

ORIGINAL APPLICATION NO. 387/2023
(Sachin Madhukar Landge Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND

Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

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

2. S.O. to 24.10.2024 for admission hearing. The interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 590/2023
(Rajendra A. Shirsat Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND

Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

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

2. S.O. to 25.10.2024 for admission hearing. The interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 151/2024
(Dipak Sudam Rathod Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND

Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

Shri Vishal Kadam, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 25.10.2024 for admission hearing. The interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 913/2023
(Bhausahab R. Sarawade Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND

Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

Shri S.G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 11.11.2024 for admission hearing. The interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1210/2024
(Ravindra S. Joshi Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

Shri S.D. Joshi, learned counsel holding for Shri I.S. Thorat, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered affidavit in reply on behalf of respondent nos. 01 & 02. It is taken on record and copy thereof has been supplied to learned counsel for the applicant.

3. At the request of learned P.O., S.O. to 15.10.2024.

MEMBER (A)

ORIGINAL APPLICATION NO. 46/2024
(Bhimcharan W. Magare Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

Shri A.B. Rajkar, learned counsel holding for Shri K.G. Salunke, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present. None appears for respondent no. 03.

2. S.O. to 22.10.2024.

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

MEMBER (A)

ORIGINAL APPLICATION NO. 830/2024
(Pallavi M. Temkar Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

Shri Jiwan J. Patil, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present. None appears for respondent no. 03.

2. At the request of learned P.O., S.O. to 28.10.2024 for filing affidavit in reply. The interim relief granted earlier to continue till then. .

MEMBER (A)

ORIGINAL APPLICATION NO. 829/2024
(Pramod Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

Shri Jiwan J. Patil, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., S.O. to 28.10.2024 for filing affidavit in reply. The interim relief granted earlier to continue till then.

MEMBER (A)

ORIGINAL APPLICATION NO. 767/2023
(Krishna Borde Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

Shri Shamsunder B. Patil, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 28.10.2024 for hearing. The interim relief granted earlier to continue till then.

MEMBER (A)

ORIGINAL APPLICATION NO. 768/2023
(Appasaheb Abak Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

Shri Shamsunder B. Patil, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. By consent of both the sides, S.O. to 28.10.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

ORIGINAL APPLICATION NO. 88/2023
(Dr. Sachin Nawale Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

Ms. Preeti Wankhade, learned counsel for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 29.10.2024 for hearing. The interim relief granted earlier to continue till then.

MEMBER (A)

ORIGINAL APPLICATION NO. 995/2024
(Gajanan Dhangar Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

Shri B.P. Sabnis, learned counsel holding for Smt. Naseembanu Deshmukh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 24.10.2024 for hearing. The interim relief granted earlier to continue till then.

MEMBER (A)

ORIGINAL APPLICATION NO. 751/2024
(Janardhan Rathod & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

Shri Joslyan Menezes, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicant does not wish to file rejoinder affidavit.
3. S.O. to 22.10.2024 for admission hearing.

MEMBER (A)

ORIGINAL APPLICATION NO. 752/2024
(Bharat Chavan & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

Shri Joslyan Menezes, learned counsel for the applicants and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 22.10.2024 for admission hearing.

MEMBER (A)

ORIGINAL APPLICATION NO. 782/2024
(Mahadeo Maske Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

Shri Joslyan Menezes, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits that he will file affidavit in reply of respondent no. 5 during the course of the day with spare copy for learned counsel for the applicant. It be taken on record.

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

4. S.O. to 22.10.2024 for admission hearing.

MEMBER (A)

ORIGINAL APPLICATION NO. 1213/2024
(Udaysinh V. Salunke Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has filed affidavit in reply of respondent no. 01. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 17.10.2024.

MEMBER (A)

ORIGINAL APPLICATION NO. 467/2024
(Rangnath Shinde Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has filed affidavit in reply of respondent no. 06. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 28.10.2024 for filing rejoinder affidavit to reply of respondent nos. 06 and 08.

MEMBER (A)

ORIGINAL APPLICATION NO. 223/2024
(Smt. Kalpana Padwal Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

None appears for the applicant. Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. has filed affidavit in reply of respondent nos. 04 & 05 with spare copy for learned counsel for the applicant. It is taken on record.

3. S.O. to 21.11.2024 for filing rejoinder, if any, by the applicant.

MEMBER (A)

ORIGINAL APPLICATION NO. 781/2024
(Ramchandra Shinde Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has filed affidavit in reply of respondent nos. 04 & 5. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 20.11.2024 for filing rejoinder affidavit, if any, by the applicant.

MEMBER (A)

**ORIGINAL APPLICATION NO. 1175/2024
(Sudarshan Tupe Vs. State of Maharashtra & Ors.)**

**CORAM : Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024**

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri U.B. Bondar, learned counsel for respondent no. 3, are present.

2. Learned P.O. has filed affidavit in reply of respondent no. 01. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 18.10.2024 for filing rejoinder, if any, by the applicant.

MEMBER (A)

ORIGINAL APPLICATION NO. 1176/2024
(Omprasad Ramawat Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri U.B. Bondar, learned counsel for respondent no. 3, are present.

2. Learned P.O. has filed affidavit in reply of respondent no. 01. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 18.10.2024 for filing rejoinder, if any, by the applicant.

MEMBER (A)

ORIGINAL APPLICATION NO. 1177/2024
(Dattatraya Giri Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)
DATE : 14.10.2024

ORAL ORDER :

Shri P.D. Suryawanshi, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has filed affidavit in reply of respondent no. 01. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 18.10.2024 for filing rejoinder, if any, by the applicant.

MEMBER (A)

ORIGINAL APPLICATION NO. 1246 OF 2024
(Navnath R. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri D.S. Mutalik, learned counsel holding for Shri K.G. Salunke, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 15.10.2024.

MEMBER (A)

KPB ORAL ORDER 14.10.2024

MEMBER (J)

C.P. No. 82/2024 in O.A. No. 240/2021

(Ranjeetsingh B. Rajput & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

and

Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

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

2. Issue notice to the respondents in C.P., returnable on 22.11.2024.

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

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

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

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

7. S.O. to 22.11.2024.

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

MEMBER (A)

MEMBER (J)

C.P. No. 92/2024 in O.A. No. 848/2019
(Nilesh B. Chaudhari Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri A.D. Sugdare, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 28.10.2024.

MEMBER (A)

KPB ORAL ORDER 14.10.2024

MEMBER (J)

ORIGINAL APPLICATION NO. 1188 OF 2024
(Gaurishankar G. Joshi Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Heard Smt. Sushma Jadhav, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned C.P.O. is requested to take specific instructions as to whether the Government has taken any policy decision about the period of commuted pension and also take instruction in connection with the chart submitted by the applicant at page No. 101 of paper book pertaining to recovery towards commuted pension, since learned counsel for the applicant has vehemently submitted that the applicant has paid more amount than the amount of commuted pension.

3. S.O. to 23.10.2024.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDER 14.10.2024

ORIGINAL APPLICATION NO. 825 OF 2022

(Pallavi V. Alaspure & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

and

Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri A.R. Borulkar, learned counsel for the applicants (**Absent**). Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 2. Same is taken on record along with spare copy for the applicants.

3. S.O. to 26.11.2024 for filing rejoinder affidavit, if any.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDER 14.10.2024

ORIGINAL APPLICATION NO. 840 OF 2022
(Vikram V. Mhaske & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri A.R. Borulkar, learned counsel for the applicants (**Absent**). Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 2. Same is taken on record along with spare copy for the applicants.

3. S.O. to 26.11.2024 for filing rejoinder affidavit, if any.

MEMBER (A)
KPB ORAL ORDER 14.10.2024

MEMBER (J)

ORIGINAL APPLICATION NO. 938 OF 2022
(Chandrao U. Kadam Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri A.R. Borulkar, learned counsel for the applicant (**Absent**). Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 2. Same is taken on record along with spare copy for the applicant.

3. S.O. to 26.11.2024 for filing rejoinder affidavit, if any.

MEMBER (A)

KPB ORAL ORDER 14.10.2024

MEMBER (J)

**M.A. St. No. 391/2023 in O.A. No. 139/2021
(Sunil R. Barse Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)**

DATE : 14.10.2024

ORAL ORDER :

Shri R.N. Bharaswadkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present. Shri V.U. Rathod, learned counsel for respondent Nos. 6 & 7 in O.A., **absent**.

2. Learned counsel for the applicant submits that the present matter has become infructuous. However, some time is required to take instructions in this regard and thus seeks time. Time granted.

3. S.O. to 25.11.2024.

MEMBER (A)
KPB ORAL ORDER 14.10.2024

MEMBER (J)

ORIGINAL APPLICATION NO. 676 OF 2022
(Balaji B. Tekale & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicant and Shri S.S. Dambe, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply to the amended O.A. Time granted.

3. S.O. to 28.10.2024 for hearing.

MEMBER (A)

KPB ORAL ORDER 14.10.2024

MEMBER (J)

ORIGINAL APPLICATION NO. 866 OF 2019
(Santoshsing K. Rajput Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri Kalyan Patil, learned counsel for the applicant, Shri V.G. Pingle, learned Presenting Officer for the respondent authorities and Shri K.B. Jadhav, learned counsel for respondent Nos. 6 and 11, are present.

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

3. S.O. to 12.11.2024.

MEMBER (A)
KPB ORAL ORDER 14.10.2024

MEMBER (J)

ORIGINAL APPLICATION NO. 336 OF 2024
(Swapnil S. Barge & Anr. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri D.T. Devane, learned counsel holding for Shri M.B. Kolpe, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Even though the last chance is granted, no affidavit in reply has been filed.

3. List the matter for admission hearing on 14.11.2024 with liberty to the other side to file affidavit in reply, if any till then.

MEMBER (A)

KPB ORAL ORDER 14.10.2024

MEMBER (J)

**M.A. No. 313/2024 in O.A. No. 619/2024
(Swapnil S. Barge Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)**

DATE : 14.10.2024

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicant in O.A., Shri D.T. Devane, learned counsel holding for Shri M.B. Kolpe, learned counsel for the applicant in M.A. and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant in O.A., time is granted for filing affidavit in reply to the intervention application.

3. S.O. to 14.11.2024. The interim relief, if any granted earlier to continue till then.

MEMBER (A)

KPB ORAL ORDER 14.10.2024

MEMBER (J)

ORIGINAL APPLICATION NO. 564 OF 2024
(Ajitkumar S. Khansole Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri R.R. Kale, learned counsel holding for Shri R.J. Nirmal, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 29.10.2024. The interim relief granted earlier to continue till then.

MEMBER (A)
KPB ORAL ORDER 14.10.2024

MEMBER (J)

C.P. No. 76/2024 in O.A. No. 608/2021
(Pawansing R. Bhighot Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri Avinash Deshmukh, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 2 in C.P. Same is taken on record and copy thereof is given to learned counsel for the applicant today itself.

3. At the request of learned counsel for the applicant, S.O. to 22.10.2024 for filing rejoinder affidavit, if any.

MEMBER (A)

KPB ORAL ORDER 14.10.2024

MEMBER (J)

C.P. No. 38/2024 in O.A. No. 805/2023
(Sarjerao D. Kharat & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri P.G. Suryawanshi, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 3 in C.P. Same is taken on record and copy thereof is given to learned counsel for the applicants.

3. Learned counsel for the applicants submits that pending O.A. along with M.A. has already been transferred to Principal Seat of this Tribunal at Mumbai. Learned counsel submits that he would make appropriate submissions before the Principal Seat for transfer of present C.P.

4. S.O. to 21.11.2024.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 632 OF 2024
(Ashok R. Giri Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri D.T. Devane, learned counsel holding for Shri M.B. Kolpe, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 4. Same is taken on record and copy thereof is given to learned counsel for the applicant.

3. S.O. to 20.11.2024 for filing rejoinder affidavit, if any.

MEMBER (A)

KPB ORAL ORDER 14.10.2024

MEMBER (J)

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

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, time is granted for filing additional affidavit.

3. S.O. to 25.11.2024 for hearing.

MEMBER (A)
KPB ORAL ORDER 14.10.2024

MEMBER (J)

ORIGINAL APPLICATION NO. 124 OF 2017
(Govind B. Rathod Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

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

2. Learned Chief Presenting Officer submits short affidavit on behalf of respondent No. 2. Same is taken on record and copy thereof is given to learned counsel for the applicant today itself.

3. S.O. to 22.11.2024 for final hearing.

MEMBER (A)
KPB ORAL ORDER 14.10.2024

MEMBER (J)

ORIGINAL APPLICATION NO. 831 OF 2024
(Kashinath S. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri U.S. Mote, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel Shri M.V. Bhamre, submits that he has instructions to appear on behalf of respondent No. 5 and thus seeks time to file affidavit in reply. Time granted.

3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply.

4. S.O. to 21.11.2024.

MEMBER (A)

KPB ORAL ORDER 14.10.2024

MEMBER (J)

ORIGINAL APPLICATION NO. 879 OF 2024
(Omkesb U. Jadhav & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri Shailesh B. Sonawane, learned counsel holding for Shri P.B. Kamble, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 29.10.2024.

MEMBER (A)
KPB ORAL ORDER 14.10.2024

MEMBER (J)

**ORIGINAL APPLICATION NO. 842 OF 2024 WITH
CAVEAT NO. 43/2024**

(Anand B. Rupnar & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Justice Shri V.K. Jadhav, Member (J)
and**

Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicants, Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, Shri Avinash Deshmukh, learned counsel for respondent Nos. 9 & 12, Shri S.G. Kulkarni, learned counsel holding for Shri Ajay Deshpande, learned counsel for respondent Nos. 7 & 8 and Shri P.D. Bodade, learned counsel for respondent No. 11, are present.

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

3. S.O. to 25.10.2024.

MEMBER (A)

KPB ORAL ORDER 14.10.2024

MEMBER (J)

ORIGINAL APPLICATION NO. 850 OF 2024
(Shubham J. Hake & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri Shailesh B. Sonawane, learned counsel holding for Shri P.B. Kamble, learned counsel for the applicants, Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities and Shri D.A. Gaikwad, learned counsel for respondent Nos. 4 to 9, are present.

2. Learned Chief Presenting Officer submits affidavit in reply on behalf of respondent No. 1. Same is taken on record and copy thereof is given to other side.

3. S.O. to 29.10.2024 for filing rejoinder affidavit, if any. The interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 855 OF 2024
(Krushan R. Chemte & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri Ashish Hazari, learned counsel holding for Shri Pratik Bhosle, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 29.10.2024. The interim relief granted earlier to continue till then.

MEMBER (A)
KPB ORAL ORDER 14.10.2024

MEMBER (J)

**ORIGINAL APPLICATION NO. 960 OF 2024
(Sachin M. Doijad Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)**

DATE : 14.10.2024

ORAL ORDER :

Shri A.B. Chalak, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned Chief Presenting Officer submits affidavit in reply on behalf of respondent No. 2. Same is taken on record and copy thereof is given to learned counsel for the applicant today itself.

3. Learned counsel Shri B.B. Yenge submits that he has instructions to appear on behalf of MPSC i.e. respondent No. 2 and thus seeks time to file Vakalatnana..

4. S.O. to 29.10.2024 for filing rejoinder affidavit, if any. The interim relief granted earlier to continue till then.

MEMBER (A)

KPB ORAL ORDER 14.10.2024

MEMBER (J)

ORIGINAL APPLICATION NO. 812 OF 2024
(Akshay M. Jadhav & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri A.B. Chalak, learned counsel for the applicants and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 29.10.2024 for filing rejoinder affidavit, if any. The interim relief granted earlier to continue till then.

MEMBER (A)

KPB ORAL ORDER 14.10.2024

MEMBER (J)

M.A. No. 508/2024 in O.A. No. 961/2024
(Sachin T. Nikam Patil & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri A.B. Chalak, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 29.10.2024. The interim relief granted earlier in O.A. to continue till then.

MEMBER (A)

KPB ORAL ORDER 14.10.2024

MEMBER (J)

**M.A. No. 509/2024 in O.A. No. 977/2024
(Sagar D. Ratyate Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)**

DATE : 14.10.2024

ORAL ORDER :

Shri Ashish Hazari, learned counsel holding for Shri Pratik Bhosale, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 29.10.2024.

MEMBER (A)

KPB ORAL ORDER 14.10.2024

MEMBER (J)

**M.A. NO. 430/2022 IN O.A. ST. NO. 1463/2022
(Kana S. Pawara & Ors. vs. the State of Maharashtra & Ors.)**

**M.A. NO. 443/2022 IN O.A. ST. NO. 1705/2022
(Chimlya T. Bhil (Chaudhary) & Ors. vs. the State of Maharashtra & Ors.)**

**M.A. 558/2022 IN M.A. ST. 2056/2022 IN O.A. ST. 2057/2022
(Janya Patale & Ors. vs. the State of Maharashtra & Ors.)**

**M.A. No. 67/2023 in O.A. St. No. 1111/2023
(Kalya C. Rahace & Ors vs. The State of Maharashtra & Ors.)**

CORAM : Justice Shri V.K. Jadhav, Member (J)

AND

Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Shri Y.H. Jadhav, learned counsel for the applicants in all these matters and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities in all these matters, are present. Shri M.S. Mahajan, learned counsel for respondent nos. 2 to 6 in all these matters (**absent**).

2. At the request of learned counsel for the applicants, S.O. to 28.10.2024 for filing rejoinder affidavit.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 803 OF 2024
(Pooja B. Jadhav Vs. State of Maharashtra & Ors.)
(Speaking to minutes)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 14.10.2024

ORAL ORDER :

Heard Shri Bhargav Kulkarni, learned counsel holding for Smt. Supriya Bhilegaonkar, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. The present matter is not on board. At the request of learned counsel for the applicant it is taken on board.

3. This is motion for speaking to minutes in the order dated 11.10.2024.

4. Learned counsel for the applicant submits that in para No. 2 of the order dated 11.10.2024, it is incorrectly mentioned as 'Group-A' instead of 'Group-B'.

5. Learned Presenting Officer has also accepted the same.

6. In view of above, in the first line of para No. 2 of order dated 11.10.2024 the words 'Group-A' shall be corrected as 'Group-B'. The motion for speaking to minutes is accordingly disposed of.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1252 OF 2024
(Ganesh Bhikaji Mahadik Vs. State of Maharashtra & Ors.)

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

DATE : 14.10.2024

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. The applicant who is working as Residential Deputy Collector, Jalna came to be transferred to Ambad in the same district by impugned transfer order dated 11.10.2024. Though learned counsel for the applicant has insisted for interim relief, however, learned Presenting Officer on instructions and also communication in writing submits that the applicant came to be relieved on 12.10.2024.

3. In view of the same, **the impugned transfer order passed against the applicant would be subject to outcome of the present Original Application.**

4. Issue notices to the respondents, returnable on 22.10.2024.

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

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O.A. No. 1252/2024

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

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

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

9. Learned P.O. is directed to call record particularly the minutes of Civil Service Board meeting, if any.

10. S.O. to 22.10.2024 **in urgent admission category.**

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

MEMBER (J)

T.A.NO. 28/2024 (W.P.NO. 8156/2024)
(Anand Bhimrao Datar Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 14.10.2024

ORAL ORDER :

Heard Shri G.R. Ingole, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 20.11.2024.

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

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

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

//2// T.A. 28/2024
(W.P.8156/2024)

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 20.11.2024.

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

MEMBER (J)

SAS ORAL ORDER 14.10.2024

ORIGINAL APPLICATION NO. 495 OF 2024
(Shashikant M. Ghoshir Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 14.10.2024

ORAL ORDER :

S/Shri Kiran B. Jadhavar/M.D. Gite, learned counsel for the applicant, **absent**. Shri A.B. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant even though the Original Application is kept today for passing necessary order. Even on last several occasions the applicant and his counsel remained absent. It seems that the applicant is not interested in prosecuting the matter. Hence, the Original Application is dismissed in default. No costs.

MEMBER (J)

M.A.NO. 507/2024 IN O.A.NO. 1223/2024
(Arun Damodarrao Daptare Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 14.10.2024

ORAL ORDER :

Heard Shri B.V. Virdhe, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents in M.A., returnable on 28.11.2024.

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

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

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

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M.A.507/2024 In
O.A. 1223/2024

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 28.11.2024.

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

MEMBER (J)

SAS ORAL ORDER 14.10.2024

ORIGINAL APPLICATION NO. 1052 OF 2024
(Manohar K. Gokhale Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 14.10.2024

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Ms. Preeti R. Wankhade, learned counsel for respondent No.5, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 to 4. The same is taken on record and copy thereof is given to learned counsel for the applicant today itself.

3. Learned counsel for the applicant seeks time to go through the same and file rejoinder, if any.

4. Learned P.O. submits that as directed by this Tribunal the original record is also received today.

5. Learned counsel appearing for applicant so also learned counsel appearing for respondent No.5 are permitted to go through the record till the next date of hearing.

6. Learned P.O. is directed to retain the original record till the hearing is completed.

7. S.O. to 22.10.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 1215 OF 2024
(Ramdas Maroti Allapure Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 14.10.2024

ORAL ORDER :

Shri S.D. Tekwad, learned counsel for the applicant and Smt. V.P. Choudhari, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer is directed to take instructions about the grounds raised in the Original Application.

3. S.O. to 21.10.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 1218 OF 2024
(Rubiya Mohammad Hanif Shaikh Vs. State of Maharashtra
& Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 14.10.2024

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 28.10.2024.

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

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

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

//2// O.A.1218/2024

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 28.10.2024.

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

MEMBER (J)

SAS ORAL ORDER 14.10.2024

ORIGINAL APPLICATION NO. 1221 OF 2024
(Ravindra Harishchandra Pawar Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 14.10.2024

ORAL ORDER :

Heard Shri Amol S. Gandhi, learned counsel holding for Shri D.S. Mali, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. The office has raised an objection that this Original Application is barred by limitation in view of applicant's first representation dated 06.01.2016.

3. Learned counsel for the applicant on instructions submits that in the year 2018 itself the applicant was called for recruitment for the post of Police Constable and he was selected and sent for medical examination. However, thereafter it was revealed that one criminal case is pending against the applicant. The applicant came to be acquitted in connection with the Sessions Case No. 41/2020 for the offences punishable under Sections 353, 332 and 294 of the Indian Penal Code by judgment and order dated 19.08.2023. The applicant has submitted an application/representation dated 07.02.2024

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O.A. 1221/2024

(Annexure 'A-9') stating therein that by judgment and order dated 19.08.2023 passed in Special Case, he came to be acquitted and therefore, he may be given the appointment. However, no decision has been taken on the said application nor the applicant has been communicated anything in this regard.

4. In view of above, it appears that there is a continuous case of action and the objection raised by the office about the delay does not sustain.

5. In view of above, issue notice to respondents, returnable on 22.11.2024.

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

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O.A. 1221/2024

(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.

10. S.O. to 22.11.2024.

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

MEMBER (J)

SAS ORAL ORDER 14.10.2024

ORIGINAL APPLICATION NO. 1229 OF 2024
(Rahul Sahebrao Shirsath Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 14.10.2024

ORAL ORDER :

Heard Shri Amol S. Gandhi, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 29.10.2024.

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

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

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

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O.A. 1229/2024

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. Learned P.O. is directed to take instructions as to whether the subsistence allowance is being paid to the applicant or not.

8. S.O. to 29.10.2024.

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

MEMBER (J)

SAS ORAL ORDER 14.10.2024

ORIGINAL APPLICATION NO. 1231 OF 2024
(Shrikant Ramkushna Magar Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 14.10.2024

ORAL ORDER :

Heard Shri P.K. Wagh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 22.10.2024.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

//2// O.A. 1231/2024

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 22.10.2024.

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

MEMBER (J)

SAS ORAL ORDER 14.10.2024

ORIGINAL APPLICATION NO. 1245 OF 2024
(Chandrakant Prakash Shelke Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 14.10.2024

ORAL ORDER :

Heard Shri J.J. Patil, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 21.10.2024.

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

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

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

//2// O.A. 1245/2024

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 21.10.2024.

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

MEMBER (J)

SAS ORAL ORDER 14.10.2024

ORIGINAL APPLICATION NO. 1247 OF 2024
(Anil Gorakshnath Wani Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 14.10.2024

ORAL ORDER :

Heard Shri V .B. Wagh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Heard learned counsel for the applicant at length.

3. Learned counsel for the applicant submits short affidavit of the applicant. The same is taken on record and copy thereof is given to learned P.O.

4. By impugned order dated 10.10.2024 issued by respondent No.1 the applicant came to be transferred from the post of Tahsildar, Bodwad, Tq. Bodwad, Dist. Jalgaon to the post of Tahsildar, Sanjay Gandhi Yojana, Collector Office, Nashik. The applicant is going to be retired on 31.12.2024. It appears from the papers submitted by the learned P.O. particularly the minutes of meeting of Civil Services Board that even the transfer of the applicant is not recommended by the Civil Services Board for the reason that the directives issued by the Election Commission of India are not applicable to the case of

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O.A. 1247/2024

the applicant nor he can be transferred in terms of the provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. Learned P.O. submits that the applicant himself has filed a request application before the concerned Minister to transfer him at Nashik and accordingly, the applicant came to be transferred.

5. Learned counsel for the applicant submits that the applicant has submitted the said application in the annual general transfer, however the same has not been considered.

6. In view of the fact that the applicant is going to be retired within two months from today, it may not be appropriate to transfer him to such a long distance contrary to recommendations made by the Civil Services Board.

7. In view of above, interim relief in terms of prayer clause 14(a) is granted. Prayer clause 14(a) reads as under:-

“(14-a) Pending hearing and final disposal of this Original Application, the execution, operation and implementation of the impugned transfer order dated 10.10.2024 (Annexure A-1) issued by the respondent No.1 transferring the applicant (Sr.No.7)

//3//

O.A. 1247/2024

from the post of Tahsildar, Bodwad, Taluka Bodwad, District Jalgaon to the post of Tahsildar, Sanjay Gandhi Yojana, Collector Office, Nashik and posting respondent No.2 (Sr. No. 6) in place of the applicant may kindly be stayed and to continue the applicant on the post of Tahsildar, Bodwad, Taluka Bodwad, District Jalgaon, till his date of retirement i.e. 31.12.2024.”

8. Issue notice to respondents, returnable on 28.10.2024.
9. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
10. 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.
11. 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.

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O.A. 1247/2024

12. 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.

13. S.O. to 28.10.2024.

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

MEMBER (J)

SAS ORAL ORDER 14.10.2024

ORIGINAL APPLICATION NO. 233 OF 2020
(Arun A. Ghate Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 14.10.2024

ORAL ORDER :

Smt. S.A. Ghate-Deshmukh, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent No.4, are present.

2. This is a part heard matter.

3. S.O. to 22.11.2024 for production of citation by the parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 571 OF 2020
(Madhukar R. Mapari Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 14.10.2024

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. The present matter is reserved for order.

MEMBER (J)

ORIGINAL APPLICATION NO. 110 OF 2021
(Dr. Namdeo R. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 14.10.2024

ORAL ORDER :

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. This is a part heard matter. S.O. to 25.11.2024 for citations.

MEMBER (J)

ORIGINAL APPLICATION NO. 147 OF 2022
(Bhaskar D. Nelte Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 14.10.2024

ORAL ORDER :

Shri J.B. Choudhary, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. This is a part heard matter.

3. At the request of learned counsel for the applicant, S.O. to 28.10.2024 for further hearing.

MEMBER (J)

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

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 14.10.2024

ORAL ORDER :

Shri V.P. Savant, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. This is a part heard matter. S.O. to 26.11.2024 for citations.

MEMBER (J)