further Consideration &amp; Passing Order</u></b> Reply Filed by R-1 to R-3	
<b>7</b>	OA857/19	Beed	Adv.S S Thombre (Bibhishan R Chole)	Selection/ Appointment	For Hearing Reply Filed by R-1 to R-3 <b>Ref.Order dtd.23.01.2024</b>	Disposed of

<b>Order Matters</b>						
<b>8</b>	MA162/17 With MA139/17 In OA136/17	A'bad	Adv.A S Deshmukh (Madhuri B Banait)	M.A. For During the Pendency & Final Disposal of OA136/17		29.02.2024
<b>9</b>	MA212/23 In OA837/22	Dhule	Adv.S M Sangale (Manisha S Ahire)	M.A. For Amendment		18.03.2024
<b>10</b>	MA56/24 In OA64/24 With Caveat 43/23 to 70/23	A'bad	Adv.Neha B Kamble (Shubham M Vanjare & Ors.) <b><u>Adv. Kalyan V Patil/Adv.R R Avhad for Caveators</u></b> (Nikhil V Patil & Ors.)	M.A. For Direction		23.02.2024
<b>Due Admission Matters</b>						
<b>11</b>	CP02/24 In OA530/23	P'rbn	Adv K B Jadhav (Manjusha M Mutha)	Contempt Petition	<b>For Consideration</b> Reply filed By R-1	16.02.2024
<b>12</b>	OA42/19	O'bad	Party In Person (Ramraje G Pawar)	Promotion/ Seniority	For Hearing Reply Filed by R-2	01.03.2024
<b>13</b>	OA179/19 With	A'bad	Adv.J S Deshmukh (Dr.Suryakant D Sonkhedkar)	Revision of Pay Scale	For Admission Reply Filed by R-1 to R-4	14.03.2024
<b>14</b>	OA180/19 With	A'bad	Adv.J S Deshmukh (Dr.Padmaja A Saraf)	Revision of Pay Scale	Reply Filed by R-1 to R-4	14.03.2024
<b>15</b>	OA279/19 With	A'bad	Adv.J S Deshmukh (Dr.Dilip B Dange) <b><u>Adv.C D Biradar for R.Nos.3 &amp; 4</u></b>	Benefit of Time Bound Promotion/ ACPS/ Revised of Pay Fixation	Reply Filed by R-1 to R-4	14.03.2024
<b>16</b>	OA280/19 with	P'bhani	Adv.J S Deshmukh (Dr.Balasaheb D Masare)	Benefit of Time Bound Promotion/ ACPS/ Revised of Pay Fixation	Reply Filed by R-1 to R-4	14.03.2024

17	OA346/19	A'bad	Adv.J S Deshmukh (Dr.Sharda W Kharat)	Condonation of Technical Brekas/ Annual Increments	Reply Filed by R-1 to R-4	14.03.2024
18	OA304/19 With	A'bad	Adv.Harish S Bali (Pandharinath M Ahire)	Promotion	For Hearing Reply Filed by R-1 to R-3	27.03.2024
19	OA305/19	A'bad	Adv.Harish S Bali (Gokul S Ingle)	Promotion	For Hearing Reply Filed by R-1 to R-3	27.03.2024
20	OA946/19	P'bhani	Adv.J S Deshmukh (Dr. Subhash P Pawar) <b><u>Adv.V R Sonwalkar for R.Nos.4 &amp; 5</u></b>	Revision of Pay/ Recovery	For Hearing Reply Filed by R-4 & R-5	28.02.2024
21	OA308/20	Beed	Adv.Ameya N Sabnis (Ranjeet T Bhorje) <b><u>Adv.Mahesh B Ubale for R.No.3</u></b>	Selection/ Wating List	For Hearing Reply Filed by R-2	14.03.2024
22	OA46/21	Nanded	Adv.D M Shinde (Pradhumn R More)	Appointment	For Hearing Reply Filed by R-1 to R-3	14.03.2024
23	OA145/21	J'gaon	Adv.A S Bayas (Jagdish N Saindane)	Promotion	For Admission Reply Filed by R-1 to R-7	14.03.2024
24	OA401/21	Nanded	Adv.Shamsunder B Patil (Ramreddy R Aitwar)	Major Punishment	For Hearing Reply Filed by R-1 to R-3	21.02.2024
25	OA655/21	Jalna	Adv.U L Telgaonkar/ Adv.N U Telgaonkar (Rahul D Gaikwad)	Termination	For Hearing Reply Filed by R-1 & R-2	15.02.2024
26	OA107/22	A'bad	Adv.Sunil B Jadhav (Mohan S Desale)	Extending the Period of Probation	For Hearing Reply Filed by R-1 & R-2	15.03.2024
27	OA525/22	Dhule	Adv.Dhananjay Mane (Somnath B Satbhai)	Interview	For Hearing Reply Filed by R-2	26.02.2024

28	OA579/22	Latur	Adv. P R Tandale (Dr. Satyavijay N Jadhav)	Challenging Recruitment Rules/ Seniority	For Hearing Reply Filed by R-1 to R-3	15.03.2024
29	OA793/22	A'nagar	Adv.K B Jadhav (Babynanda G Gosavi)	Departmental Enquiry	For Hearing Reply Filed by R-1 to R-5	28.02.2024
30	OA876/22	N'bar	Adv.A D Sugdare (Dr.Pravinkumar Y Thakare)	Advertisement	For Hearing Reply Filed by R-2 & R-3	26.02.2024
31	OA953/22	A'bad	Adv.Anant Devakate/ Adv.K B Jadhav (Nilkanth S Prakash)	Appointment	For Hearing Reply Filed by R-2	18.03.2024
32	OA1072/22	O'bad	Adv. S D Joshi (Vishal G Waghmare)	Seniority List	For Hearing Reply Filed by R-2	
33	OA1099/22 with	N'pur	Adv.P R Wankhade (Dr. Sapna H Tallarwar)	Challenge to the Advertisement	<b><u>For Further Consideration</u></b> The Respondents to File Additional Reply as the amended portion of the O.A.s Reply Filed by R-1 to R-3	01.03.2024
34	OA1100/22 with	N'pur	Adv.P R Wankhade/ Adv.D M Hange (Dr. Namita B Korwade)	Challenge to the Advertisement	<b><u>For Further Consideration</u></b> The Respondents to File Additional Reply as the amended portion of the O.A.s Reply Filed by R-1 to R-3	01.03.2024
35	OA89/23 with	Mumbai Etc.	Adv.P R Wankhade (Dr.Arun K Rathod & Ors.)	Selection of Process	For Hearing Reply Filed by R-1, R-2 & R-4 to R-7	01.03.2024
36	OA90/23 with	K'pur	Adv.P R Wankhade (Dr.Zahir Ahmed Kutubddin Patwekar & Ors.)	Regularization & Challenging the Advertisement	For Hearing Reply Filed by R-1, R-2 & R-4	01.03.2024

37	OA91/23 with	Sangli	Adv.P R Wankhade (DR. Madhav G Kumbhar & Ors.)	Appointment	For Hearing Reply Filed by R-1, R-2 & R-4	01.03.2024
38	OA92/23 with	Sangali	Adv.P R Wankhade (Dr.Yashvant C Shende)	Appointment	For Hearing Reply Filed by R-1, R-2 & R-4	01.03.2024
39	OA93/23 with	Mumbai Etc.	Adv.P R Wankhade (Dr.Bhushan B Wankhade)	Challenging Advertisement	For Hearing Short Affidavit in Reply Filed by R-3	
40	OA94/23 with	S'pur	Adv.P R Wankhade (Dr. Hemlata D Patil @ Dr. Hemlata S Desai)	Challenging Advertisement	For Hearing Reply Filed by R-1, R-2 & R-4 Short Affidavit in Reply Filed by R-3	
41	OA95/23 with	K'pur	Adv.P R Wankhade (Dr. Kedarnath G Patil)	Appointment	For Hearing	
42	OA818/22 With	Latur	Adv.P R Wankhade (Dr. Pranita P Patil & Ors.)	Advertisement	For Filing Affidavit in Rejoinder	
43	OA819/22 With	Latur	Adv.P R Wankhade (Dr. Dharmaraj A Dudde & Ors.)	Advertisement	For Filing Affidavit in Rejoinder	
44	OA736/22	Beed	Adv.P R Wankhade (Dr.Pradeep A Shendge)	Advertisement	For Admission Reply Filed by R-1 to R-4	
45	OA12/23	N'bar	Adv.S D Joshi (Vinayak M Gavit & Ors.) <b><u>Adv.Amit Savale for R.Nos. 3 to 5</u></b>	Seniority List/ Promotion	For Hearingg Reply Filed by R-1 to R-5	22.02.2024
46	OA65/23	Jalna	Adv.Sanjeev B Deshpande (Suresh M Kadam alias Suresh B Sharma) <b><u>Adv.Jiwan J Patil for R.No.3</u></b>	Dismissal	For Hearing Short Affidavit of Reply Filed by R-1 & R-2 Await Service For For R-1	19.03.2024

47	OA859/23	A'bad	Adv.V B Wagh/ Adv. A S Therokar/ Adv. V P Adkine (Aruna B Kharat & Ors.)	Seniority List	For Hearing Reply Filed by R-1 & R-2	21.02.2024
<b>Final Hearing Matters</b>						
48	OA487/16	A'bad	Adv.A N Ansari (Mohammed Badar Akbar Siddiqui)	Punishment	<b>Part Heard</b> For Hearing Reply Filed by R-1 to R-4	20.02.2024
49	OA278/17	A'bad	Adv.M A Golegaonkar/ Adv.A S Golegaonkar (Maharashtra state Vaidyikiya Mahavidyalaya & Rughalaya Karmachari Sanghatana A'bad)	Challenging G.R.	Reply Filed by R- 2, R-5 to R-7	29.02.2024
50	OA404/17	A'bad	Adv.K B Jadhav (Ravindra R Mungale)	Departmental Enquiry/ Punishment	Reply filed by R-1 to R-5	29.02.2024
51	OA663/17	A'bad	Adv.A S Deshmukh (Subhash M Pakhale)	Discharge From service	Reply Filed by R-1 & R-2	29.02.2024
52	OA736/17	Jalna	Adv.S S Thombre (Sanjay U Kale)	Not to Terminate Service/ Nominee of Freedom Fighter	Reply Filed by R-2 to R-4	29.02.2024
53	OA762/17	Beed	Adv.A N Nagargoje (Manoranjan R Dhas)	Cancellation of Nomination of Nominee of Freedom Fighter	Reply filed by R-2 & R-3	29.02.2024
54	OA443/18	Nanded	Adv.M R Wagh (Jagannath W Vispute)	Departmental Enquiry/ Punishment	Reply Filed by R-2 & R-3	
55	OA476/18	Dhule	Adv.Sandesh R Patil (Aasha S Khairnar)	Selection	Reply Filed by R-4	28.02.2024

56	OA674/18	Beed	Adv.I D Maniyar (Emam Najir Mirza)	Regularise Probation Period	Reply filed by R-1 to R-4	28.02.2024
57	OA706/21 with	Dhule	Adv.Talekar & Associates (Devendra B Bacchav) <b><u>Adv.H D Gaikwad for R.No.4</u></b>	Appointment	For Hearing Reply Filed by R-1 to R-3	11.03.2024
58	OA707/21 with	Dhule	Adv.Talekar & Associates (Chetan P Kulkarni) <b><u>Adv.H D Gaikwad for R.No.3</u></b>	Appointment	For Hearing Reply Filed by R-1 to R-3	
59	OA708/21 with	Dhule	Adv.Talekar & Associates (Rahul D Patil) <b><u>Adv.H D Gaikwad for R.No.4</u></b>	Appointment	For Hearing Reply Filed by R-1 to R-3	
60	OA709/21	Dhule	Adv.Talekar & Associates (Manoj D Bagul) <b><u>Adv.H D Gaikwad for R.No.4</u></b>	Appointment	For Hearing Reply Filed by R-1 to R-3	

**Date: -14/02/2024**

**D.B. For Reply Board**

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
<b>Due Admission Matters</b>						
1	CP31/22 In OA44/20	Jalna	Adv.K.B. Jadhav (Asha S Gaikwad)	Contempt Petition	Reply Filed by R-4 As a one more Last Chance for Filing Affidavit in Reply <b><u>Ref Order Dtd. 29.09.2023</u></b>	15.02.2024
2	CP49/23 In	Nanded	Adv S L Bhapkar (Jeevan G Shinde)	Contempt Petition	By way of Last	11.03.2024

	OA315/19				Chance For Filing Affidavit in Reply <b><u>Ref Order Dtd. 04.12.2023</u></b>	
3	CP70/23 In OA501/20	A'bad	Adv V G Pingle (Dr. Prashant B Shamkuwar)	Contempt Petition	For Filing Affidavit in Reply	06.03.2024
4	OA507/23 With	A'bad	Adv Sachin S Deshmukh (Mamta B Ghayal)	Selection Process (MPSC)	Notice not Collected	11.03.2024
5	OA524/23	A'bad	Adv S B Kakde (Suwarnamala S Bikkad)	Selection Process (MPSC)	Await Service	11.03.2024
6	OA664/23	Beed	Adv Mohit R Deshmukh (Sanjaykumar T Shinde)	Seniority List Promotion	Reply Filed by R-2 & R-3  For Filing Affidavit in Reply Remaining Respondents.	14.03.2024
7	OA757/23	Satara	Adv U L Momale (Yashwant S Katkar & Anr.)	Seniority List	For Filing Affidavit in Reply	05.03.2024
8	OA1037/23 With	N'bar	Adv Mahesh S Deshmukh/ Adv U L Momale (Sanjay S Patil)	Seniority List	For Filing Affidavit in Reply	05.03.2024
9	OA1038/23 With	A'nagar	Adv M S Deshmukh/ Adv U L Momale (Sanjay D Shelke)	Seniority List	For Filing Affidavit in Reply	Disposed of
10	OA1039/23 With	Jalgaon	Adv M S Deshmukh/ Adv U L Momale (Dipak M Patil)	Seniority List	For Filing Affidavit in Reply	
11	OA1055/23 With	Raigad	Adv M S Deshmukh/ Adv U L Momale (Suresh D More)	Seniority List/ Show Cause Notice for Reversion	For Filing Affidavit in Reply	
12	OA1056/23 With	Satara	Adv M S Deshmukh/ Adv U L Momale (Rajendra S Sawant)	Seniority List/ Show Cause Notice for Reversion	For Filing Affidavit in Reply	05.03.2024



<b>13</b>	OA1057/23 <b>With</b>	Ratnagiri	Adv M S Deshmukh/ Adv U L Momale (Rajendra P Kulkarni)	Seniority List/ Show Cause Notice for Reversion	For Filing Affidavit in Reply	05.03.2024
<b>14</b>	OA1058/23 <b>With</b>	Raigad	Adv M S Deshmukh/ Adv U L Momale (Sachin Y Pagare)	Seniority List/ Show Cause Notice for Reversion	For Filing Affidavit in Reply	
<b>15</b>	OA1059/23 <b>With</b>	Kolhapur	Adv M S Deshmukh/ Adv U L Momale (Rajesh B Shinde)	Seniority List/ Show Cause Notice for Reversion	For Filing Affidavit in Reply	
<b>16</b>	OA1060/23 <b>With</b>	Mumbai	Adv M S Deshmukh Adv U L Momale (Prashant A Gaikwad)	Seniority List	Await Service R-1 For Filing Affidavit in Reply	
<b>17</b>	OA1061/23 <b>With</b>	Mumbai	Adv M S Deshmukh/ Adv U L Momale (Umakant L Desale)	Seniority List	For Filing Affidavit in Reply	
<b>18</b>	OA1062/23 <b>With</b>	Mumbai	Adv M S Deshmukh/ Adv U L Momale (Vijaykumar R Chougule)	Seniority List	For Filing Affidavit in Reply	
<b>19</b>	OA1063/23 <b>With</b>	Mumbai	Adv M S Deshmukh/ Adv U L Momale (Dhananjay A Vyawahare)	Seniority List	For Filing Affidavit in Reply	
<b>20</b>	OA1064/23 <b>With</b>	Palghar	Adv M S Deshmukh/ Adv U L Momale (Vishal A Ahirrao)	Seniority List	For Filing Affidavit in Reply	
<b>21</b>	OA1065/23 <b>With</b>	Kolhapur	Adv M S Deshmukh/ Adv U L Momale (Santosh V Rasane)	Seniority List	For Filing Affidavit in Reply	
<b>22</b>	OA1066/23 <b>With</b>	Thane	Adv M S Deshmukh/ Adv U L Momale (Mahendra H Khamkar)	Seniority List	For Filing Affidavit in Reply	
<b>23</b>	OA1067/23 <b>With</b>	Sindhudurg	Adv M S Deshmukh/ Adv U L Momale (Sanjay V Dahiphale)	Seniority List	For Filing Affidavit in Reply	
<b>24</b>	OA1072/23 <b>With</b>	Nagpur	Adv M S Deshmukh/ Adv U L Momale (Anand M Rode)	Challenging Seniority List	For Filing Affidavit in Reply	
<b>25</b>	OA1073/23 <b>With</b>	Amravati	Adv M S Deshmukh/ Adv U L Momale (Talba S Bawane)	Challenging Seniority List	For Filing Affidavit in Reply	
<b>26</b>	OA1074/23 <b>With</b>	Chadrapur	Adv M S Deshmukh/ Adv U L Momale (Nagnath B Sagar)	Challenging Seniority List	For Filing Affidavit in Reply	
<b>27</b>	OA1075/23	Gondiya	Adv M S Deshmukh Adv U L Momale (Pralhad F Khandwaye)	Challenging Seniority List	For Filing Affidavit in Reply	

28	OA1104/23	A'nagar	Adv S B Bhosale Dr. N R Waybhave	Transfer Direction	For Filing Affidavit in Reply	14.03.2024
<b>Order Matters</b>						
29	MA142/22 In OAS1562/22	Nanded	Adv S K Mathpati (Rajratan S Ippalwad)	M.A For Condonation of Delay	As a Last Chance For Filing Affidavit in Rejoinder <b><u>Ref Order Dtd.</u></b> <b><u>05.06.2023</u></b>	14.03.2024
30	MA121/23 In OAS1417/23	P'rbn	Adv V G Pingle (Sk.Ayab Sk. Amin)	M.A For Condonation of Delay	By way of Last Chance For Filing Affidavit in Reply	14.03.2024
31	MA563/23 In OA526/23	O'bad	Adv R P Bhumkar (Angad R Shinde) <b><u>Adv Uddhav L Momale</u></b> <b><u>In O.A 526/23</u></b> (Govind B Bhokare)	M.A For Intervention	Await Service R-2	05.03.2024
32	MA23/24 In OA1120/23	Ch.S. Nagar	Adv R R Awhad/ Adv Kalyan V Patil (Vishal B Tayade & Ors.) <b><u>Adv BN Magar-Patil in</u></b> <b><u>OA 1120/23</u></b> (Satule C Virabhadra & Ors.)	M.A For Intervention	Await Service For R-14 In M.A & Await Service For R-1 to R-3 In O.A	22.02.2024

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

*List of Cases set down for Physical Hearing/Admission/Order/etc.before Hon'ble Single Bench  
Before: - THE HON'BLE JUSTICE SHRI V. K. JADHAV, MEMBER (J)*

**Date: -14/02/2024**

**For Reply Board**

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
<b>Due Admission Matters</b>						
1	OA114/20	Latur	Adv Preeti R Wankhade (Dagdu G Patil)	Recovery/ Pension & Pensionary Benefits	For Filing Affidavit in Rejoinder	26.3.2024
2	OA196/23	P'rbn	Adv Vivek Pingle (Ganesh U Chavan)	Recovery	For Filing Affidavit in Rejoinder	21.3.2024
3	OA630/23	Latur	Adv J S Deshmukh (Dr. Govind K Reddy)	Transfer	For Filing Affidavit in Reply	20.3.2024
4	OA639/23	O'bad	Adv S D Joshi (Sandhya V Pawar) <b><u>Adv Pooja S Mundhe</u></b> <b><u>For R-4</u></b>	Directions/ Transfer	For Filing Affidavit in Rejoinder	21.3.2024
5	OA776/23	Nanded	Adv V B Wagh/ Adv A S Therokar/ Adv V P Adkine (Dr. Prakash L Gattani) <b><u>Adv A S Deshmukh For</u></b> <b><u>R-2</u></b>	Transfer	For Filing Affidavit in Reply	19.3.2024
6	OA817/23	Jalna	Adv V G Pingle Adv Pallavi Karhadkar (Vaishali N Kattul)	Benefits of G.R	For Filing Affidavit in Reply R-1 & R-2	19.3.2024
7	OA818/23	A'bad	Adv K B Jadhav (Janardhan D Rathod)	Interest on Delayed Payments	Reply Filed By R-5 For Filing Affidavit in Reply of other Respondents	21.3.2024
8	OA908/23	A'nagar	Adv V B Wagh/ Adv A S Therokar (Suresh K Gholap)	Suspension	Await Service	13.3.2024

<b>9</b>	OA933/23 <b>With</b>	Nanded	Adv.A.S.Deshmukh (Babu V Gitte)	Service Benfit	For Filing Affidavit in Reply	21.3.2024
<b>10</b>	OA934/23 <b>With</b>	P'bhani	Adv.A.S.Deshmukh (Gautam K Bhalerao)	Service Benfits	For Filing Affidavit in Reply	
<b>11</b>	OA935/23	Hingoli	Adv.A.S.Deshmukh (Devidas U Shelke)	Service Benfits	For Filing Affidavit in Reply	
<b>12</b>	OA954/23	A'bad	Adv V G Pingle (Swarupchand R Barwal)	Pension	For Filing Affidavit in Reply R-3 & R-6	21.3.2024
<b>13</b>	OA1068/23	P'rbn	Adv Talekar & Associates (Gunaji G Kamble)	Benefits of T.B.P	For Filing Affidavit in Reply	3.4.2024
<b>14</b>	OA1116/23	A'bad	Adv D T Devane (Yogesh N Pawar)	The Payment of Remaining amount of Medical bill	For Filing Affidavit in Reply	21.3.2024
<b>15</b>	OA29/24	Jalgaon	Adv J B Choudhary/ Adv P D Bodade (Umakant N Koli)	Deem Date of Promotion	For Filing Affidavit in Reply	27.3.2024
<b>16</b>	OA30/24	Jalgaon	Adv J B Choudhary/ Adv P D Bodade (Satish M Thailar)	Deem Date of Promotion	For Filing Affidavit in Reply	
<b>17</b>	OA31/24	Jalgaon	Adv J B Choudhary/ Adv P D Bodade (Maheshkumar B Patil)	Deem Date of Promotion	Not Properly Served (Await Service R-3)	
<b>18</b>	OA82/24	A'bad	Adv Sachin S Deshmukh/ Adv Shaikh Majit S. (Madhukar R More)	Transfer	Await Service R-1	28.2.2024
<b>Order Matter</b>						
<b>19</b>	MA394/19 In OAST1674/19	Dhule	Adv Amruta Paranjape- Menezes (Bhaskar K Shinde)	M.A For Condonation of Delay	Await Service	21.3.2024

**M.A. No. 227/2021 in O.A. St. No. 901/2021**  
**(Anil V. Mahajan Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant submits synopsis of events. Same is taken on record and copy thereof is given to learned Presenting Officer.

3. S.O. to 06.03.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 14.02.2024

**M.A. No. 440/2022 in O.A. No. 314/2021**  
**(Govind A. Jadhav & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Ms. Vishakha Patil, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. By consent, S.O. to 06.03.2024 for hearing **in urgent admission category**.

**MEMBER (J)**

KPB ORAL ORDER 14.02.2024

**ORIGINAL APPLICATION NO. 727 OF 2022**  
**(Laxman N. Mahure Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

None present for the applicant. Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 04.04.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 14.02.2024

**ORIGINAL APPLICATION NO. 542 OF 2023**  
**(Radhabai E. Jondhale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Shri A.D. Gawale, learned counsel for the applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, as a last chance, S.O. to 04.04.2024 for hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 591 OF 2023**  
**(Sanjay P. Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks time to take instructions from the concerned respondent/s as to whether the present Original Application has become infructuous. Time granted.

3. S.O. to 29.02.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 751 OF 2023**  
**(Sakharam M. Ghodke Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 04.03.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 14.02.2024

**ORIGINAL APPLICATION NO. 769 OF 2023**  
**(Sunita D. Jarhad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant S.O. to 26.03.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 953 OF 2023**  
(Ilyas Khan Samsher Khan Pathan Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**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.

2. At the request of learned counsel for the applicant, S.O. to 22.02.2024 for hearing in **urgent admission category**.

**MEMBER (J)**

KPB ORAL ORDER 14.02.2024

**ORIGINAL APPLICATION NO. 109 OF 2021**  
**(Ashok D. Shiradkar & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 28.03.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 14.02.2024

**ORIGINAL APPLICATION NO. 601 OF 2021**  
**(Ramesh M. Darekar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Shri G.R. Jadhav, learned counsel holding for Shri A.S. Shelke, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 27.03.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 14.02.2024

**ORIGINAL APPLICATION NO. 610 OF 2021**  
(Madhukar K. Jadhav Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**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.

2. At the request of learned counsel for the applicant, S.O. to 22.02.2024 for hearing in **urgent admission category**.

**MEMBER (J)**

KPB ORAL ORDER 14.02.2024

**ORIGINAL APPLICATION NO. 732 OF 2021**  
(Dashrath D. Jadhav Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, 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 22.02.2024 for hearing in **urgent admission category**.

**MEMBER (J)**

KPB ORAL ORDER 14.02.2024



**M.A. No. 571/2023 in O.A. No. 989/2023**  
(Pradip B. Ekshinge Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Shri O.D. Mane, learned counsel for the applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. As none for the applicant, S.O. to 04.04.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 14.02.2024

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

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant has vehemently submitted that in the instant case, the Police Establishment Board at District Level has not been properly constituted. So far as 3<sup>rd</sup> Member of the said board is concerned, he is the Assistant Superintendent of Police, Sub-Division Kalamb, District Osmanabad. Learned counsel submits that in terms of Section 21J-1(2) of the Maharashtra Police Act, the 3<sup>rd</sup> Member, who is the Member Secretary, should be the Deputy Superintendent of Police (Head Quarter). The applicant has submitted rejoinder affidavit to that effect.

3. Learned Presenting Officer has taken instructions in this regard and submitted a copy of communication dated 12.02.2024 received from the Superintendent of Police, Dharashiv. Same is taken

//2//

O.A. No. 669/2023

on record and marked as Annexure R-2. On perusal of the said communication, it appears that the Superintendent of Police has informed that the post of Deputy Superintendent of Police (Head Quarter) Dharashiv was vacant and therefore, the SDPO Kallam was taken as a Member / Secretary on the Police Establishment Board meeting held on 13.07.2023 to decide the transfers and postings in the district. It is also informed that the post of SDPO, Kallam and DYSP Head Quarter are the same.

4. In view of the same, learned counsel for the applicant seeks time to take instructions in this regard from the applicant. Time granted.

5. S.O. to 22.02.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 481 OF 2022**  
**(Dhanwantsing H. Saini Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

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

**OPERATIVE ORDER**

- (i) Original Application No. 481/2022 is hereby dismissed.
- (ii) In the circumstances, there shall be no order as to costs.
- (iii) O.A. stands disposed of accordingly.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.487/2016**  
(Mohammed Badar Akbar Siddiqui Vs. State of Maharashtra &  
Ors.)

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Shri Asif Ali, learned Counsel holding for Smt. A.N.Ansari, learned Counsel for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 20-02-2024.

**MEMBER (A)**  
YUK ORAL ORDER 14.02.2024

**VICE CHAIRMAN**

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

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

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

2. In the present matter both the parties have filed on record the written notes of arguments. Today, both parties have submitted that no oral arguments are to be advanced by the parties.

**Reserved for order.**

**MEMBER (A)**  
YUK ORAL ORDER 14.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.142/2023**  
**(Deelipkumar B. Khedkar Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

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

2. Arguments are heard. Reserved for order.

**MEMBER (A)**  
YUK ORAL ORDER 14.02.2024

**VICE CHAIRMAN**

**M.A.NO.212/2023 IN O.A.NO.837/2022**  
**(Manisha S. Ahire Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri S.M.Sangle, learned Counsel for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondent authorities.

2. Present M.A. is filed seeking amendment in the O.A. In the O.A. the applicant has raised challenge to the final seniority list dated 18-08-2022 published by respondent no.3. During the pendency of the present O.A., final seniority list as on 01-01-2023 has been published on 31-03-2023. Applicant is intending to bring the said fact on record as well as contextual prayers thereby raising challenge to the said seniority list also. Learned Counsel for the applicant submitted that amendment sought is in consonance with the prayer made in the O.A.

3. Learned P.O. has submitted for passing appropriate order.



=2= M.A.NO.212/2023 IN O.A.NO.837/2022

4. In view of the fact that subsequent events which have occurred during the pendency of the O.A. filed by the applicant that on publication of the seniority list as on 01-01-2023 published on 31-03-2023 and the said fact is to be brought on record by way of amendment with contextual prayer, which is in consonance with the prayer made in the O.A., we are inclined to allow the M.A. for amendment. Hence, the following order:

ORDER

- [i] M.A. is allowed.
- [ii] Necessary amendment be carried out within 2 weeks.
- [iii] Copy of the amended plaint be placed on record. It would be open for the respondents to submit reply to the amended O.A., if it is so desired.

5. List the matter for filing additional affidavit in reply on behalf of the respondents on 18-03-2024.

**MEMBER (A)**

YUK ORAL ORDER 14.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.655/2021**  
**(Rahul D. Gaikwad Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Shri U.L.Telgaonkar, learned Counsel for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. tomorrow i.e. on 15-02-2024.

**MEMBER (A)**  
YUK ORAL ORDER 14.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.1072/2022**  
**(Vishal G. Waghmare Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri S.D.Joshi, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities.

2. Arguments are heard. Reserved for order.

**MEMBER (A)**  
YUK ORAL ORDER 14.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.859/2023**  
**(Aruna Bhimrao Kharat & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

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

2. Part Heard. S.O. to 21-02-2024.

**MEMBER (A)**  
YUK ORAL ORDER 14.02.2024

**VICE CHAIRMAN**

**M.A.51/2024 IN O.A.ST.NO. 2452/2023**  
**(Shaskiya Adiwasi Ashramshala Adhikshak Sanghatana**  
**Through its President Raju N. Sardar Vs. State of**  
**Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Shri S.P. Dhoble, learned counsel holding for  
Shri Vinod P. Patil, learned counsel for the applicant  
and Shri M.S. Mahajan, learned Chief Presenting  
Officer for the respondent authorities, are present.

2. S.O. to 07.03.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 14.02.2024-HDD

**C.P.NO. 10/2024 IN O.A.NO. 745/2022**  
**(Karbhari M. Bahure Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Shri D.K. Rajput, learned counsel for the applicant (**absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 05.04.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 14.02.2024-HDD

**M.A.NO. 52/2024 IN O.A.ST.NO. 265/2024**  
**(Gajendra R. Vasmatkar & Ors. Vs. State of Maharashtra & Ors.)**

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri Ajay S. Deshpande, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

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

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

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

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST.NO. 265 OF 2024**  
**(Gajendra R. Vasmatkar & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri Ajay S. Deshpande, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel for the applicants submits that the notices are already served on all the respondents.

3. Learned counsel for the applicants has insisted for interim relief thereby directing the respondents not to proceed with the issuance of the appointment orders till decision of the present O.A.

4. Learned Chief Presenting Officer submits that the respondents would submit their affidavit in reply in any case on or before 22.02.2024. He further states that till then no appointment orders are likely to be issued.



**:: - 2 - ::**

**O.A. ST.NO. 265/2024**

5. Recording statement of learned C.P.O. as above, time is granted for filing affidavit in reply by the respondents till 22.02.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 14.02.2024-HDD

**M.A.NO. 55/2024 IN O.A.ST.NO. 281/2024**  
**(Dr. Kiran M. Karhale & Ors. Vs. State of Maharashtra & Ors.)**

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

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

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

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

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST.NO. 281 OF 2024**  
**(Dr. Kiran M. Karhale & Ors. Vs. State of Maharashtra & Ors.)**

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The applicants are intending to apply for their appointment on the post of B.A.M.S. Medical Officer in pursuance of the advertisement published on 31.01.2024 by respondent No. 3. The upper age limit for making application for the subject post, as mentioned in the advertisement is “43 years” as on 31.01.2024. All these applicants are admittedly crossed the said age limit. It is the contention of the applicants that since they have marginally crossed the upper age limit they need to be given an opportunity to apply for the said post. It is their contention that since they had rendered their services for the Government under the Scheme of National Health Mission that also requires to be

considered. In the circumstances, the present O.A. has been filed seeking the following reliefs: -

*“a) By issuing appropriate orders the respondents may kindly be directed to allow applicants to participate in recruitment process pursuant to Advertisement No. 1/24 issued by respondent no. 3 for the post of B.A.M.S. Group-A Medical Officer by giving age relaxation to them.*

*b) By issuing appropriate orders the respondents may kindly be directed to treat the service rendered by applicants on contractual basis on the post of Community Health Officer under National Health Mission Scheme for giving them the benefit of age relaxation for participating in recruitment process pursuant to Advertisement no. 1/24 issued by respondent no. 3 for the post of B.A.M.S. Group-A Medical Officer.*

*c) Pending hearing and final disposal of O.A. the respondents may kindly be directed to allow applicants to participate in recruitment process pursuant to Advertisement no. 1/24 issued by respondent no. 3 for the post of B.A.M.S. Group-A Medical Officer subject to outcome of this Original Application by accepting online application.*

*d) Any other appropriate relief as may deem fit in favour of the petitioner be granted.”*

3. Learned counsel has prayed for the interim relief, thereby directing the respondents to provisionally permit the present applicants to apply for the said post and to consider their candidature subject to outcome of the present application. Learned counsel pointed out that in the advertisement under clause 7.2 the age limit is relaxed up to 05 years for the candidates, who are in the regular appointment of the Government. According to the learned counsel, same also can be useful factor for the applicants. However, when the query made by us whether the applicants are in regular Government employment, the learned counsel was fair enough in submitting that the applicants are not regular Government employees. If that be so, it does not appear to us that any of the reliefs claimed by the applicants can be considered and granted by this Tribunal. Except the aforesaid prayer, there are no other prayers made by the applicants.

4. Considering the fact as aforesaid, we do not see any propriety even in issuing the notice to the respondents, since none of the relief claimed by the

**:: - 4 - ::**

**O.A. ST.NO. 281/2024**

applicants can be granted in the facts and circumstances as are pleaded in the O.A. Hence, the following order: -

**ORDER**

The Original Application stands summarily rejected. There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 14.02.2024-HDD

**M.A.NO. 563/2023 IN O.A.NO. 526/2023**  
**(Angad Ramkisan Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

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

2. It is reported that the respondents are served. Remark 'await service' be removed.
3. S.O. to 05.03.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 14.02.2024-HDD

**M.A.NO. 121/2023 IN O.A.ST.NO. 417/2023**  
**(Sk. Ayub Sk. Amin Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

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

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted as most last chance.

3. S.O. to 14.03.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 14.02.2024-HDD



**C.P.NO. 70/2023 IN O.A.NO. 501/2020**  
**(Dr. Prashant B. Shamkuwar Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Shri V.G. Pingle, 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 sought time for filing affidavit in reply. Time granted.
3. S.O. to 06.03.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 14.02.2024-HDD

**C.P.NO. 02/2024 IN O.A.NO. 530/2023**  
**(Manjusha Malaiyya Mutha Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

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

2. Learned Chief Presenting Officer submits that the concerned file has not yet been received back from the office of Hon'ble Chief Minister. He has, therefore, sought more 02 days' time to submit the compliance report. Granted.

3. S.O. to 16.02.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 14.02.2024-HDD

**ORIGINAL APPLICATION NO. 757 OF 2023**  
**(Yashwant S. Katkar & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri U.L. Momale, learned counsel for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 1 and the same is taken on record and copy thereof has been served on the learned counsel for the applicants.

3. S.O. to 05.03.2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 1039 OF 2023**  
**(Dipak Mukunda Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri M.S. Deshmukh along with Shri U.L. Momale, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant has tendered Government Resolution dated 02.01.2024 and the same is taken on record.

3. Learned counsel submits that in view of the aforesaid G.R. the grievance raised by the applicant has been redressed. He has, therefore, prayed for disposal of the present Original Application. Learned Chief Presenting Officer has also made similar prayer that in view of the aforesaid G.R. filed on record by the applicant the O.A. can be disposed of. Hence, the following order is passed: -

**ORDER**

In view of Government Resolution dated 02.01.2024, the present Original Application stands disposed of

**MEMBER (A)**

**VICE CHAIRMAN**

**O.A.NOS. 1037, 1038, 1055, 1056, 1057, 1058, 1059,  
1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067,  
1072, 1073, 1074 & 1075 ALL OF 2023  
(Sanjay S. Patil & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman  
AND  
Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Shri M.S. Deshmukh/U.L. Momale, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. In all these matters time is granted for filing affidavit in reply or for making the statement whether the respondents are adopting the affidavit in reply filed in the identical matters.

3. S.O. to 05.03.2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

**C.P.NO. 49/2023 IN O.A.NO. 315/2019**  
**(Jeevan Govindrao Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Shri D.S. Bhapkar, learned counsel holding for Shri S.L. Bhapkar, 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 with the relevant documents 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 11.03.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 14.02.2024-HDD

**M.A.NO. 23/2024 IN O.A.NO. 1120/2023**  
**(Vishal B. Tayade & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Shri R.R. Awhad, learned counsel for the applicants in M.A., Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri B.N. Magar-Patil, learned counsel for the applicant in O.A., are present.

2. S.O. to 22.02.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 14.02.2024-HDD

**O.A.NOS. 1099, 1011 BOTH OF 2022 AND O.A.NOS. 89 to 95 ALL OF 2023 AND O.A.NOS. 818, 819 & 736 ALL OF 2022**  
**(Dr. Sapna H. Tallarwar & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman  
AND  
Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Ms. Preeti R. Wankhade, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these matters, are present.

2. S.O. to 01.03.2024 for final disposal.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 14.02.2024-HDD



**M.A.NO. 56/2024 IN O.A.NO. 64/2024**  
**(Shubham M. Vanjare & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Ms. Neha Kamble, learned counsel for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri R.R. Avhad, learned counsel for caveator, are present.

2. S.O. to 23.02.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 14.02.2024-HDD

**ORIGINAL APPLICATION NO. 57/2023**  
**(Shaikh Mohd. Aslam Rahimshamiya Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri S.G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. At the request of Shri S.G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned counsel for the applicant, S.O. to 27.3.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 114/2020**  
**(Dagdu G. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

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

2. The learned counsel for the applicant submits that during the course of the day, the rejoinder affidavit would be filed. Pleadings are completed.

3. List the matter for hearing on 26.3.2024.

**MEMBER (J)**

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

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of learned Chief Presenting Officer, S.O. to 22.2.2024. The interim relief, if any, granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 817/2023**  
**(Vaishali N. Kattul Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri V.G. Pingle, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer seeks time for filing the affidavit in reply of the respondents. Time granted.

3. S.O. to 19.3.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 954/2023**  
**(Swarupchand R. Barwal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri V.G. Pingle, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities.

2. Learned Presenting officer submits affidavit in reply on behalf of respondent no. 3. Same is taken on record and copy thereof has been supplied to other side.

3. List the matter for admission hearing on 21.3.2024 and filing rejoinder affidavit, if any.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 29/2024**  
(Umakant N. Koli Vs. State of Maharashtra & Ors.)

**ORIGINAL APPLICATION NO. 30/2024**  
(Satish M. Thailar Vs. State of Maharashtra & Ors.)

**ORIGINAL APPLICATION NO. 31/2024**  
(Maheshkumar B. Patil Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri J.B. Choudhary, learned counsel for the applicants in all the three matters and S/shri I.S. Thorat, B.S. Deokar & D.R. Patil, learned Presenting Officers for the respondent authorities in respective matters.

2. So far as O.A. no. 31/2024 is concerned, the learned Presenting Officer waives notice for respondent no. 3.

3. The respective learned Presenting Officers seek time for filing affidavit in reply in respective matters. Time granted.

4. S.O. to 27.3.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 776/2023**  
**(Dr. Prakash L. Gattani Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned counsel for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri Avinash S. Deshmukh, learned counsel for respondent no. 2.

2. At the request of learned Presenting Officer, so also at the request of learned counsel appearing for respondent no. 2, S.O. to 19.3.2024 for filing affidavit in reply as a last chance.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 908/2023**  
**(Suresh K. Gholap Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicant, issue fresh notice to the respondents, returnable on 13.3.2024.

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 13.3.2024.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 519/2023**  
**(Dr. Kalidas Niras Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned counsel for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities and Shri G.V. Mohekar, learned counsel for respondent no. 4.

2. Even though last chance was granted, no affidavit in reply is filed by the respondents.

3. List the matter for admission hearing on 27.3.2024 with liberty to other side to file the affidavit in reply. The interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 520/2023**  
**(Dr. Abasaheb A. Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned counsel for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities and Shri G.V. Mohekar, learned counsel for respondent no. 4.

2. Learned counsel on instructions submits that the applicant do not want to file any rejoinder affidavit.

3. List the matter for admission hearing on 27.3.2024 with liberty to other side to file the affidavit in reply. The interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 619/2023**  
**(Bhagwan S. Kendre Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities.

2. The learned counsel for the applicant, on instructions, submits that the applicant has been transferred to Latur as desired by him by the order dated 7.12.2023. However, the respondent authorities have taken almost 06 months' time for passing the appropriate order in this regard. The learned counsel submits that in view of the subsequent development and since the applicant has no grievance with regard to his transfer, the grievance only remains about said period of approximately 06 months, which is required to be treated as duty period. Learned counsel thus seeks leave to amend the prayer clause and to insert said

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**O.A. NO. 619/2023**

prayer. Leave granted. Amendment be carried out forthwith.

3. The learned Presenting Officer seeks time to file affidavit in reply with regard to same. Time granted.

4. S.O. to 20.3.2024.

**MEMBER (J)**

ARJ ORAL ORDER 14.02.2024

**ORIGINAL APPLICATION NO. 834/2023**  
**(Dr. Balasaheb S. Nagargoje Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

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

2. This matter pertains to the suspension of the applicant. The leaned Presenting Officer, on instructions in writing, submits that the process of reinstating the applicant in service is in progress. The communication dated 12.2.2024 in this regard is taken on record and same is marked as document 'X' for the purpose of identification. The learned Presenting Officer seeks short adjournment.

3. S.O. to 6.3.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 82/2024**  
**(Madhukar R. More Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri Majit S. Shaikh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer appears for respondent no. 01 and seeks time for filing affidavit in reply on behalf of all the respondents. Time granted.

3. S.O. to 28.2.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 60/2023**  
**(Vithal Motarwar & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri P.V. Ambade, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer seeks short time to comply with the order dated 24.1.2024. time granted.

3. S.O. to 28.2.2024.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 61/2023**  
**(Madhav Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

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

2. At the request of learned Presenting Officer, S.O. to 7.3.2024 for producing the record as the same is not yet received.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 148/2024**  
**(Swati Santosh Shende Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri Jiwan Patil, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The learned counsel for the applicant submits that by filing this Original Application the applicant is challenging the transfer order dated 31.1.2024. Learned counsel submits that by order dated 21.1.2022 the applicant, who was working as District Supply Officer at Sangli, came to be transferred as District Supply Officer at Dharashiv. Learned counsel submits that by transfer order dated 31.1.2024 the applicant came to be transferred from the post of District Supply Officer, Dharashiv to the post of Assistant Commissioner (B.C. Cell) at Sambhajinagar.

3. Learned counsel submits that the transfer order dated 31.1.2024 is midterm and mid tenure. Learned counsel submits that applicant came to be

transferred particularly on the basis of the directions given by the Election Commission of India on account of ensuing parliamentary election in the Country. Learned counsel submits that so far as District Dharashiv is concerned, same is not Home District of the applicant. Since the applicant came to be transferred from Sangli to Dharashiv by order dated 31.1.2022, the applicant had not completed her tenure as on 31.1.2024. Leaned counsel submits that even the Collector, Dharashiv has informed to the Government by communication dated 5.2.2024 that the applicant has neither completed her 3 years' tenure nor the post held by her is connected to the parliamentary election process in any manner.

4. On careful perusal of the directions given by the Election Commission of India (Annex. B & C), it appears that, certain conditions are laid down for the transfers. It appears from Annex. B that if the employee is posted in his Home District and if such employee has completed three years in that district during last four years or would be completing three

years on or before 30.6.2024, is required to be transferred. Further same is with regard to the policy consistently followed by the Election Commission that the persons directly connected with the conduct of Elections in an election going in State are not posted in their home districts or places where they have served for considerably long period.

5. Prima-facie, it appears that though aforesaid conditions are lacking in the transfer of the applicant, which is substantiated by communication dated 5.2.2024 sent by the Collector, Dharashiv to Government, the impugned order seems to have been passed. I am, thus, inclined to protect the applicant by passing the interim order.

6. Issue notice to respondents, returnable on 5.3.2024, **till then interim relief in terms of prayer clause (D) is hereby granted, which reads as under :-**

***“D) Pending hearing and final disposal of the present original application grant stay to the impugned order of transfer dated 31.1.2024 (Annexure ‘D)’”.***

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**O.A. NO. 148/2024**

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

8. 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.

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

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

11. S.O. to 5.3.2024.

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

**MEMBER (J)**

**M.A. ST. NO. 2201/2023 IN O.A. ST. 1849/2023  
(Kashinath Deore Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

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

2. Issue notice to the respondents in M.A., returnable on 2.4.2024.

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 2.4.2023.

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

**MEMBER (J)**

**M.A. NO. 48/2024 IN O.A. ST. 251/2024**  
**(Bibhishan Aher Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri G.J. Kore, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents in M.A., returnable on 2.4.2024.

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 2.4.2023.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1059/2022**  
**(Jayprakash B. Ramanand Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri Akshay Dhore, learned counsel holding for Shri Vijay B. Patil, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Learned counsel Shri Akshay Dhore holding for Shri Vijay B. Patil, learned counsel for the applicant, on instructions, seeks leave to withdraw this Original Application. Leave granted.

3. The Original Application stands disposed of as withdrawn. There shall be no order as to costs.

**MEMBER (J)**



**ORIGINAL APPLICATION ST. NO. 208/2024**  
**(Rajeshri R. Gode Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

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

2. The office has raised an objection that the present Original Application appears to be barred by limitation in view of the seniority list dated 31.10.2017 and the order dated 22.12.2020. By way of this O.A., the applicant is seeking direction to consider her claim as per the seniority list dated 31.10.2017 maintained for giving compassionate appointments. By seeking specific relief, the applicant by way of pleadings and certain annexures has pointed out that, though certain persons junior to her in the waiting list have been given an appointment, however, her case is not considered. In view of the same, there is no delay as such and the applicant is seeking direction to consider her claim as per the seniority list dated 31.10.2017.

3. The office objection thus stands overruled.
4. Issue notice to the respondents, returnable on 28.3.2024.
5. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
6. 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.
7. 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.
8. 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.

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**O.A. ST. NO. 208/2024**

9. S.O. to 28.3.2024.
10. Steno copy and Hamdast is allowed to both parties.

**MEMBER (J)**

ARJ ORAL ORDER 14.02.2024

**ORIGINAL APPLICATION NO. 497/2020**  
**(Bhujang V. Godbole Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities.

2. By order dated 3.1.2024 this Tribunal has directed the learned Presenting Officer to call the record and proceedings in connection with the issue raised in the O.A. Learned P.O., on instructions, submits that meanwhile record has been sent to respondent no. 01 by respondent no. 02 and, as such, R&P is lying with respondent no. 01 at Mumbai. Learned P.O. thus seeks time. Time granted.

3. S.O. to 6.3.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1140/2022**  
**(Rameshwar Harbhare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

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

2. Learned Presenting Officer, on instructions, submits that during pendency of this Original Application, the Department has regularized the suspension period of the applicant and so far as non-payment of the subsistence allowance and the payment of the allowances of the said period, the same is in process. Learned P.O. seeks time to file short affidavit in this regard. Time granted.

3. S.O. to 21.2.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1142/2022**  
**(Smt. Maya Bapu Chabukswar w/o late Bapu Chabukswar Vs.**  
**State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. So far judgment in O.A. No. 242/2009 and other connected O.As. placed before the Tribunal by the learned Presenting Officer, both the parties are directed to make available copy of judgments delivered in O.A. No. 287/2011 and 64/2013 till next date.

3. S.O. to 6.3.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 815/2023**  
**(Bijusing D. Gusinge Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

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

2. In order to compliance of the order dated 7.2.2024, the learned Presenting Officer submitted short affidavit of the respondents and copy thereof is given to learned counsel for the applicant.

3. S.O. to 21.2.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 297/2019**  
**(Balajni Marotrao Shinde & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned counsel holding for Shri Deepak S. Manorkar, learned counsel for the applicants, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent nos. 2 & 3, are present.

2. Learned counsel for the applicants has submitted copy of the proposal dated 18.10.2022 submitted by respondent no. 2 to respondent no. 1. Same is accepted and marked as document 'Annex. A-13' and copy thereof is given to the learned counsel appearing for respondent nos. 2 & 3 including the learned P.O.

3. Heard finally with consent of both the sides.

4. By this Original Application the applicants are seeking directions for grant of time bound pay scale benefit as per the order passed by this Tribunal in



O.A. No 344/2014 dated 5.12.2014 and in O.A. No. 768/2016 dated 23.7.2018 and as per the G.R. dated 16.9.2016 issued by the respondents and also seeking promotional pay scale as per letter dated 12.2.2015.

5. Brief facts as stated by the applicants giving rise to this Original Application are as follows :-

(i) The applicants were firstly appointed as Muster Clerk or Tracer or Karkoon vide Annex. A-11 page 254 of the paper book). Further the chart at Annex. A-11 demonstrates their date of first appointment, date when they came on C.R.T.E., as well as, date when they had completed 12 years' of service. However, the respondents have not granted them the benefit as per the Government policy till retirement of the applicants.

(ii) Learned counsel appearing for the applicants submits that the respondent authorities have considered 14 posts i.e. post of Muster Clerk, Tracer, Karkoons etc. as

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isolated posts ignoring the Government Resolutions dated 31.1.1989, 3.9.1999, 8.8.2001 and Recruitment Rules dated 26.2.2002 and 19.9.2002 respectively.

(iii) Learned counsel for the applicants submitted that the respondent no. 1 herein is the competent authority to take appropriate decision in respect of the reliefs claimed by the applicants. Learned counsel submitted that in terms of the oral or written representations submitted by the applicants to the respondent authorities, the respondent no. 2, the Superintending Engineer, Nanded Irrigation Project Circle, Dist. Nanded and respondent no. 3, the Executive Engineer, Urdva Penganga Project No. 1, Division Nanded, have forwarded detailed proposal dated 18.10.2022 to respondent no. 1, the Secretary, Irrigation/Water Resources Department, Mantralaya, Mumbai, for appropriate decision.

6. The learned counsel for the applicants, on instructions, submits that the applicants are

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pressing this Original Application only to the extent of giving directions to respondent no. 1 to decide the said proposal dated 18.10.2022 in a time bound manner. Learned counsel has, however, made it clear that the prayer to the extent about directions to respondent no. 1 to decide said proposal is not inserted in the O.A. for the reason that during pendency of the present O.A. the applicants have submitted the proposal time to time, however, by communication dated 18.10.2022 the respondent no. 2 has submitted exhaustive proposal to respondent no. 1. In view of the same, the applicants now restrict their claim to give direction to the respondent no. 1 to decide the said proposal in time bound manner.

7. In the case of similarly situated persons this Tribunal in O.A. No. 574/2021 and other connected matters vide order passed on 31.1.2024 has directed the respondent no.1 in the said matters to decide the proposal, which is having of different date, as expeditiously as possible in time bound manner.

8. Learned Presenting Officer, as well as, learned counsel appearing for respondent nos. 2 & 3 have not disputed the same. Shri Mene, learned counsel appearing for respondent nos. 2 & 3 submits that respondent no. 2 has forwarded the proposal by communication dated 18.10.2022 to respondent no. 01. In this regard, the learned P.O. submits that if the respondent no. 2 has forwarded proposal in this regard, appropriate order may be passed, if the said proposal is still pending.

9. In view of above, since the applicants are seeking direction by not pressing other prayers made in the O.A., I proceed to pass the following order:-

**ORDER**

(i) The present Original Application is hereby partly allowed.

(ii) The respondent no. 1 is hereby directed to decide the proposal dated 18.10.2022 (Annex. A-13) if it is pending, as expeditiously as possible and preferably within the period of 03 months from the date of this order.

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(iii) In the circumstances, there shall be no order as to costs.

(iv) The Original Application stands disposed of.

**MEMBER (J)**

ARJ ORAL ORDER 14.02.2024

**M.A. No. 299/2020 in O.A. St. No. 1286/2020  
(Ram Shivram Bajulge Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri Amol Kokad, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. There is a delay of 11 years and 04 days caused in filing the accompanying Original Application.

3. Learned counsel for the applicant submits that the applicant was appointed as Assistant Plant Station Officer by order dated 21.05.1984 w.e.f. 01.06.1984 on temporary basis. This order remained for a short period almost one month to six months till 16.10.1987 and therefore, from the year 1987 till 30.06.2017 the applicant worked continuously under the orders of the Industrial Court, Aurangabad. By order dated 28.01.1987, the learned Industrial Court, Aurangabad by issuing interim order in favour of the applicant directed the respondents that the applicant shall be continued on his present post until further orders and by order

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dated 31.10.1991, the learned Industrial Court, Aurangabad allowed the complaint ULP No. 14/1987. In the year 1996, the applicant has completed 12 years of service and earned the qualification of old ACPS for 1<sup>st</sup> benefit. However, the Joint Director, Social Forestry, Aurangabad awarded reappointment (absorption process) to the applicant in the services of respondent No. 1. As such, said respondent has counted the service of the applicant w.e.f. 04.07.2002. Learned counsel submits that the applicant has forwarded representations since 2009 onwards till the year 2018 to the Deputy Conservator of Forest, Nanded and the respondent No. 3 i.e. Chief Conservator of Forest (Territorial), Aurangabad, requesting therein for grant of benefit of ACPS.

4. Learned counsel for the applicant submits that the applicant came to be retired on attaining the age of superannuation on 30.06.2017. Learned counsel submits that even till today, the said representations have not been considered by the respondent authorities. Learned counsel submits that there is

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no inaction on part of the applicant and there is no intentional or deliberate delay as such. Learned counsel submits that the present Misc. Application seeking condonation of delay thus deserves to be allowed.

5. Learned Presenting Officer has strongly resisted the application on the ground that there is an inordinate delay caused in filing the accompanying Original Application, for which no satisfactory explanation has been tendered by the applicant. Mere filing of the representations does not bring the case of the applicant within limitation. There is no substance in the present Misc. Application and the same is liable to be dismissed.

6. The applicant at present retired employee. Though the applicant remained continuous in service from the year 1987, however absorption process begun in the year 2002 and as such, the applicant came to be reappointed by the order dated 09.07.2002. Consequently, the applicant has submitted his representation on 23.11.2009, while in service. Though the respondents have considered



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the services of the applicant for grant of ACPS benefits from 06.07.2002 to 06.07.2014, however, not counted his earlier period of service. Consequently, the applicant has submitted representations on 22.12.2016, 16.04.2018, 07.05.2018, 28.05.2018 & 26.06.2018. The applicant came to be retired in the year 2017. However, there is recurring cause of action, since the representations submitted by the applicant from the year 2009 onwards are still pending. There is no inaction on part of the applicant nor there is intentional or deliberate delay as such. I am thus, inclined to condone the delay caused in filing the accompanying O.A. subject to payment of costs to be paid by the applicant considering the period of delay, for which the application is submitted seeking condonation of delay. Hence, the following order :-

**ORDER**

- (i) The Misc. Application No. 299/2020 is hereby allowed.

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(ii) The delay of 11 years and 04 days caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned, subject to payment of costs of Rs. 1000/- (One Thousand only) to be paid by the applicant. The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.

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

(iv) The M.A. accordingly disposed of.

**MEMBER (J)**

**O.A. St. No. 1286/2020**  
**(Ram Shivram Bajulge Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 14.02.2024**

**ORAL ORDER :**

Heard Shri Amol Kokad, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. After registration, issue notices to the respondents, returnable on 04.04.2024.

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 04.04.2024.

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

**MEMBER (J)**