

M.A. No. 14/2022 in O.A. St. No. 08/2022
(Ganesh R. Gaikwad & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

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

2. By this Misc. Application, the applicants are seeking permission to sue the respondents jointly.

3. On perusal of the record, it transpires that some of the applicants are working as Primary Teachers, some are working as Junior Secondary Teachers, some are working as Secondary Teachers and some are working as Superintendent/s in various Government Ashram Schools situated at different places in Nandurbar district. Though all have been transferred by different transfer orders issued by the respondent No. 3 i.e. the Additional Commissioner, Tribal Development Department, Nashik, Dist. Nashik on different dates during the period from 27.07.2021 to 13.10.2021, they contended that they have not been relieved pursuant to the said transfer orders. Therefore, they have filed the Original Application for common relief of relieving themselves as expeditiously as possible.

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4. Learned Presenting Officer appeared on behalf of respondents and opposed the present Misc. Application contending that the applicants are working in different cadres. They are transferred by different transfer orders. In view of the same, only because that they are seeking common relief, this would not sufficient ground to grant permission to the applicants to sue the respondents jointly.

5. Rule 4(5) of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, deals with the aspect of granting permission to sue the respondents jointly, which is as follows :-

“4. Procedure for filing application.-

(5) Notwithstanding anything contained in sub-rules (1) to (3). The Tribunal may permit, -

(a) more than one person to joint together and file a single application if it is satisfied, having regard to the cause of action and the nature of relief prayed for, that they have a common interest in the matter;

(b) Such permission may also be granted to an association

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representing the persons desirous of joining in a single application provided, however, that the application shall disclose the class/grade / categories of the persons on whose behalf it has been filed.”

Plain reading of the above-said proviso, it can be seen that the persons who have common cause of action, common nature of relief and common interest in the matter, can file the O.A. jointly.

6. In the background of the above facts of the present case, it is seen that the applicants are working on different posts and they are transferred by different orders. In the circumstances, it cannot be said that they are having common interest and common cause of action only because they are seeking one and the same relief of reliving themselves. In these circumstances, in my considered opinion, this matter does not satisfy the tests laid down in the Rule 4(5) of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988. Therefore, this is not a fit case to grant permission to the applicants to sue the respondents jointly. Hence, I proceed to pass following order :-

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ORDER

1. M.A. No. 14/2022 is dismissed.
2. The O.A. St. No. 08/2022 can continue for only applicant No. 1 i.e. Ganesh Ramkisan Gaikwad, if he so desires.
3. The applicants are at liberty to file separate O.As. for appropriate relief.
4. Accordingly, M.A. No. 14/2022 stands dismissed with no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 532 OF 2021
(Kaviraj J. Kucche Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri N.B. Narwade, learned Advocate for respondent No. 3.

2. Today, I have heard the arguments advanced by learned Presenting Officer on behalf of respondent Nos. 1 and 2 and learned Advocate for respondent No. 3. Thereafter, the learned Advocate for the applicant started his arguments in rejoinder. He has extensively taken me through the documents annexed with the affidavit in rejoinder. Upon perusal of the same, it appears that the applicant has produced on record so many documents to refute the averments made against him in affidavit in reply filed on behalf of respondent Nos. 1 and 2, as well as, in additional short affidavit filed on behalf of respondent Nos. 1 and 2. Earlier I had resulted the order for allowing response to the aspect of filing sur-rejoinder on behalf of respondent Nos. 1 and 2 to the rejoinder affidavit filed by the applicant.

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3. During the course of arguments, which took place today, in my considered opinion, the applicant has brought on record so many documents. In the circumstances, only because the affidavit in sur-rejoinder is not filed by the respondents, those documents are not considered and the prejudice will likely to be caused to both the sides. Therefore, in my considered opinion, this is a fit case to allow the respondent Nos. 1 and 2 to file sur-rejoinder to the rejoinder affidavit filed by the applicant at the earliest, as the hearing of the O.A. is expedited.

4. S.O. to 03.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 773 OF 2021
(Kalim Salim Inamdar Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

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

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents.

3. Learned Advocate for the applicant submits that the impugned order of transfer of the applicant is dated 19.11.2021 (Annexure L) and stay is granted to the said order by this Tribunal till filing of the affidavit in reply by the respondents as per the order dated 07.12.2021. He submitted that the applicant on 08.12.2021 went to Peth Beed Police Station, Beed to resume duty, but he was not allowed to resume duty.

3. The respondents are directed to take note of it and to respond in the affidavit in reply.

4. S.O. to 07.02.2022 for filing affidavit in reply.

MEMBER (J)

ORIGINAL APPLICATION NO. 319 OF 2021
(Netaji G. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks permission to file short affidavit on record in view of the subsequent developments. The applicant is allowed to file the said short affidavit. Same is taken on record and copy thereof has been served on the other side.

3. The respondents are granted liberty to file response to the abovesaid short affidavit.

4. S.O. to 08.02.2022 for final hearing.

MEMBER (J)

**M.A. No. 413/2019 in O.A. St. No. 1414/2019
(Gorakh M. Shinde Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022.

O R D E R

1. This Misc. Application is filed by the applicant seeking condonation of delay of about 4 years and 31 days caused in filing the accompanying Original Application seeking relief of pension and pensionary benefits.

2. The applicant was appointed on 30.06.1985. Since then he is working under the establishment of respondent No. 3 in the various offices in Latur district. He retired on superannuation on 31.01.2012 on the post of Clerk. The respondent No. 3 i.e. the District Collector, Latur submitted his pension proposal to the office of respondent No. 2 i.e. the Accountant General, Nagpur. However, subsequently, the office of Tahsildar, Latur forwarded proposal dated 16.07.2012 contrary to earlier proposal stating that the applicant was absorbed in the Revenue Department only on 22.04.2008 and therefore, he is not eligible to receive pensionary benefits and sought guidance. However, on 21.09.2012, the documents verification was done in the office of Additional Treasury Officer,

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Latur, but the pension and pensionary benefits were not paid to the applicant. The applicant therefore, made representation on 16.01.2014 to the office of Tahsildar, Latur seeking pensionary benefits. However, there was no response to it. The applicant therefore, approached before the Hon'ble High Court of Judicature at Bombay Bench at Aurangabad by filing W.P. No. 379/2016. The said W.P. was disposed of on 26.10.2018 by granting liberty to the applicant to avail alternate remedy.

3. It is the contention of the applicant that thereafter also the applicant did not get pension and pensionary benefits. In January, 2019, the applicant approached the office of respondent No. 2 i.e. the Accountant General, Nagpur seeking pension, but he did not get any response. During the last three years, there was draught. The applicant is a retired person having no source of income. In the circumstances, there was delay in approaching the Tribunal in time seeking appropriate relief. Hence, the present Misc. Application.

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4. The affidavit in reply on behalf of respondent Nos. 3 & 4 is filed by one Shri Ratnakar Murlidharrao Mahamuni working as Naib Tahsildar in the office of Tahsildar, Latur, Dist. Latur, thereby he denied the adverse contentions raised in the present Misc. Application and contended that the applicant has not completed the pensionable service and therefore, he is not entitled for relief sought for in the Original Application. Moreover, no sufficient cause has been shown by the applicant for condonation of inordinate delay caused in filing the accompanying O.A. Therefore, the present M.A. is liable to be dismissed.

5. Heard Shri G.L. Awale, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

6. Perusal of the Original Application and its annexures would show that the applicant retired on superannuation on the post of Clerk w.e.f. 31.01.2012. Initially, it seems that the case of the applicant was referred for grant of pension. However, subsequently, the objection was raised to the effect that the applicant has not completed pensionable service. The said

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position went on till the year 2016. In the year 2016, the applicant approached before the Hon'ble High Court of Judicature at Bombay Bench at Aurangabad by filing W.P. No. 379/2016 seeking pension and pensionary benefits. The said W.P. was disposed of by the order dated 26.10.2018 (Annexure A-7 of O.A.). In the circumstances, it can be said that till about 26.10.2018 the time was consumed in seeking bona-fide relief before the Hon'ble High Court. The said W.P. disposed of on 26.10.2018 by granting liberty to the applicant to avail alternate remedy. Thereafter, the present proceedings are filed on or about 17.07.2019.

7. In the circumstances as above, though technical delay is about 4 years and 31 days caused in filing the accompanying O.A., the period of pendency of the said W.P. will have to be considered being consumed for seeking bona-fide relief. The said period is of about two years.

8. The applicant is seeking pension and pensionary benefits. No doubt the respondents have raised objection stating that the applicant has not completed pensionable service. Whether the applicant has

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completed the pensionable service or not is to be decided on merits in the Original Application. In the circumstances, it cannot be said that the applicant's case is devoid of merits.

9. It is a settled principle of law that the expression "sufficient cause" is to be construed liberally. In the facts and circumstances as above, refusing to give indulgence in the matter is likely to defeat the cause of justice at the threshold. It cannot be said that the delay caused in filing the accompanying O.A. is intentional or deliberate. In the circumstances, in my considered opinion, this is a fit case to condone the delay by imposing the moderate costs of Rs. 1,000/- on the applicant. Hence, I proceed to pass following order :-

ORDER

The Misc. Application No. 413/2019 is allowed in following terms:-

- (i) The delay of 4 years and 31 days caused for filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to

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payment of costs of Rs. 1,000/- by the applicant. The amount of costs shall be deposited in the Registry of this Tribunal by the applicant within a period of one month from the date of this order.

- (ii) 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.

MEMBER (J)

ORIGINAL APPLICATION NO. 209 OF 2021
(Sayyed S. Sabirali Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 31.01.2022.

MEMBER (J)

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ORIGINAL APPLICATION NO. 678 OF 2019
(Dr. Girish G. Baradkar Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1 & 2. Shri R.K. Ingole, learned Advocate for respondent Nos. 3 & 4, **absent**. None present on behalf of respondent No. 5.

2. Learned Advocate for the applicant on instruction submits that the applicant does not wish to proceed with the present Original Application and therefore, he seeks permission to withdraw the same.

3. I have no reason to refuse permission. Hence, permission is granted to the applicant for withdrawal of the O.A. The O.A. stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 679 OF 2019
(Dr. Buchanna B. Buchalwar Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 & 2. Shri R.K. Ingole, learned Advocate for respondent Nos. 3 & 4, **absent**. None present on behalf of respondent No. 5.

2. Learned Advocate for the applicant on instruction submits that the applicant does not wish to proceed with the present Original Application and therefore, he seeks permission to withdraw the same.

3. I have no reason to refuse permission. Hence, permission is granted to the applicant for withdrawal of the O.A. The O.A. stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 1061 OF 2019
(Kerba N. Jetwad Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Record shows that the affidavit in reply is already filed on behalf of respondent Nos. 4 and 5.
3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of other respondents.
4. S.O. to 15.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 502 OF 2020
(Shrikant B. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

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

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

4. S.O. to 03.02.2022.

MEMBER (J)

KPB ORAL ORDERS 14.01.2022

ORIGINAL APPLICATION NO. 510 OF 2020
(Priyadarshi S. Maske Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Shri V.S. Panpatte, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Await service of notices on the respondents.

3. As none present for the applicant, S.O. to 17.02.2022 for taking necessary steps.

MEMBER (J)

ORIGINAL APPLICATION NO. 512 OF 2020
(Subhash L. Kadam Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Shri S.C. Bhosale, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. As none present for the applicant, S.O. to 21.02.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 454 OF 2021
(Dipak L. Pendkar Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Heard Ms. Megha Y. Mali, learned Advocate holding for Shri S.K. Mathpati, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. As per the Circular No. MAT/MUM/ESTT/732/2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Division Bench. The present matter is pertaining to benefits of ACPS.

4. In view of the same, the present matter be placed before the Division Bench for further hearing.

5. S.O. to 21.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 632 OF 2021
(Harishchandra G. Lohkare Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri Muhammad Assem, learned Advocate holding for Shri P.D. Suryawanshi, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. S.O. to 23.02.2022.

MEMBER (J)

KPB ORAL ORDERS 14.01.2022

ORIGINAL APPLICATION NO. 677 OF 2021
(Bharatlal B. Navgire Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that inadvertently in prayer clause 9(C) & 10 (A) the amount of recovery is mentioned to the tune of “Rs. 2,63,183/-” instead of “Rs. 2,98,150/-”. She therefore, seeks leave of this Tribunal to correct the same.

3. Leave as prayed for by the applicant is granted. The applicant shall carry out the necessary amendment in the O.A. forthwith.

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

5. S.O. to 08.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 687 OF 2021
(Vipul R. Bhagwat Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Shri I.D. Maniyar, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.
3. S.O. to 14.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 738 OF 2021
(Sudhakar B. Waghmare Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri R.C. Bramhankar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 2 to 4. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 15.02.2022 for filing rejoinder affidavit if any.

MEMBER (J)

KPB ORAL ORDERS 14.01.2022

ORIGINAL APPLICATION NO. 288 OF 2021
(Shubham K. Shreebhate Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri P.V. Suryawanshi, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Record shows that affidavit in reply is filed on behalf of respondent Nos. 2 and 3 long back.

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

4. The present matter is pertaining to compassionate appointment. Hence, the O.A. is admitted and it be fixed for final hearing on 16.02.2022.

MEMBER (J)

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

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent No. 1 and Shri S.B. Mene, learned Advocate for respondent Nos. 2 to 4.

2. Record shows that after completion of pleadings, the applicant was filed short affidavit on record pursuant to the observation made by this Tribunal in farad sheet order dated 30.08.2021.

3. Learned Presenting Officer for the respondent No. 1 and learned Advocate for the respondent Nos. 2 to 4 seek time for filing reply to the short affidavit filed by the applicant. Time granted

4. S.O. to 11.02.2022.

MEMBER (J)

**M.A. 267/2021 with M.A. 567/2019 in O.A. St. 2091/2019
(Baburao K. Kamble Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri R.D. Biradar / S.U. Shaikh, learned Advocate for the applicant (**Absent**). Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 23.02.2022.

MEMBER (J)

KPB ORAL ORDERS 14.01.2022

**M.A. No. 19/2020 in O.A. St. No. 1893/2019
(Shivgir H. Giri Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri Avinash Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in M.A., returnable on 25.02.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 25.02.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

**M.A. 411/2021 in M.A. 126/2019 in O.A. St. 534/2019
(Sachin B. Waghmare Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri S.A. Nimbalkar, learned Advocate holding for Shri Amol Gandhi, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, time is granted for taking necessary steps in the matter.

3. S.O. to 21.02.2022.

MEMBER (J)

**M.A. No. 318/2021 in O.A. No. 202/2017
(Ashok B. Wagh Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri R.L. Lukhe, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that he would serve the amended copy of the M.A. to the other side.

3. S.O. to 21.02.2022.

MEMBER (J)

**M.A. No. 251/2021 in O.A. St. No. 1001/2021
(Mahonhar J. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri Dilip Mutalik, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. S.O. to 27.01.2022.

MEMBER (J)

**M.A. No. 299/2021 in O.A. St. No. 1286/2020
(Ram S. Bajulge Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri A.A. Kakad, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Await service of notices on the respondents.

3. As none present for the applicant, S.O. to 23.02.2022 for taking necessary steps.

MEMBER (J)

KPB ORAL ORDERS 14.01.2022

M.A. No. 247/2020 in O.A. St. No. 339/2020
(Pandit K. Pawar & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

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

2. Learned Advocate for the applicants submits that the applicants do not wish to file rejoinder affidavit in M.A.
3. S.O. to 23.02.2022 for hearing.

MEMBER (J)

M.A. No. 626/2019 in O.A. St. No. 2319/2019
(Baban N. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Shri P.R. Tandale, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondent No. 1. Shri G.N. Patil, learned Advocate for respondent No. 2, **absent**.

2. At the request of learned Presenting Officer for the respondent No. 1, time is granted for filing affidavit in reply in M.A.

3. S.O. to 21.01.2022.

MEMBER (J)

**M.A. No. 06/2020in O.A. St. No. 2318/2019
(Dattatrya K. Istake Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri P.R. Tandale, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondent No. 1. Shri G.N. Patil, learned Advocate for respondent Nos. 2 & 3, **absent.**

2. As none present for the applicant, S.O. to 21.01.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

KPB ORAL ORDERS 14.01.2022

M.A. No. 05/2020 in O.A. St. No. 2458/2019
(Dr. Manik S. Madke Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Shri P.R. Tandale, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 4 & 6. Shri Ajinkya Reddy, learned Advocate for respondent No. 5, **absent**.

2. Record shows that the affidavit in reply is filed on behalf of respondent No. 5.

3. Learned Presenting Officer submits that the respondent Nos. 1 to 4 & 6 adopts the affidavit in reply filed by the respondent No. 5.

4. S.O. to 21.01.2022 for rejoinder if any.

MEMBER (J)

M.A. No. 04/2020 in O.A. St. No. 2316/2019
(Laxman R. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Shri P.R. Tandale, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondent No. 1. Shri G.N. Patil, learned Advocate for respondent Nos. 2 & 3, **absent.**

2. As none present for the applicant, S.O. to 21.01.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

KPB ORAL ORDERS 14.01.2022

M.A. No. 03/2020 in O.A. St. No. 2143/2019
(Baban N. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Shri P.R. Tandale, learned Advocate for the applicant (**Absent**). Heard Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1 & 2. Shri Ajinkya Reddy, learned Advocate for respondent No. 3, **absent**.

2. Learned Presenting Officer submits that the respondent Nos. 1 & 2 adopts the affidavit in reply filed by the respondent No. 3.

3. S.O. to 21.01.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

M.A. No. 01/2020 in O.A. St. No. 2317/2019
(Devidas M. Kandhare Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Shri P.R. Tandale, learned Advocate for the applicant (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondent No. 1. Shri G.N. Patil, learned Advocate for respondent Nos. 2 & 3, **absent.**

2. Learned Presenting Officer submits that the respondent No. 1 adopts the affidavit in reply filed by the respondent Nos. 2 & 3.

3. S.O. to 21.01.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 801 OF 2021
(Shaikh Shoaib Abdul Khadir Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

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

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.
3. S.O. to 11.02.2022.

MEMBER (J)

**M.A. No. 201/2020 in O.A. St. No. 464/2020
(Satish S. Gugale Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 28.01.2022.

MEMBER (J)

KPB ORAL ORDERS 14.01.2022

ORIGINAL APPLICATION NO. 640 OF 2019
(Pradeep M. Kaushike Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that the present matter is not to be treated as part heard.
3. In view of above, S.O. to 28.02.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 26 OF 2022
(Dr. Kenath D. Male Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. By consent of both the parties, S.O. to 17.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 507 OF 2021
(Sunil N. Khamitkar Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri S.S. Manale, learned Advocate for respondent No. 4.

2. By consent of both the sides, S.O. to 27.01.2022 for final hearing.

3. Interim relief granted earlier to continue till next date.

MEMBER (J)

ORIGINAL APPLICATION NO. 498 OF 2021
(Navnath R. Sanap Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 11.02.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 357 OF 2020
(Vinod R. Borge Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

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

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

3. By consent of both the sides, S.O. to 10.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 356 OF 2020
(Kiran B. Kolpe Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

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

2. Learned Presenting Officer submits that though in the affidavit in reply of respondent Nos. 1 to 3 at page No. 21 of paper book there is reference of letter dated 21.08.2020 issued by the Minister for Urban Development, Energy, Tribal Development, Higher and Technical Education, Disaster Management Relief and Rehabilitation, M.S., Mumbai, copy of the said letter was not produced on record. Today, he has placed on record a copy of the said letter dated 21.08.2020. Same is taken on record and made part of paper book as page No. 32 (A).

3. The present matter is closed for orders.

MEMBER (J)

C.P.NO.29/2020 IN O.A.NO.1014/2019
(Bade R. Shridhar Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

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

2. The learned Counsel for the Contempt Petitioner invited our attention to the letter dated 13-07-2020 whereby the State has accorded permission for converting 129 posts of horizontal reservation to be filled in by following the social reservation, more particularly, he referred to Clause 5 of the said letter whereby the specific permission has been granted by the State to fill in the posts reserved for the Ex-Serviceman from the other eligible candidates in order of merit by following social reservation if the Ex-Serviceman candidates do not become available.

3. Learned Counsel for the applicant also invited our attention to the letter of no objection dated 10-06-2021 submitted by the Directorate of Sainik Kalyan Vibhag before the Hon'ble High Court in Writ Petition No.4738/2021 and the order passed by the Hon'ble High Court on 14-06-2021 in view of the no objection so given by the Sainik Kalyan Vibhag.

=2= C.P.NO.29/2020 IN O.A.NO.1014/2019

4. In light of the facts as aforesaid, when we read the recent additional affidavit in reply by respondent no.1, we find that the respondents are wrongly getting stuck in procedural formalities. It appears to us that the condition as was imposed by the State in its letter dated 13-07-2020 for filling the posts reserved for the Ex-Serviceman candidates through social reservation if the candidates from the category of Ex-Serviceman do not become available stands satisfied with the clear no objection given by the Sainik Kalyan Vibhag in the Writ Petition before the Hon'ble High Court as mentioned hereinabove. As such, prima facie, there seems no hurdle for the respondents to proceed further in making the appointment on the posts which are laying vacant because of non-availability of the Ex-Serviceman candidates.

5. We hope and trust that the respondents would in light of no objection received from the Sainik Kalyan Vibhag would take all prompt and necessary steps in filling the posts laying vacant because of the non-availability of the Ex-Serviceman candidates by following social reservation as permitted by the State vide clause 5 of the letter dated 13-07-2020.

6. Matter be posted for further consideration on 17-02-2022.

MEMBER (A)

YUK ORAL ORDERS 14.01.2022

MEMBER (J)

**REQUEST FOR SPEAKING TO MINUTES IN
C.P.NO.29/2020 IN O.A.NO.1014/2019
(Bade R. Shridhar Vs. State of Maharashtra & Ors.)**

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

DATE : **14.01.2022**

ORAL ORDER :

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

2. This is a request for speaking to minutes. Learned Counsel for the applicant pointed out the order passed by this Tribunal on 24-12-2021 in paragraph 5, it has been recorded that “Sainik Kalyan Vibhag gave its clear no objection for filling up the posts reserved for Ex-Serviceman from the candidates falling in Socially Backward class”. Learned Counsel submits that if the letter received from Sainik Kalyna Vibhag as well order dated 13-07-2020 are perused, import of it is that “no objection has been accorded for filling the posts from amongst the eligible candidates however following social reservation”.

3. We find substance in the submission so made. Accordingly, the words “falling in Socially Backward Class” in the order shall be substituted with "by following social reservation". With this request for Speaking to minutes stands disposed of.

MEMBER (A)

MEMBER (J)

O.A.NO.368/2017 WITH O.A.NO.369/2017

(Bapu Lad & Rajeshwar Juke Vs. State of Maharashtra & Ors.)

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri S.A.Deshmukh, learned Advocate for the applicants and Shri V.R.Bhumkar, learned Presenting Officer for the respondents.

2. Arguments of the learned Counsel for the applicant and the learned P.O. appearing for the respondents are heard for some time. It appears to us that the learned Counsel for the applicant as well as the learned P.O. require some more preparation in the matter so that they may provide better assistance to the Tribunal in deciding the matter.

3. S.O. to 17-02-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.693/2021
(Shreyas Varule Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 20-01-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.654/2013
(Dr. Amol Pawar Vs. State of Maharashtra & Ors.)

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

DATE : **14.01.2022**

ORAL ORDER :

Smt. Surekha Mahajan, learned Advocate for the applicant is **absent**. Shri N.U.Yadav, learned Presenting Officer for the respondents is present.

2. S.O. to 10-02-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.137/2017
(Namdeo Arsale Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri S.D.Joshi, learned Advocate for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondents, are present.

2. S.O. to 10-02-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.153/2017
(Dr. Ramnath Hemke Vs. State of Maharashtra & Ors.)

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

DATE : **14.01.2022**

ORAL ORDER :

Shri J.S.Deshmukh, learned Advocate for the applicant, Shri D.R.Patil, learned Presenting Officer for the respondent authorities and Shri A.D.Aghav learned Advocate for respondent no.4 and 5, are present.

2. S.O. to 11-02-2022.

MEMBER (A)

MEMBER (J)

**O.A.NO.436/2017 WITH T.A.03/2021 IN
W.P.NO.3742/2021
(Shreya Mamode Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

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

2. S.O. to 11-02-2022 **High On Board.**

MEMBER (A)

MEMBER (J)

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

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

DATE : **14.01.2022**

ORAL ORDER :

Shri R.P.Bhumkar, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 17-02-2022. Today second set is filed.

MEMBER (A)

MEMBER (J)

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

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

DATE : 14.01.2022

ORAL ORDER :

Shri A.S.Bayas, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents, are present.

2. S.O. to 22-02-2022.

MEMBER (A)

MEMBER (J)

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

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

DATE : **14.01.2022**

ORAL ORDER :

Shri P.R.Kadam, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 14-02-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.66/2018
(Dnyaneshwar Kadam Vs. State of Maharashtra & Ors.)

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

DATE : **14.01.2022**

ORAL ORDER :

Shri Kuldeep S. Patil, learned Advocate for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents, are present.

2. S.O. to 19-01-2022 **High on Board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.490/2018
(Bhaudas Vaishnav Vs. State of Maharashtra & Ors.)

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

DATE : **14.01.2022**

ORAL ORDER :

Ku. 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 respondents, are present.

2. S.O. to 18-02-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.829/2018 & 96/2020
(Kiran P. Kolte Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

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

2. S.O. to 18-02-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.627/2018
(Amol Chaudhari Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Smt. Suchita Dhongde, learned Advocate for the applicant, Shri S.K.Shirse, learned Presenting Officer for the respondents, Shri Kuldeep P. Mahale learned Advocate for respondent no.2, are present.

2. S.O. to 18-02-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.710/2018
(Rajendra S. More Vs. State of Maharashtra & Ors.)

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

DATE : **14.01.2022**

ORAL ORDER :

Shri P.B.Patil, learned Advocate for the applicant and
Shri N.U.Yadav, learned Presenting Officer for the
respondents, are present.

2. S.O. to 22-02-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.805/2018 & 806/2018
(Nagorao Karbhai & Zumber K. Sonwane
Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri N.R.Thorat, learned Advocate for the applicants, Smt. M.S.Patni, learned Presenting Officer for the respondent authorities, Shri R.N.Bharaswadkar learned Advocate for Shri 4, 5 & 7 (O.A.No.805/2018), and Shri S.G.Kulkarni learned Advocate holding for Shri Ajay Deshpande learned Advocate for respondent no.4 (O.A.No.806/2018), are present.

2. S.O. to 22-02-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.896/2018
(Madhukar Madarase & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : **14.01.2022**

ORAL ORDER :

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

2. S.O. to 22-02-2022. Today second set is filed.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.410/2019
(Santosh Jagdale Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri S.G.Kulkarni learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities and Shri M.R.Kulkarni learned Advocate for respondent no.2, are present.

2. S.O. to 23-02-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.512/2019
(Vinod Dandge Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri Shamsundar B. Patil, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. S.O. to 18-02-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.787/2019
(Laxman Huse Vs. State of Maharashtra & Ors.)

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

DATE : **14.01.2022**

ORAL ORDER :

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

2. S.O. to 17-02-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.54/2020
(Bharatlal Dhupe Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri Kishor D. Khade, learned Advocate for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondents, are present.

2. S.O. to 24-02-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.60/2020
(Sangita Patil @ Chaudhari Vs. State of Maharashtra & Ors.)

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

DATE : **14.01.2022**

ORAL ORDER :

Shri Prafulla Bodade learned Advocate holding for Shri J.B.Choudhary, learned Advocate for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondents, are present.

2. S.O. to 28-02-2022.

MEMBER (A)

MEMBER (J)

**O.A.NO.272/2020, 273/2020, 274/2020, 275/2020,
276/2020, 277/2020, 278/2020, 279/2020, 280/2020,
281/2020, 282/2020 AND 283/2020
(Umesh Dargode & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri V.G.Pingle, learned Advocate for the applicants
and Smt. Sanjivani Ghate, learned Presenting Officer for
the respondents, are present.

2. S.O. to 24-02-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.389/2020 & 390/2020
(Radhika Khare & Aashatai Metkar
Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri J.M.Murkute, learned Advocate for the applicant
and Smt. Sanjivani Ghate, learned Presenting Officer for
the respondents, are present.

2. S.O. to 27-01-2022.

MEMBER (A)

MEMBER (J)

Date :14.01.2022

**M.A.NO.28 OF 2022 IN O.A.ST.NO.57 OF 2022
(Pankay D. Soundankar V/s The State of
Maharashtra & Ors.)**

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

1. Shri V.G. Pingle, learned Advocate for the applicant and Shri V.R. Bhumkar, ld. P.O. for the respondents, are present
2. Circulation is granted. Issue notices to the respondents in **M.A.No.28 of 2022**, returnable on 11.02.2022. The case be listed for admission hearing on **11.02.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date :14.01.2022

**M.A.NO.29 OF 2022 IN O.A.ST.NO.11 OF 2022
(Yashvant M. Kadam V/s The State of Maharashtra
& Ors.)**

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

1. Shri V.G. Pingle, learned Advocate for the applicant and Shri I.S. Thorat, Id. P.O. for the respondents, are present
2. Circulation is granted. Issue notices to the respondents in **M.A.No.29 of 2022**, returnable on 11.02.2022. The case be listed for admission hearing on **11.02.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date :14.01.2022

**ORIGINAL APPLICATION NO.1059 OF 2019
(Kerba N. Jetewad V/s The State of Maharashtra &
Ors.)**

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

1. Shri S.B. Patil, learned Advocate for the applicant and Shri I.S. Thorat, Id. P.O. for the respondents, are present
2. Circulation is granted. Issue notices to the respondents, returnable on 11.02.2022. The case be listed for admission hearing on **11.02.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date :14.01.2022

**ORIGINAL APPLICATION NO.781 OF 2021
(Afroz Khan Karim Khan V/s The State of
Maharashtra & Ors.)**

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

1. Shri A.R. Tapse, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, ld. P.O. for the respondents, are present
2. Circulation is granted. Issue notices to the respondents, returnable on 11.02.2022. The case be listed for admission hearing on **11.02.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

**ORIGINAL APPLICATION ST.NO. 61 OF 2022
(Vitthal N. Kokulwar Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Since the cause of action has arisen for filing the present Original Application within the jurisdiction of this Tribunal we see no substance in the objection so raised by the registry of this Tribunal and the objection is overruled.

3. Learned counsel for the applicant submits that after filing of the present O.A. the applicant has been terminated and the applicant intends to bring on record the said fact by way of amendment and he has tendered across the bar the draft amendment and the same is taken on record.

4. In view of the fact that application was not placed before this Tribunal even for passing first orders, we see no reason to issue notices or to ask for filing separate M.A. seeking amendment. In the circumstances, without issuing notices, we are inclined to allow the amendment. It is accordingly allowed. The applicant has also sought

permission to delete the prayer clause 25 (C) & 26 (a) and to add prayer clause 25 (E) & 26 (b). Permission granted. The amendment be carried out forthwith.

5. Issue notices to the respondents, returnable on 24.2.2022.

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

7. 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.

8. 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.

9. 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.

:: - 3 - :: O.A. ST.NO. 61 OF 2022

10. S.O. to 24.2.2022.

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

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 – HDD

**ORIGINAL APPLICATION ST.NO. 62 OF 2022
(Sachin D. Shrimanwar Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Since the cause of action has arisen for filing the present Original Application within the jurisdiction of this Tribunal we see no substance in the objection so raised and the objection is overruled.

3. Issue notices to the respondents, returnable on 24.2.2022.

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

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

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

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

8. S.O. to 24.2.2022.

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

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 – HDD

**M.A.NO. 104/2020 IN O.A.ST.NO. 2118/2019
(Bhaurao M. Ghane Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri K.N. Bhosale, learned counsel holding for Shri Ajay T. Kanawade, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned counsel for the applicant sought one more opportunity to make submissions in the present matter stating that certain judicial pronouncements are in his favour, but he is unable to put all those judgments before this Tribunal today. The record shows that previously much leniency has been shown to the present applicant. However, subject to the costs of Rs. 1,000/- (One thousand only) we are inclined to allow the request so made by the applicant, by way of last chance. The amount of costs shall be deposited in the registry of this Tribunal.

3. S.O. to 28.1.2022.

MEMBER (A)

MEMBER (J)

**M.A.NO. 363/2021 IN O.A.ST.NO. 1149/2021
(Ramling M. Bansode Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri K.M. Nagarkar, learned counsel for the applicant
(**absent**). Shri V.R. Bhumkar, learned Presenting Officer
for the respondents, present.

2. Since nobody appears for the applicant, S.O. to
24.1.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 – HDD

**M.A.NO. 9/2022 IN O.A.ST.NO. 1541/2021
(Smt. Laxmi B. Taji Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in M.A. No. 9/2022, returnable on 24.2.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 24.2.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 – HDD

M.A.NO. 10/2022 IN O.A.ST.NO. 1586/2021

(Nathrao S. Chate Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 14.01.2022

ORAL ORDER :

Heard Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in M.A. No. 10/2022, returnable on 24.2.2022.

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

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

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

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

7. S.O. to 24.2.2022.

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

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 - HDD

M.A.ST.NO. 1599/2021 IN O.A.ST.NO. 1553/2021

(Sham Govind Shinde Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND**

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 14.01.2022

ORAL ORDER :

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

2. Issue notices to the respondents in M.A.St. No. 1599/2022, returnable on 28.1.2022.

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

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

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

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

7. S.O. to 28.1.2022.

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

MEMBER (A)

MEMBER (J)

**M.A.NO. 18/2022 IN O.A.NO. 149/2020
(Vitthal J. Ambatwad Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri S.L. Bhapkar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. The amendment is sought so as to bring on record the subsequent events, which have occurred during pendency of the O.A. We have gone through the contents of the M.A. It appears to us that the events, which are sought to be brought on record by way of amendment do have nexus with the subject matter of the O.A. We are, therefore, inclined to allow the application. Hence, the following order: -

ORDER

(i) The amendment application is allowed and disposed of.

(ii) The necessary amendment be carried out in the O.A. within a period of two weeks from the date of this order.

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

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 149 OF 2020
(Vitthal J. Ambatwad Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri S.L. Bhapkar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant has filed rejoinder affidavit and the same is taken on record and copy thereof has been served on the learned Presenting Officer.

3. S.O. to 10.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 – HDD

**M.A.NO. 11/2022 IN O.A.NO. 698/2021
(Jitesh Prashant Wagh Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

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

2. The applicant is seeking amendment in the O.A. No. 698/2021 so as to bring on record the subsequent events and to make the consequential prayers.

3. After having gone through the contents of the M.A., we are satisfied that the amendment is sought only for the purpose of bringing on record the subsequent events, which do have nexus with the subject matter. In the circumstances, we are inclined to allow the present M.A. Hence, the following order: -

ORDER

(i) The amendment application is allowed and disposed of.

(ii) The necessary amendment be carried out in the O.A. within a period of two weeks from the date of this order.

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

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 - HDD

ORIGINAL APPLICATION NO. 698 OF 2021

(Jitesh Prashant Wagh Vs. State of Maha. & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 14.01.2022

ORAL ORDER :

Shri Sandeep D. Munde, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. S.O. to 18.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 – HDD

**C.P.NO. 9/2021 IN O.A.NO. 70/2018
(Dadabhau T. Parte Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Ms. Preeti R. Wankhade, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time. Time granted.
3. S.O. to 21.1.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 – HDD

**ORIGINAL APPLICATION NO. 333 OF 2021
(Supriya G. Nande Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri D.A. Bide, learned counsel holding for Shri P.G. Tambade, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 4.2.2022. High on board.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 – HDD

**ORIGINAL APPLICATION NO. 132 OF 2016
(Mandabai G. Thakur Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Learned counsel Shri S.B. Mene, has filed VAKALATNAMA on behalf of applicant today. It is taken on record. Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, present.

2. By consent of both the parties, S.O. to 9.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 209 OF 2019
(Ramesh G. Verule Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri R.P. Bhumkar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant has filed 2nd set of the present O.A.
3. By consent of both the parties, S.O. to 17.2.2022.

MEMBER (A)

MEMBER (J)

**O.A.NO. 1032/2019 WITH O.A.NO. 563/2021
(Sadashiv V. Rathod & Anr. Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri V.G. Pingle, learned counsel for the applicants in both the cases and S/Shri B.S. Deokar & S.K. Shirse, learned Presenting Officers for the respective respondents in respective cases, are present.

2. By consent of bot the parties, S.O. to 17.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 – HDD

**ORIGINAL APPLICATION NO. 14 OF 2021
(Jaykumar R. Koli Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri C.V. Dharurkar, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. By consent of both the parties, S.O. to 17.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 – HDD

**O.A.NOS. 935 TO 937 ALL OF 2019
(Toliram Phulaji Rathod & Ors. Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicants in all these cases and Shri S.K. Shirse, learned Presenting Officer for the respondents in all these cases, are present.

2. At the request of learned Presenting Officer, S.O. to 18.1.2022. High on board.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 – HDD

**O.A.NOS. 860 TO 864 ALL OF 2019
(Vithal H. Desale & Ors. Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Heard Shri Dilip S. Mutalik, learned counsel holding for Shri J.B. Choudhary, learned counsel for the applicants in all these cases and Shri D.R. Patil, learned Presenting Officer for the respondents in all these cases.

2. Learned counsel for the applicants in all these OAs, on instructions, submits that prayers, which are made in these applications and reliefs, which are sought have been given to the applicants during the pendency of these OAs.

3. Learned Presenting Officer concedes with the aforesaid submission made on behalf of the applicants and submitted for passing necessary orders.

4. In view of the aforesaid submissions made on behalf of both the parties, the present OAs stand disposed of without any order as to costs.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 592 OF 2018
(Nilesh Bhagwan Pardeshi Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri A.S. Golegaonkar, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer sought time for filing affidavit in reply on behalf of respondent No. 1. Time granted.

3. S.O. to 9.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 – HDD

**O.A.NOS. 294 & 296 BOTH OF 2019
(Sujata R. Palve & Anr. Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri A.C. Deshpande, learned counsel for the applicants in both these cases and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents in both these cases, are present.

2. List both these cases for hearing on 10.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 – HDD

**O.A.NOS. 150 & 151 BOTH OF 2020
(Ramkrishna D. Nagargoje & Anr. Vs. State of
Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri S.L. Bhapkar, learned counsel for the applicants in both the cases and S/Shri B.S. Deokar & S.K. Shirse, learned Presenting Officers for the respective respondents in respective cases, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply in O.A. No. 150/2020. Time granted.
3. Learned counsel for the applicants has filed rejoinder affidavit in O.A. No. 151/2020 and the same is taken on record and copy thereof has been served on the other side.
4. S.O. to 10.2.2022 for filing affidavit in reply in O.A. No. 150/2020.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 305 OF 2021
(Devidas G. Nandgaonkar Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. List the matter for hearing on 11.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 – HDD

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

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

DATE : 14.01.2022

ORAL ORDER :

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

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

3. Learned counsel for the applicant sought time for filing rejoinder affidavit, if any. Time granted.

4. S.O. to 11.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 775 OF 2021
(Ganesh D. Ingale Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri Swaraj S. Tandale, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 2 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

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

4. S.O. to 18.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 784 OF 2021
(Raghunath L. Bhadke Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Ms. Preeti R. Wankhade, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. Await service for respondent No. 8.
3. S.O. to 18.2.2022.

MEMBER (A)

MEMBER (J)

**M.A.NO. 295/2019 IN O.A.ST.993/2019
(Vaishali S. Sanap Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri Ajay S. Deshpande, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 2 in M.A. and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. S.O. to 11.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 – HDD

**M.A. 420/19 WITH M.A. 415/19 WITH O.A.723/19
(Pallavi V. Ligade Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

S/Shri V.B. Wagh & K.G. Salunke, learned counsel for the applicants in M.A. Nos. 420/2019 & 415/2019, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri A.S. Deshmukh, learned counsel for respondent Nos. 3 to 5 in M.A. No. 420/2019 (applicants in O.A.), are present.

2. S.O. to 11.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 – HDD

**M.A.NO. 609/2019 IN O.A.ST.NO. 2372/2019
(Radhabai K. Kedare Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. The learned counsel for the applicant has not filed 2nd set.
3. S.O. to 14.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 – HDD

**M.A.NO. 68/2020 IN O.A.ST.NO. 2452/2019
(Swati P. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri R.D. Khadap, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. S.O. to 14.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 - HDD

**M.A. 146/20 IN M.A.ST.418/20 IN O.A.ST.419/20
(Maharashtra Rajya Pashu Sawardhan Abhiyantriki
Karmachari Sanghatana Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri Gaurav L. Deshpande, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply. Time granted.
3. S.O. to 7.2.2022.

MEMBER (A)

MEMBER (J)

**M.A. 56/2021 IN M.A.ST.346/2020 IN O.A. 563/2014
(Tushar B. Rajput Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri H.V. Tungar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. List the matter for hearing on 15.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 – HDD

**M.A.NO. 386/2021 IN O.A.ST.1659/2021
(Bhaskar N. Patil & Ors. Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri R.P. Bhumkar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply. Time granted.
3. S.O. to 15.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 - HDD

**M.A.NO. 402/2021 IN O.A.ST.NO. 1631/2021
(Prakash Hiralal Bhamare Vs. State of Maha. & Ors.)**

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

DATE : 14.01.2022

ORAL ORDER :

Shri P.S. Gaikwad, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. Await service.
3. S.O. to 16.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 14.01.2022 – HDD