

C.P.NO. 19 OF 2022 IN O.A.NO. 647 OF 2021
(Vinod V. Gundamwar Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

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

2. It is revealed that neither the applicant nor counsel for the applicant has attended the present matter since last two occasions. It appears that the applicant has lost interest in prosecuting the matter further. Today also no one has caused appearance for the applicant. In the circumstances, the following order is passed.

ORDER

The Contempt Petition stands dismissed in default.

MEMBER (A)

MEMBER (J)

M.A.NO. 24 OF 2023 IN O.A.NO. 766 OF 2022
(Keshav M. Jambutkar Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant placed on record written pursis of the applicant stating that he does not want to prosecute the O.A. and wants to withdraw the said Original Application. It is taken on record.

3. In view of the same, we have no reason to refuse permission to withdraw the present O.A. when the withdrawal is sought unconditionally.

4. In view of the same, the present O.A. as well as M.A. stand disposed of as withdrawn. No order as to costs.

MEMBER (A)

MEMBER (J)

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

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

DATE : 14.03.2023

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate holding for Shri Ranjeet Kumthekar, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the application seeks liberty to withdraw the present proceedings with liberty to file fresh O.A. in accordance with law.

3. Liberty as prayed for is granted.

4. In view of the same, the present Original Application along with Misc. Application stand disposed of as withdrawn with liberty to file proceedings afresh in accordance with law. No order as to costs.

MEMBER (A)

MEMBER (J)

M.A.NO. 109/ 2023 IN O.A.ST.NO. 217 /2023
(Pranita G. Sonawane Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

Heard Shri S.S. Dambe, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The Misc. Application is closed for order.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 14.03.2023.

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

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

DATE : 14.03.2023

ORAL ORDER :

Heard Shri A.N. Nagargoje, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 19.04.2023.

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 19.04.2023.

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

MEMBER (A)

MEMBER (J)

M.A.NO. 97 OF 2021 IN O.A.ST.NO. 329 OF 2021
(Baban R. Zagade Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

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

2. The present Misc. Application is closed for order.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 14.03.2023.

M.A.NO. 111 OF 2021 IN O.A.ST.NO.439 OF 2021
(Shivaji T. Kote & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Ms. Preeti R. Wankhade, learned Advocate for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities. Shri J.M. Murkute, learned Advocate for the respondent Nos. 35, 50, 58 & 59, is **absent.**

2. S.O. to 18.04.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 14.03.2023.

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

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

DATE : 14.03.2023

ORAL ORDER :

Heard Shri V.B. Sarse, learned Advocate holding for Shri V.S. Kadam, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicants, S.O. to 04.05.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 14.03.2023.

M.A.NO. 367 /2022 IN O.A.ST.NO. 1301/2022
(Digambar B. Dahe & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

Heard Shri S.D. Dhonge, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. The present Misc. Application is reserved for order.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 14.03.2023.

M.A.NO. 393 OF 2022 IN O.A.NO. 1044 OF 2019
(**Tukaram S. Katare Vs. State of Maharashtra & Ors.**)

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

DATE : 14.03.2023

ORAL ORDER :

Heard Shri D.A. Bide, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Record shows that pleadings are already completed. This Misc. Application No. 393/2022 is taken out for seeking some directions. When the pleadings in O.A. are completed, we are of the opinion that it would be just and proper to decide the said Original Application on merit.

3. Hearing of this Original Application is expedited.

4. In view of the same, the Misc. Application stands disposed of with no order as to costs.

5. The Original Application to come up on board 25.04.2023. **High on board.**

MEMBER (A)

MEMBER (J)

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

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

DATE : 14.03.2023

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. Record shows that the applicant No.5 i.e. Syed Matin Syed Hamid Nalgire is working at Wardha which place is not within the jurisdiction of this Tribunal.

3. Learned Advocate for the applicant submits that she will process the matter for seeking requisite permission for continuation of applicant No.5 in this Original Application itself under provision of Section 25 of Administrative Tribunals Act.

4. S.O. 27.04.2023.

MEMBER (A)

MEMBER (J)

M.A.NO. 104 OF 2023 IN O.A.NO. 716 OF 2022
(Dr. Milind V. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities. Shri A.D. Sugdare, learned Advocate for the applicant in O.A.No. 716/2022, is **absent**.

2. This application is made seeking to intervene in Original Application No. 716/2022 filed by the respondent No.1/applicant in O.A. and seeking direction against the respondent No.1 to add him as party respondent No.4 in the said Original Application.

3. The respondent No.1 filed Original Application No. 716/2022 seeking his posting as Associate Professor (Surgery), Government Medical College, Nandurbar on the basis of 63 marks obtained by him in the interview held on the same date of 05.07.2022, which was conducted for

//2// M.A.104/2023 in
O.A.716/2022

Sindhudurg District. For Nandurbar district however the marks in interview held on 05.07.2022 are shown as 61.

4. The applicant/intervener who was also interviewed for the said post for Sindhudurg as well as Nandurbar, his marks are shown as 61 and 62 respectively. In view of the same, if relief in favour of respondent No.1/applicant in O.A. is granted, the intervener is likely to be effected. In view of the same, in our considered opinion, this is a fit case to allow the applicant in M.A./intervener to intervene in O.A. and to direct the respondent No.1 in M.A./applicant in O.A. to add the intervener as party respondent No.4 in O.A.

5. Perusal of the cause title of Original Application No. 716/2022 would show that respondent No.3 is shown as Selection Committee constituted by the Secretary, Maharashtra Public Service Commission. Nothing is shown by the applicant in O.A. that it is legal entity. In view of the same, the name of the respondent No.3 is liable to be deleted. Today, however, learned Advocate for the applicant is absent. Hence, this point is kept open.

//3// M.A.104/2023 in
O.A.716/2022

In the result, we proceed to pass the following order:-

ORDER

- i) The Misc. Application No. 104/2023 is allowed.
- ii) The respondent No.1 in M.A./applicant in O.A. is directed to join intervener as party respondent No.4 in O.A. within the period of one week from the date of this order.
- iii) Issue notice to the respondent No.4, returnable on 20.04.2023.
- iv) Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- v) 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.
- vi) 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.

//4// M.A.104/2023 in
O.A.716/2022

vii) 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.

viii) Record further shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondent Nos. 1 to 3. Last chance is granted for them for filing affidavit in reply or else they have to file original record for perusal so that the matter kept adjudicated upon effectively.

ix) S.O. to 20.04.2023.

x) Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

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

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

DATE : 14.03.2023

ORAL ORDER :

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

2. S.O. to 27.03.2023 for re-hearing. **High on board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 14.03.2023.

ORIGINAL APPLICATION NO. 248 OF 2019
(Vikram B. Mate & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicants, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri S.D. Dhongde, learned Advocate for the respondent Nos. 3 & 4.

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

3. S.O. to 31.03.2023. **High on board.**

MEMBER (A)

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

DATE : 14.03.2023

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. The present matter has already been treated as part heard.
3. S.O. to 20.03.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 252 OF 2022
(Dr. Sudhir V. Bhise Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

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

2. The present matter has already been treated as part heard.
3. S.O. to 21.03.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 147 OF 2018
(Dashrath G. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

Shri N.G. Talekar/ P.B. Bharat, learned Advocate for the applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present.

2. S.O. to 06.04.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 148 OF 2018
(Uttam E. Mudiraj Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

Shri N.G. Talekar/ P.B. Bharat, learned Advocate for the applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present.

2. S.O. to 06.04.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 69-A OF 2023
(Afroj Jabbar Shekh & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

Heard Shri Amol Chalak learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

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

3. S.O. to 20.03.2023. **High on board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 14.03.2023.

C.P.NO. 03 OF 2023 IN O.A.NO. 658 OF 2018
(Raosaheb S. Bangar Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

Heard Shri R.R. Bangar, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri S.D. Dhongde, learned Advocate for the respondent Nos. 2 & 3.

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

3. S.O. to 19.04.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 14.03.2023.

C.P.NO. 25 OF 2022 IN O.A.NO. 600 OF 2022
(Dr. Rahimoddin Rasulsab Shaikh Vs. State of Maharashtra &
Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

Heard Shri J.B. Choudhary, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities. Shri P.R. Tandale, learned Advocate for the respondent No.4, is **absent**.

2. Record shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondent Nos. 1 to 3 in C.P. Hence, the Contempt Petition will proceed further without affidavit in reply of the respondent Nos. 1 to 3.

3. In view of the same, fix the C.P. for hearing on 24.04.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1036 OF 2019
(Dr. Naresh S. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

Heard 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. Shri Rakesh Jain, learned for the respondent No.4, is **absent**.

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 3.

3. S.O. to 24.04.2023.

MEMBER (A)

MEMBER (J)

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

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

DATE : 14.03.2023

ORAL ORDER :

Shri Sanjay Kolhare, learned Advocate for the applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. Affidavit in reply filed on behalf of the respondent No.1 is taken on record along with extra copy for the applicant.

3. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of the respondent No. 2.

4. S.O. to 25.04.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 582 OF 2022
(Dr. Shrikant B. Balwande Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

Heard Shri S.A. Nagargose, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

Shri B.B. Bhise, learned Advocate for the respondent No.4, is **absent**. None present on behalf of the respondent No.5, though duly served.

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

3. In spite of grant of opportunities, affidavit in reply is not filed on behalf of respondent Nos. 4 & 5.

4. At the request of the learned Advocate for the applicant, time is granted for filing affidavit in rejoinder to the affidavit in reply filed on behalf of the respondent Nos. 1 to 3.

5. S.O. to 02.05.2023.

MEMBER (A)

MEMBER (J)

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

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

DATE : 14.03.2023

ORAL ORDER :

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

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 24.04.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 14.03.2023.

ORIGINAL APPLICATION NO. 21 OF 2023
(Mohan K. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

Heard Shri Kishor G. Gaikwad, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Await service upon the respondents.

3. At the request of the learned Advocate for the applicant, S.O. to 25.04.2023 for taking necessary steps.

MEMBER (A)

MEMBER (J)

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

With

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

with

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

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

DATE : 14.03.2023

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicants in all these matters and Shri V.R. Bhumkar, learned Presenting Officers for the respondent authorities in all these matters.

Smt. Sunita D. Shelke, learned Advocate for the respondent No.3 in C.P.No.22/2021 and C.P.No. 23/2021 and Shri Yogesh M. Patil, learned Advocate for the respondent No.3 in C.P.No. 24/2021, are **Absent.**

2. In spite of grant of last chance, affidavit in reply is not filed. Record shows that the order dated 04.11.2019 passed in O.A. No. 947/2018, the breach of which is alleged is confirmed by the Hon'ble High Court while dismissing the Writ Petition Nos. 1042/2021, 1068/2021 and 1071/2021.

//2// C.P.22/2021 In
O.A.947/2018 & Ors.

3. Learned Advocate for the applicants submitted that the standing counsel of the respondents appearing in the Hon'ble Apex Court has communicated to the respondents stating that it is not fit case for filing S.L.P. Learned Advocate for the applicant submits that he will place the copy of the said communication on record.

4. In view of the same, fix all the Contempt Petitions for hearing on S.O. to 21.04.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 819 OF 2022
(Dr. Dharmaraj A. Dudde & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

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

2. Affidavit in reply filed on behalf of the respondent Nos. 1,2 & 4 is taken on record and copy thereof has been served on the other side.

3. S.O. to 21.04.2023 for filing affidavit in rejoinder if any. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 14.03.2023.

ORIGINAL APPLICATION NO. 736 OF 2022
(Dr. Pradeep A. Shendge Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Affidavit in reply filed on behalf of the respondent Nos. 1,2 & 4 is taken on record and copy thereof has been served on the other side.

3. S.O. to 21.04.2023 for filing affidavit in rejoinder, if any. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 828 OF 2022
(Shailendra G. Sasane Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

Heard Smt. Vijaya Adkine, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 26.04.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

O.A.NO. 892/2018 WITH O.A.NO. 901/2018
(Dhananjay D. Chandodkar & Ors. Vs. State of Maharashtra &
Ors.)

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

DATE : 14.03.2023

ORAL ORDER :

Heard Shri A.V. Thombre, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicants in both the O.As. and Shri M.S. Mahajan, learned Chief Presenting Officers for the respondents in both the O.As.

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

3. S.O. to 08.04.2023. Interim relief granted earlier in O.A.No. 892/2018 to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 629 OF 2016
(Shankar S. Waghmare Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023.

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicant and Smt. Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

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

3. Learned Presenting Officer placed on record a copy of minutes of DPC dated 17.03.2016 received by the office of CPO in compliance of the direction given by this Tribunal in farad sheet order dated 30.08.2016. Perusal of the said DPC minutes would show that the name of the applicant does not appear in the select list. Copy of the said D.P.C. minutes is taken on record.

4. During the course of arguments, learned Advocate for the applicant invited our attention to letter dated 29.04.2016 (Annexure A-1) addressed by the office of Commissioner of Education, Maharashtra State, Pune to the Education Officer, Zilla Parishad, Nanded wherein

//2//

O.A. No. 629/2016

there is reference of Sr. No. 1 of Government letter dated 24.04.2016, in which it is mentioned that the applicant's name is there in the select list. In view of the same, in order to have proper adjudication of the matter, the production of said letter dated 24.04.2016 is necessary.

5. In view of the same, learned Presenting Officer is directed to produce on record the copy of the said letter dated 24.04.2016 by next date of hearing.

6. S.O. to 28.03.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 810 OF 2017
(Shaligram M. Sonawane Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023.

ORAL ORDER :

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

2. The present matter is closed for orders.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 946 OF 2017
(Namdeo L. More Vs. State of Maharashtra & Ors.)**

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

DATE : 14.03.2023.

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. The present Original Application is filed challenging the punishment order faced by the applicant. From the facts on record, it appears that role of Class Teacher and Superintendent in respect of alleged incident of missing of student/s from the Ashram School is one of the important factors.

3. In view of the same, learned Presenting Officer to place on record clear position as regards D.E. if being initiated against the Class-Teacher and superintendent and it's status/outcome.

4. Moreover, the applicant said to have filed revision against the punishment order before the respondent No. 1. Learned Presenting Officer to place on record status report as regards pendency of said revision by the next date of hearing.

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

6. S.O. to 29.03.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

O.A. No. 89/2016 with O.A. No. 150/2016
(Shaikh Asraf Sk. Sardar & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023.

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate holding for Shri A.D. Gadekar, learned Advocate for the applicants in both the O.As., Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in both the O.As.

Shri S.B. Patil, learned Advocate for respondent Nos. 2 to 4 in O.A. No. 89/2016 and for respondent No. 2 in O.A. No. 150/2016, **absent**.

2. S.O. to 12.04.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 1387 OF 2000
(Prayagbai G. Ghule Vs. State of Maharashtra & Ors.)**

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

DATE : 14.03.2023.

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. The present Original Application is filed seeking relief of pay and allowances to the post of Peon w.e.f. 05.02.1998, though the appointment order issued to him and three others by the Public Works Department is dated 26.06.1997. The other three candidates mentioned therein were allowed to join. The applicant was not allowed to join.

3. In view of the same, learned P.O. is directed to place on record information as to when the vacancy of the post of Peon occurred by the next date of hearing.

4. The present matter is to be treated as part heard.

5. S.O. to 31.03.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 633 OF 2012
(Sachin S. Unawane & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023.

ORAL ORDER :

Heard Shri H.A. Joshi, learned Advocate for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. S.O. to 03.04.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 146 OF 2016
(Rakesh A. Thakre Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023.

ORAL ORDER :

Heard Shri S.D. Kotkar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. S.O. to 31.03.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 07 OF 2017
(Shishirbaba K. Ghonmode Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023.

ORAL ORDER :

Heard Smt. Naina Patil, learned Advocate holding for Smt. Surekha Mahajan, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. S.O. to 3.04.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 45 OF 2017
(Sunita R. Thite Vs. State of Maharashtra & Ors.)**

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

DATE : 14.03.2023.

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. At the request of learned Advocate for the applicant, S.O. to 06.04.2023 for final hearing peremptorily.

MEMBER (A)

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

DATE : 14.03.2023.

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. S.O. to 05.04.2023 for final hearing peremptorily.

MEMBER (A)

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

DATE : 14.03.2023.

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. S.O. to 05.04.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 321 OF 2017
(Manisha P. Jagtap Vs. State of Maharashtra & Ors.)**

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

DATE : 14.03.2023.

ORAL ORDER :

Shri P.A. Kulkarni, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. S.O. to 10.04.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 408 OF 2017
(Shiram S. Kamble Vs. State of Maharashtra & Ors.)**

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

DATE : 14.03.2023.

ORAL ORDER :

Shri U.P. Urgunde / Shri S.S. Dambe, learned Advocate for the applicant (**Absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 10.04.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 743 OF 2017
(Subhash A. Dhokane Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023.

ORAL ORDER :

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

2. S.O. to 05.04.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 776 OF 2017
(Moni V. Varghese Vs. State of Maharashtra & Ors.)**

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

DATE : 14.03.2023.

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. S.O. to 15.04.2023 for final hearing peremptorily.

MEMBER (A)

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

DATE : 14.03.2023.

ORAL ORDER :

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

2. S.O. to 06.04.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 14.03.2023

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

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

DATE : 14.03.2023.

ORAL ORDER :

Shri Y.P. Deshmukh, learned Advocate for the applicant (**absent**). Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 06.04.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 476 OF 2018
(Aasha S. Khairnar Vs. State of Maharashtra & Ors.)

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

DATE : 14.03.2023.

ORAL ORDER :

Heard Shri S.R. Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. S.O. to 06.04.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)