

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

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

DATE : 14.12.2022

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The Original Application is filed challenging the impugned order of transfer of the applicant dated 9.12.2022 (Annexure A-8 page 72 of paper book) issued by respondent no. 2 i.e. the Director General of Police, Maharashtra State, whereby the applicant has been transferred from the post of Assistant Police Inspector, Aurangabad (Rural) to Mumbai City as Assistant Police Inspector.

3. The applicant entered into service as Police Sub Inspector in the year 2012. After completing requisite training, in the year 2013, he was posted in Jalna District in Aurangabad Range. He worked there till 2015. Thereafter the applicant was transferred to Osmanabad District in Aurangabad Range itself, where he worked till 2020. On

29.10.2020 the applicant was transferred to Aurangabad (Rural) on administrative ground. After this transfer initially the applicant worked for some period in Control Room. Thereafter by order dated 10.2.2021 (Annexure 'A-1') issued by respondent no. 3, the applicant was posted at Khultabad Police Station. During the said tenure, the applicant was promoted to the post of Assistant Police Inspector. Before issuance of promotion order dated 28.4.2021 (Annexure A-2), the respondent no. 2 by letter dated 26.2.2021 (Annex. A-3) called for option being posted in particular Revenue Division. In view of the Revenue Division Allotment for appointment by nomination and promotion to the posts of Group "A" and Group "B" (Gazetted and Non-gazetted) of the Government Maharashtra Rules, 2015 (for short Rules of 2015) and amendments to the said rules effected vide Notifications dated 16.7.2015, 19.10.2016, 15.6.2017 & 19.7.2017 (Annex. A-4 collectively) the applicant in proforma Annex. A-5 gave option for Aurangabad Revenue Division and particularly Units of Aurangabad City, Aurangabad Range and Nanded Range for his posting on the post of API. Upon his promotion as API he was not only

allotted Aurangabad Revenue Division but was further posted in Aurangabad Range. Respondent no. 2, however, by the impugned order dated 9.12.2022 (Annex. A-8) transferred the applicant from Aurangabad (Rural) to Mumbai City.

4. It is the contention of the applicant that normal tenure of the post of API is laid down under section 22N(1)(c) of the Maharashtra Police Act as follows: -

“22N. Normal tenure of Police Personnel, and Competent Authority.

(1) Police Officers in the police force shall have a normal tenure as mentioned below, subject to the promotion or superannuation :

(a) -- -- -- --

(b) -- -- -- --

(c) for Police Officers of the rank of Police Sub-Inspector, Assistant Police Inspector and Police Inspector a normal tenure shall be of two years at a Police Station or Branch, four years in a District and eight years in a Range, however, for the Local Crime Branch and Special Branch in a District and the Crime Branch and Special Branch in a Commissionerate, a normal tenure shall be of three years.-”

5. Further according to applicant, in terms of Rule 9 (1) (b) of Rules 2015, he shall be entitled to complete service of minimum 6 years in the allotted Revenue Division.

6. The applicant is working on the post of API at Khultabad Police Station in Aurangabad Range since 28.4.2021 and before that from 10.2.2021 on the post of PSI. He has not completed 2 years tenure at the said Police Station or 4 years tenure in Aurangabad District or 8 years service in Aurangabad Range as contemplated U/s 22N(1)(c) of Maharashtra Police Act nor has he completed 6 years service as per rule 9(1)(b) of Rules 2015, by which the applicant is governed. In view of that the impugned transfer order of the applicant is midterm and mid-tenure.

7. The impugned order of transfer though issued on 9.12.2022 (Annexure 'A-8') respondent No. 2 has termed it as general order of transfer. Definition of general transfer laid down in Section 2(6)(a) of the Maharashtra Police Act means posting of a Police Personnel in the Police Force from one post, office or

department to another post, office or department in the month of April & May of every year after completion of normal tenure as mentioned in Sub-section (1) of Section 22N.

8. In the circumstances as above, the learned counsel for the applicant seeks interim order of stay to the execution and implementation of the impugned order of transfer as it is in contravention of provisions of Maharashtra Police Act, as well as, Rules of 2015.

9. The learned Chief Presenting Officer vehemently opposed the submissions raised on behalf of the applicant and placed on record the minutes of meeting of the requisite Police Establishment Board No. 2 dated 9.12.2022, G.R. dated 27.5.2022 and specification sheet in respect of various postings and transfers of the applicant.

10. In view of the aforesaid documents, the learned C.P.O. vehemently urged before me that specification sheet would show that the applicant has completed 8 years tenure in Aurangabad Range from 4.10.2013 till 31.5.2022. During the said

period he was posted initially at Jalna from 4.10.2013 to 3.10.2015, in Osmanabad district from 6.10.2015 to 30.10.2020 and in Aurangabad Rural from 25.11.2020 till date. By 31.5.2022 applicant has completed 8 years tenure in Aurangabad Range. In view of the same, according to him, applicant was due for transfer in general transfers to be effected now in view of meanwhile GR dated 27.5.2022 issued by GAD prohibiting transfers up to 30.6.2022 and exceptionally allowing transfers with permission of Hon'ble Chief Minister. In view of the same, according to learned C.P.O., impugned transfer order is legal and proper and no *prima facie* case is made out by the applicant to grant stay to the impugned transfer order.

11. Having considered the contentions raised in the O.A. together with annexures and rival submissions of both sides, it is evident that *prima facie* the impugned transfer order revolves around provisions under Section 22N(1)(c), as well as, Rule 9(1)(b) of Rules of 2015 and amendments therein during the period from 2015 to 2017.

12. Perusal of documents produced by learned C.P.O. on behalf of respondents would show *prima facie* that impugned transfer order of the applicant and others has been issued with the approval of Police Establishment Board No. 2, which is competent authority as per Section 22N(2), Explanation, for Police Personnel up to the rank of Police Inspector for transfer out of the respective Range or Commissionerate or Specialized Agency. By the impugned transfer order applicant has been transferred from Aurangabad Range to Mumbai City.

13. Perusal of the documents and pleadings would show that after completion of training, applicant was posted at Jalna district on 4.10.2013. Jalna district falls in Aurangabad Range. Subsequently, applicant worked in Osmanabad district from 6.10.2015 to 30.10.2020, which also falls in Aurangabad Range and thereafter from 25.11.2020 till date applicant is working in Aurangabad rural, which also comes in Aurangabad Range.

14. Initial appointment of applicant on the post of PSI falls in Group 'B' category, but it is non-gazetted post. There is no pleading as to whether at the time of his initial appointment, option under then prevailing rules viz. the Divisional Cadre Structure and Divisional Cadre Allotment for direct appointment by nomination to the posts of Group "A" and Group "B" (Gazetted and Non-gazetted) of the Government Maharashtra Rules, 2010 was obtained from the applicant or not. However, it is a fact that at the time of his promotion from PSI to API, which was issued on 28.4.2021 (Annex. A-2) option of Revenue Division was called for and the applicant gave option of Aurangabad Division. In Aurangabad Division there are 2 Ranges namely Aurangabad Range and Nanded Range. The applicant gave 3 options i.e. for Aurangabad City, Aurangabad Range and Nanded Range. If that is so, as per rule 9(1)(b) of rules of 2015, the applicant is entitled to stay in this Division up to 6 years. There is also rule 8 in rules of 2015, which speaks about tenure after a candidate being appointed by nomination. Said rule 8 of rules 2015 reads thus :-

“8(1) A candidate appointed by nomination, -

(b) in Group ‘B’ cadre shall be required to complete service of minimum nine years in the allotted Revenue Division.”

15. In the present case the applicant was directly appointed as a PSI. If rule 8(1)(b) of rules of 2015 is taken into consideration then the applicant shall be required to complete service of minimum 9 years in the allotted Division.

16. In view of above, it appears that the tenure of Government servant in the cadre of Group-B Gazetted and Non-gazetted, as well as, Group – A is also governed by Rules of 2015, as well as, concerned provisions of Transfer Act. In this case the applicant being Police Officer, the provisions of section 22-N of the Maharashtra Police Act would be applicable.

17. In this background, if the minutes of meeting of Police Establishment Board No. 2 are considered the said minutes refers only to the provisions of the transfers under Maharashtra Police Act and Rules of 2015 are not referred. If 2015 rules are considered for examining the case of the applicant, prima-facie, it seems that there is contravention at least of rule 9(1)(b)

thereof, which provides 6 years tenure within Aurangabad Division. If this is taken into consideration, the applicant can be posted either in Aurangabad Range or Nanded Range, which both come under Aurangabad Revenue Division.

18. Therefore, prima-facie, in my considered opinion, the legality of the impugned order is required to be considered from various angles and till then it would be just and proper to grant interim stay for execution and implementation of the impugned order of transfer till filing of affidavit in reply by the respondents. It is ordered accordingly.

19. Issue notice to the respondents, returnable on 13.1.2023.

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

21. 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.

22. 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.

23. 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.

24. S.O. to 13.1.2023.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 336 OF 2019
(Anil S. Navale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri Ashok R. Tapse, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, 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 18.01.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 501 OF 2019
(Kashinath G. Kadam Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri Amol S. Gandhi, learned Advocate for the applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.

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

3. S.O. to 19.01.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 625 OF 2019
(Dattatrya N. Shastri Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri M.D. Narwadkar, learned Advocate for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondents, is present.

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

3. S.O. to 19.01.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 1010 OF 2019
(Yusufkhan Gulsher Khan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri M.R. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. At the request of the learned P.O., one more last chance is granted for filing affidavit in reply on behalf of the respondent No.1 to 4.

3. S.O. to 20.01.2023.

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

DATE : 14.12.2022

ORAL ORDER :

Shri Ameya N. Sabnis, learned Advocate for the applicant and Shri M.B. Ubale, learned Advocate for the respondent No.3, are **Absent**. Shri D.R. Patil, learned Presenting Officer for the respondents, is present.

2. In view of absence of learned Advocate for the applicant, S.O. to 20.01.2023 as a one more last chance for filing affidavit in rejoinder.

MEMBER (J)

ORIGINAL APPLICATION NO. 385 OF 2020
(Rajinder Singh Shobha Singh Kolhapure Vs. State of
Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri S.K. Pandit, learned Advocate holding for
Shri R.D. Khadap, learned Advocate for the applicant
and Smt. Sanjivani K. Deshmukh-Ghate, learned
Presenting Officer for the respondents, are present.

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

3. S.O. to 20.01.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 467 OF 2020
(Krishna T. Wagh & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri Ajay S. Deshpande, learned Advocate for the applicants has filed a **leave note**. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.

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

3. S.O. to 13.01.2023.

MEMBER (J)

**ORIGINAL APPLICATION NO. 168 OF 2021
(Prakash R. Kirti Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri Dhananjay A. Mane, learned Advocate for the applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. S.O. to 19.01.2023 for filing affidavit in rejoinder as a last chance.

MEMBER (J)

ORIGINAL APPLICATION NO. 318 OF 2021
(Prakash M. Deshmukh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri Amol A. Kokad, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 11.01.2023.

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

DATE : 14.12.2022

ORAL ORDER :

Shri S.S. Dambe, learned Advocate for the applicants (**Absent**). Shri N.U. Yadav, learned Presenting Officer for the respondents, is present.

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

3. S.O. to 20.01.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 551 OF 2021
(Ram D. Anerao & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri R.P. Bhumkar, learned Advocate for the applicants has filed a **leave note**. Shri M.P. Gude, learned Presenting Officer for the respondents, is present.

2. In view of leave note of learned Advocate for the applicants, S.O. to 20.01.2023 for filing affidavit in rejoinder.

MEMBER (J)

ORIGINAL APPLICATION NO. 552 OF 2021
(Jabbar Dastgir Pinjari Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri C.V. Dharurkar, learned Advocate for the applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.

2. Await service of notice.
3. S.O. to 23.01.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 82 OF 2022
(Dattaram U. Rathod Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

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

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

3. S.O. to 19.01.2023.

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

DATE : 14.12.2022

ORAL ORDER :

Shri S.K. Pandit, learned Advocate holding for
Shri R.D. Khadap, learned Advocate for the applicant
and Shri S.K. Shirse, learned Presenting Officer for
the respondents, are present.

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

3. S.O. to 23.01.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 198 OF 2022
(Sachin H. Bidkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri R.B. Ade, learned Advocate for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondents, is present.

2. S.O. to 20.01.2023 for filing affidavit in rejoinder as a one more last chance.

MEMBER (J)

ORIGINAL APPLICATION NO. 212 OF 2022
(Shantilal M. More Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, 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 20.01.2023.

MEMBER (J)

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

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri R.A. Joshi, learned Advocate for the applicant has filed a **leave note**. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.

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

3. S.O. to 20.01.2023.

MEMBER (J)

**ORIGINAL APPLICATION NO. 505 OF 2022
(Shaikh N. Miya Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Gahte, learned Presenting Officer for the respondents, 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 23.01.2023.

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

DATE : 14.12.2022

ORAL ORDER :

Shri A.S. Deshpande, learned Advocate for the applicant has filed a **leave note**. Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 18.01.2023 for filing affidavit in rejoinder.

MEMBER (J)

ORIGINAL APPLICATION NO. 785 OF 2022
(Bhaurao M.Ghane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri K.N. Bhosle, learned Advocate holding for
Shri Ajay T. Kanawade, learned Advocate for the
applicant and Shri V.R. Bhumkar, learned
Presenting Officer for the respondents, 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 20.01.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 957 OF 2022
(Manik S. Desale & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Smt. Suchita Dhongde, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents, 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 20.01.2023.

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

DATE : 14.12.2022

ORAL ORDER :

Shri Zahed Ali Syed, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. Await service.
3. S.O. to 17.01.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 982 OF 2022
(Dr. Sanjtkumar M. Sant Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri A.D. Sugdare, learned Advocate for the applicant has filed a **leave note**. Shri D.R. Patil, learned Presenting Officer for the respondents, is 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 20.01.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 984 OF 2022
(Seema W. Rathod Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri D.S. Mali, learned Advocate for the
applicant (**Absent**). Shri S.K. Shirse, learned
Presenting Officer for the respondents, is present.

2. Await service.

3. S.O. to 23.01.2023.

MEMBER (J)

M.A.NO. 439/2019 IN O.A.NO. 718/2019
(Sudhakar R. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant and Smt. Sanjivani K. Deshukh-Ghate, learned Presenting Officer for the respondents, are present.

2. Record shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondents. Hence, list the matter for hearing without affidavit in reply of the respondents.

3. S.O. to 25.01.2023 for hearing.

MEMBER (J)

M.A.NO. 42/2022 IN O.A.ST.NO. 1695/2021
(Dr. Shivaji G. Mundhe Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present. Shri Umesh S. Mote, learned Advocate for the respondent No.4, is **Absent**.

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

3. Hence, S.O. to 23.01.2023 for hearing.

MEMBER (J)

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

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri V.S. Kadam, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, 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 19.01.2023.

MEMBER (J)

SAS ORAL ORDERS 14.12.2022

M.A.NO. 131/2022 IN O.A.ST.NO. 528/2022
(Sitaram V. Inkare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 11.01.2023.

MEMBER (J)

M.A.NO. 496/2022 IN O.A.ST.NO. 1939/2022
(Manjusha R. Jadhav & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 14.12.2022

ORAL ORDER :

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

2. Shri S.K. Patil, learned Advocate filed **VAKALATNAMA** on behalf of the respondent No.4. It is taken on record.

3. Await service.

4. S.O. to 18.01.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 406 OF 2019
(Dayanand V. Kadam Vs. State of Maharashtra & Ors.)

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

DATE : 14.12.2022

ORAL ORDER :

Heard Shri C.V. Bhadane, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. The present matter is to be treated as depart heard and it be placed before the regular Single Bench.

3. S.O. to 02.02.2023.

MEMBER (J)

**ORIGINAL APPLICATION NO. 323 OF 2019
(Jairam V. Mitke Vs. State of Maharashtra & Ors.)**

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

DATE : 14.12.2022

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. The present matter is to be treated as depart heard and it be placed before the regular Single Bench.

3. S.O. to 30.01.2023.

MEMBER (J)

**ORIGINAL APPLICATION NO. 773 OF 2022
(Mangala V. Pawar Vs. State of Maharashtra & Ors.)**

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

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

DATE : 14.12.2022

ORAL ORDER :

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

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

3. S.O. to 12.01.2023. Interim relief granted earlier to continue till then.

MEMBER (J)

**MA St. 1958/22 in MA St. 1611/2022 in OA St. 1612/22
(Fakirchand S. Thorat & Ors. Vs. State of Maharashtra & Ors.)**

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

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

DATE : 14.12.2022

ORAL ORDER :

Shri M.A. Kulkarni, learned Advocate for the
applicants (**Absent**). Heard Shri N.U. Yadav, learned
Presenting Officer for the respondent authorities.

2. As none present for the applicants, S.O. to
11.01.2023.

MEMBER (J)

KPB ORAL ORDERS 14.12.2022

**M.A. No. 551/2022 in O.A. St. No. 3006/2022
(Dharmveer B. Shinde Vs. State of Maharashtra & Ors.)**

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

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

DATE : 14.12.2022

ORAL ORDER :

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

2. Issue notices to the respondents in M.A., returnable on 25.01.2023.

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 25.01.2023.

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

MEMBER (J)

M.A. No. 555/2022 in O.A. No. 953/2022
(Somesh P. Nilkanth Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 15.12.2022.

MEMBER (J)

**M.A. No. 554/2022 in O.A. St. No. 1981/2022
(Shivaji V. Kale & Ors. Vs. State of Maharashtra & Ors.)**

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

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

DATE : 14.12.2022

ORAL ORDER :

Heard Shri V.P. Kadam, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

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

3. For the reasons stated in the applications, 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. The accompanying O.A. be registered and numbered, after removal of office objections, if any. The present M.A. No. 554/2022 stands disposed of accordingly without any order as to costs.

MEMBER (J)

**ORIGINAL APPLICATION ST. NO. 1981 OF 2022
(Shivaji V. Kale & Ors. Vs. State of Maharashtra & Ors.)**

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

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

DATE : 14.12.2022

ORAL ORDER :

Heard Shri V.P. Kadam, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 25.01.2023.

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. Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 25.01.2023.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 245 OF 2022
(Mahendra K. Wadgaonkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

Heard Shri Mahnedra K. Wadgaonkar, applicant in person and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. In view of the earlier order dated 05.12.2022, the present matter is fixed for hearing before the regular Division Bench, as the respondents have failed to file affidavit in reply in spite of grant of several opportunities.

3. S.O. to 19.01.2023 for admission.

MEMBER (J)

O.A. Nos. 658/2021, 659/2021, 660/2021, 661/2021, 182/2022, 183/2022, 184/2022, 185/2022, 186/2022 & 187/2022

(Sayyed Taufit Harun & ors. Vs. State of Maharashtra & Ors.)

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

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

DATE : 14.12.2022

ORAL ORDER :

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

2. Learned Chief Presenting Officer placed on record a copy of communication dated 13.12.2022 and sought time for filing affidavit in reply in all these O.As.

3. Record shows that the present matters were fixed for hearing without affidavit in reply of the respondents prior to 11.11.2022. On 11.11.2022, however, last chance was granted for filing affidavit in reply on behalf of respondents. However, the affidavit in reply on behalf of respondents is not forthcoming.

4. In view of above, the request made on behalf of respondents for filing affidavit in reply is rejected. The present matters can be fixed for hearing without affidavit in reply of the respondents.

5. S.O. to 19.01.2023 for admission.

MEMBER (J)

O.A. Nos. 716, 634, 635 & 636 all of 2018
(Atul N. Shirke & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicants in all these O.As. and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities in all these O.As.

2. S.O. to 06.01.2023 for re-hearing. **High on Board.**

MEMBER (J)

**ORIGINAL APPLICATION NO. 232 OF 2019
(Maruti T. Kamble Vs. State of Maharashtra & Ors.)**

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

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

DATE : 14.12.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the
applicants and Shri V.R. Bhumkar, learned Presenting
Officer for the respondent authorities.

2. The present matter has already been treated as
part heard.
3. S.O. to 10.01.2023. **High on Board.**

MEMBER (J)

**O.A. Nos. 341/2019 with 589/2018 with O.A. No. 702/2018 with Caveat 64 to 70 of 2018
(Komal R. Rathod & Ors. Vs. State of Maharashtra & Ors.)**

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

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

DATE : 14.12.2022

ORAL ORDER :

Shri S.S. Patankar, learned Advocate for the applicant in O.A. No. 589/018, **absent**.

Heard S/shri A.M. Nagarkar & V.B. Wagh, learned Advocates for the applicants in respective O.As. and Shri N.U. Yadav, learned Presenting Officer for the respondents in all these O.As.

2. At the request of learned Presenting Officer, S.O. to 18.01.2023 for compliance of the order dated 17.11.2022. **High on Board**.

MEMBER (J)

ORIGINAL APPLICATION NO. 963 OF 2017
(Vasant D. Karke & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri Avinash Deshmukh, learned Advocate for
the applicants and Shri M.P. Gude, learned Presenting
Officer for the respondent authorities, are present.

2. S.O. to 19.01.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 32 OF 2018
(Shahadeo S. Bangar Vs. State of Maharashtra & Ors.)

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

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

DATE : 14.12.2022

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 19.01.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 182 OF 2019
(Dr. Devidas L. Lavhate Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

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

2. S.O. to 19.01.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 674 OF 2019
(Madhukar K. Brahmane Vs. State of Maharashtra & Ors.)

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

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

DATE : 14.12.2022

ORAL ORDER :

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

2. S.O. to 18.01.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 696 OF 2019
(Supadu K. Surwade Vs. State of Maharashtra & Ors.)

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

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

DATE : 14.12.2022

ORAL ORDER :

Shri R.P. Bhumkar, learned Advocate for the applicant (**Leave Note**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 20.01.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 913 OF 2019
(Shirish D. Deshmukh & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate for the applicants, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Shri V.B. Wagh, learned Advocate for respondent Nos. 7 to 19, are present. Shri S.B. Deshpande, learned Advocate for respondent No. 6, **absent**.

2. S.O. to 19.01.2023 for hearing.

MEMBER (J)

O.A. No. 612/2019 with Caveat 538/2019
(Harshal M. Nagare & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate holding for
Shri Yogesh Bolkar, learned Advocate for the
applicants and Smt. Deepali S. Deshpande, learned
Presenting Officer for the respondent authorities, are
present.

2. S.O. to 19.01.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 133 OF 2020
(Alka S. Mundhe Vs. State of Maharashtra & Ors.)

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

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

DATE : 14.12.2022

ORAL ORDER :

Shri S.D. Munde, learned Advocate for the
applicant (**Absent**). Smt. Deepali S. Deshpande,
learned Presenting Officer for the respondent
authorities, are present.

2. S.O. to 16.01.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 164 OF 2020
(Hemant M. Chhajed Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

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

2. S.O. to 20.01.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 420 OF 2020
(Anish S. Patel Vs. State of Maharashtra & Ors.)

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

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

DATE : 14.12.2022

ORAL ORDER :

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

2. S.O. to 12.01.2023 for hearing.

MEMBER (J)

O.A. No. 96/2021 with O.A. No. 127/2021
(Shriram P. Chavan & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri R.P. Bhumkar, learned Advocate for the applicants in both the O.As. (**Leave Note**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities in both the O.As., is present.

2. S.O. to 20.01.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 225 OF 2021
(Surekha B. Andhale Vs. State of Maharashtra & Ors.)

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

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

DATE : 14.12.2022

ORAL ORDER :

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

2. S.O. to 23.01.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 567 OF 2021
(Arifa Gulab Maniyar Vs. State of Maharashtra & Ors.)

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

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

DATE : 14.12.2022

ORAL ORDER :

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

2. S.O. to 04.01.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 760 OF 2021
(Mallikarjun D. Deshmane Vs. State of Maharashtra & Ors.)

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

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

DATE : 14.12.2022

ORAL ORDER :

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

2. S.O. to 23.01.2023 for hearing.

MEMBER (J)

O.A. Nos. 48, 49, 50, 51 & 52 all of 2022
(Sahas D. Vasave & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri T.M. Venjane, learned Advocate for the applicants in all these O.As. and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. Learned Presenting Officer filed short affidavit in reply on behalf of respondent No. 2 in O.A. Nos. 48/2022 & 51/2022. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 24.01.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 88 OF 2022
(Ravi H. Kondar Vs. State of Maharashtra & Ors.)

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

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

DATE : 14.12.2022

ORAL ORDER :

Shri K.N. Bhosale, learned Advocate holding for
Shri A.T. Kanwade, learned Advocate for the applicant
and Shri M.P. Gude, learned Presenting Officer for the
respondent authorities, are present. Smt. Laxmi
Thakur, learned Advocate for respondent No. 5,
absent.

2. S.O. to 20.01.2023 for hearing.

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

DATE : 14.12.2022

ORAL ORDER :

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

2. S.O. to 24.01.2023 for hearing.

MEMBER (J)

**M.A. No. 154/2022 in O.A. St. No. 517/2022
(Savita S. Warale Vs. State of Maharashtra & Ors.)**

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

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

DATE : 14.12.2022

ORAL ORDER :

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

2. S.O. to 19.01.2023 for hearing.

MEMBER (J)

KPB ORAL ORDERS 14.12.2022

**MA St. 1274/2022 in MA 35/2019 in OA St. 47/2019
(Rajendra P. Ghanwat & Ors. Vs. State of Maharashtra & Ors.)**

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

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

DATE : 14.12.2022

ORAL ORDER :

Shri A.B. Chalak, learned Advocate for the applicant in the present M.A., Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Shri K.B. Jadhav, learned Advocate for the applicant in M.A. No. 35/2019 in O.A. St. 47/2019, are present.

2. S.O. to 20.01.2023 for hearing.

MEMBER (J)

O.A. Nos. 159/2010, 341/2010 & 424/2015
(Dr. Prakash A. Sawant & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri P.H. Sukale, learned Advocate holding for Shri K.J. Suryawnashi, learned Advocate for the applicants in all these O.As., Shri S.K. Shirse, learned Presenting Officer for the respondent authorities in all these O.As. and Shri K.G. Salunke, learned Advocate for respondent No. 10 in O.A. 424/2015, are present. Shri U.B. Bondar, learned Advocate for respondent No. 7, Shri S.S. Dambe, learned Advocate for respondent No. 8, Shri S.G. Joshi, learned Advocate for respondent No. 9, Shri Vivek Bhavthankar, learned Advocate for respondent No. 11, Shri S.T. Shelke, learned Advocate for respondent No. 13 and Shri S.B. Gastgar, learned Advocate for respondent No. 14, are **absent**.

2. S.O. to 10.01.2023 for final hearing.

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)

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

DATE : 14.12.2022

ORAL ORDER :

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

2. S.O. to 03.01.2023 for final hearing.

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)

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

DATE : 14.12.2022

ORAL ORDER :

Shri P.D. Bodade, learned Advocate holding for
Shri J.B. Choudhary, learned Advocate for the
applicant and Shri N.U. Yadav, learned Presenting
Officer for the respondent authorities, are present.

2. S.O. to 03.01.2023 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 78 OF 2017
(Shivaji S. Dahale Vs. State of Maharashtra & Ors.)**

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

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

DATE : 14.12.2022

ORAL ORDER :

Ms. Anagha Pandit, learned Advocate holding for
Shri S.B. Talekar, learned Advocate for the applicant
and Shri M.P. Gude, learned Presenting Officer for the
respondent authorities, are present.

2. S.O. to 04.01.2023 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 82 OF 2017
(Shaikh Rabbani Shaikh Dadubhai Vs. State of Maharashtra & Ors.)

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

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

DATE : 14.12.2022

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. S.O. to 04.01.2023 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 393 OF 2017
(Taslim Khan Chand Khan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

Dr. Swapnil Tawshikar, learned Advocate for the applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Shri Avinash Deshmukh, learned Advocate for respondent No. 5, are present.

2. S.O. to 30.01.2023 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 513 OF 2017
(Dinkar R. Bhosrekar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

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

2. S.O. to 25.01.2023 for final hearing.

MEMBER (J)

O.A. Nos. 829, 830 & 831 all of 2017
(Dattatraya D. Jaybhay & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri V.D. Godbharle, learned Advocate for the applicants in all these O.As. (**Absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities in all these O.As., is present.

2. S.O. to 10.01.2023 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 832 OF 2017
(Ramkrishna K. Mhaske & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri R.P. Bhumkar, learned Advocate for the applicants (**Leave Note**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 11.01.2023 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 962 OF 2017
(Bhausahab B. Rayate Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri P.A. Shenger, learned Advocate holding for
Shri A.S. Bayas, learned Advocate for the applicant
and Shri N.U. Yadav, learned Presenting Officer for the
respondent authorities, are present.

2. S.O. to 19.01.2023 for final hearing.

MEMBER (J)

T.A. No. 03/2018 (W.P. No. 9260/2018)
(Mangesh R. Datar & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

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

2. S.O. to 13.01.2023 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 14.12.2022

T.A. No. 09/2018 (W.P. No. 11503/2018)
(Ashish S. Shejwal & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

Ms. Preeti Wankhade, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 13.01.2023 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 874 OF 2018
(Shashikant S. Yadav Vs. State of Maharashtra & Ors.)

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

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

DATE : 14.12.2022

ORAL ORDER :

Shri A.M. Nagarkar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 18.01.2023 for final hearing.

MEMBER (J)

O.A. Nos. 11, 30 & 81 all of 2019
(Bapurao A. Dongar & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri S.B. Solanke, learned Advocate for the applicants in all these O.As. and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. S.O. to 19.01.2023 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 738 OF 2019
(Vikas V. Salve Vs. State of Maharashtra & Ors.)

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

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

DATE : 14.12.2022

ORAL ORDER :

Shri P.B. Rakhunde, learned Advocate for the
applicant (**Absent**). Shri S.K. Shirse, learned
Presenting Officer for the respondent authorities, is
present.

2. S.O. to 20.01.2023 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 792 OF 2019
(Datta Prasad Hiranman Galphade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

Shri P.D. Suryawanshi, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri V.B. Wagh, learned Advocate for respondent No. 3, are present.

2. S.O. to 19.01.2023 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 28 OF 2020
(Anil P. Salve Vs. State of Maharashtra & Ors.)

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

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

DATE : 14.12.2022

ORAL ORDER :

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

2. S.O. to 10.01.2023 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 320 OF 2020
(Santosh N. Dhongade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter has been placed before the
Single Bench due to non-availability of
Division Bench)

DATE : 14.12.2022

ORAL ORDER :

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

2. S.O. to 10.01.2023 for final hearing.

MEMBER (J)