

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

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

And

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

Date:-15/02/2024

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Urgent Admission Matters						
1	Rev06/23 In OA490/18	A'bad	Adv.Talekar& Associates (Bhanudas D Vaishnav)	Review Application		06.03.24
2	MA516/23 In CPSSt2162/23 In OA133/17	A'bad	Adv.Anant D Gadekar (Radhakrushna S Bodkhe)	M.A. For Condonation of Delay		05.04
3	MASt874/23 In Rev St875/23 In OA222/22	A'bad	Adv.P P More/ Adv.K G Salunke (Khushalsinh R Pardeshi)	M.A. For Condonation of Delay	With Office Objection	08.04
4	MA53/24 In OAST201/24	Jalna	Adv.Vishnu Y Patil (Kakasaheb A More &Ors.)	M.A. For Sue Jointly		05.04
5	OA132/24	A'nagar	Adv.Shubham D Jayabhar (Mohan R Doiphode)	Selection Process	Circulation	22.02
6	OA151/24	Jalna	Adv.A R Borulkar (Dipak S Rathod)	Selection Process		13.03
7	OA160/24	A'bad	Adv.A D Sugdare (Dr. Archana B Dhavale)	Selection Process	Circulation	13.03
8	OAST167/24	N'bar	Adv.S P Pandit/ Adv.S R Kedar (Indalsing M Jadhav(Banjara)	Dismissal From Service	Circulation with Office Objection	

9	OAS263/24	Nanded	Adv.Jiwan J Patil (Laxman S Narmwar)	Seniority List	Circulation with Office Objection	05.04
10	MA579/23 In MASt2324/23 In OAS2325/23	Beed	Adv.C V Dharurkar (Pallavi S Karande&Ors.)	M.A.579/23 For Condonation of Delay M.A.St2324/23 For Sue Jointly	Circulation Await Service For R-1	28.02
11	OA122/24	Pune	Party In Person (Harish R Das)	Dismissal From Service	Matter Transfer From Principal Benech, Mumbai i.e. Admit Matter For Hearing Reply Filed by R-2 & R-3	
Order Matters						
12	MA87/23 In OA259/21	A'bad	Adv. C V Dharurkar/ Adv.VinayaMuleyDharurkar (Megharani P Tarkase&Ors.) <u>Adv. Avinash S Deshmukh</u> <u>for R.Nos.4 & 5</u>	M. A. For Direction	<u>Part Heard</u> For Hearing Reply Filed by R-1 to R-3 in OA259/21 For Filing Affidavit in Reply For R-4 & R-5	20.02
13	MA14/21 In OAS1471/20	A'nagar	Adv.K B Borde/ Adv.NitinBhapkar (Varsha M Kalyankar)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-3	
14	MA219/22 In OA810/21 with	A'nagar	Adv.CPO MAT A'bad (The Divisional Commissioner Nashik&Ors.) <u>Adv.V B Wagh in</u> <u>OA810/21</u> (Ganesh B Agale)	M.A. For Modification	For Hearing	04.03
15	MA220/22 In OA381/21	A'nagar	Adv.CPO MAT A'bad (The Divisional Commissioner Nashik&Ors.) <u>Adv.V B Wagh in</u> <u>OA381/21</u> (Manjushree S Deokar)	M.A. For Modification	For Hearing	04.03

16	MA310/23 In OA702/18 With Caveat 64 to 70/18 with	A'bad	Adv.Vishwas B Wagh (Dashrath G Bhure&Ors)	M.A. For Direction	<u>For Further Consideration</u> Await service in MA Reply filed By R-1 in OA702/18	04.03
17	OA341/19 with	Latur	Adv.S G Kawade Adv.A M Nagarkar (Komal R Rathod&Ors)	Promotion	For Hearing Reply filed By R-2	04.03
18	OA589/18	Nanded	Adv. S SPatankar (Govind G Khatgaye)	Reversion	Reply filed By R-3	04.03
19	MA496/23 In OA222/23	A'bad	Adv.A S Deshpande (Vijay U Awadhane&Ors.)	M.A. For Direction/ I.R.	<u>For Further Consideration</u>	04.03
Due Admission Matters						
20	OA370/20	A'bad	Adv.Avinash S Deshmukh (Shrimant M Ture)	Modification In G.R./ Revised Pay Scale	<u>Part Heard</u> For Hearing	28.02
21	CP29/20 In OA1014/19	Beed	Adv.C V Dharurkar (Bade R Shridhar)	Contempt Petition	For Hearing Additional Reply Filed by Respondents Reply Filed by R-1	28.02
22	CP03/22 In OA80/21	Nanded	Adv.Shamsunder B Patil (Bhimrao N Kokate)	Contempt Petition	For Hearing Reply filed by R-2	18.03
23	OA758/17	A'bad	Adv.V B Wagh (Dadarao D Borade)	Minor Punishment	For Hearing Reply Filed by R-1 & R-2 Additional Affidavit in Reply Filed by R-1	06.03
24	OA392/18	N'bar	Adv.Sachin G Joshi (Chandrakant R Kapse) <u>Adv.Uttam S Dambale for R.Nos.5 to 7 & 9</u>	Promotion/ Seniority	For Hearing Reply Filed by R-1 & R-2	04.03

25	OA553/19	Nanded	Adv.MujahedHussain/ Adv.Taher Ali Quadri/ Adv.AbdulSaleem (MarkantNagorao&Ors.)	Benefits of T.B.P.S./ Assured Carrer Progress Scheme	For Hearing Reply Filed by R-3 & R-4	
26	OA1035/19	A'bad	Adv.V B Wagh (Dr. Sonali B Sayamber)	Challenging G.R./ Refixation of Pay Scale	For Hearing Parawise Comment Filed by R-1 to R-5	15.03
27	OA375/20 With	Beed	Adv.Avinash S Deshmukh (Amol M Naikwade)	Termination	For Hearing Reply Filed by R-2 to R-4	04.03
28	OA376/20 With	P'bhani	Adv.Avinash S Deshmukh (Govind K Surnar)	Termination	For Hearing Reply Filed by R-4	04.03
29	OA418/20 With	Beed	Adv.Avinash S Deshmukh (Popat K Gonde&Ors.)	Termination	For Hearing Reply Filed by R-2 & R-3	04.03
30	OA428/20 With	Hingoli	Adv.Avinash S Deshmukh (Bandu S Bontalwar)	Termination	For Hearing Reply Filed by R-1 to R-3	04.03
31	OA434/20	P'bhani	Adv.Avinash S Deshmukh (Mahesh D Desai)	Termination	For Hearing Reply Filed by R-1 to R-3	04.03
32	OA582/20	J'gaon	Adv.D B Shinde (Muktar F Tadvi)	Promotion	For Admission Reply Filed by R-1, R-3 & R-4	06.03
33	OA60/21	J'gaon	Adv.Digamber B Shinde (Ishwar B Baviskar)	Direction/ Promotion	For Hearing Reply Filed by R-1 to R-3	06.03
34	OA61/21	Dhule	Adv.D B Shinde (Shantilal H Deore)	Promotion	For Hearing Reply Filed by R-1 to R-4	06.03
35	OA124/21 with	Dhule	Adv.Suchita A Dhongde(Upadhyay) Adv.SuchitaDhongde has Filed Leave Note From 13.02.2024 to 23.02.2024 (Kiran B Kamble)	Promotion	For Hearing Reply Filed by R-1 to R-3	20.03

36	OA125/21 with	Dhule	Adv.Suchita A Dhongde(Upadhayay) (Shrikant N Desale)	Promotion	For Hearing Reply Filed by R-1 to R-3	20.03
37	OA155/21	Dhule	Adv.Suchita A Dhongde (Chhotu S Choudhari)	Seniority/ Promotion	For Hearing Reply Filed by R-1 to R-3	20.03
38	OA569/21	Beed	Adv.K B Jadhav (Jagannath M Jadhav)	Show Cause Notice (Dismissal)	For Hearing Reply Filed by R-1 to R-4	07.03
39	OA655/21	Jalna	Adv.U L Telgaonkar/ Adv.N U Telgaonkar (Rahul D Gaikwad)	Termination	For Hearing Reply Filed by R-1 & R-2	27.03
40	OA3/22	Jalgaon	Adv.C V Dharurkar (Sunli S Ingle)	D.E.	For Hearing Reply Filed by R-2 & R-3	05.03
41	OA280/22	Beed	Adv.Kakasaheb B Jadhav (Sharad U Malishikare)	Departmental Enquiry	For Hearing Reply Filed by R-1 & R-2 For Fling Affidavit in Rejoinder	23.02
42	OA771/22	Jalna	Adv.V S Kadam (MulaniManzuraRustum) <u>Adv.M B Kolpe for R.No.3</u>	Interview	For Hearing	28.02
43	OA821/22	Latur	Adv.Jayant S Deshmukh (Dr.Sonali B Totod) <u>Adv.M B Kolpe for R.No.3</u>	Interview	For Hearing	28.02
44	OA822/22	Beed	Adv.Jayant S Deshmukh (Dr. Jyoti A Dawale) <u>Adv.M B Kolpe for R.No.3</u>	Interview	For Hearing	28.02
45	OA959/22	Latur	Adv.A A Nimbalkar Adv.D P Munde (Amol N Waghmare) <u>Adv.S P Urgunde For R.No.3</u>	Enquiry	For Further Consideration For Hearing Reply Filed by R-1	12.03
46	OA1084/22	Latur	Adv.Ram S ShindeBorolkar (Uddhav M Jadhav)	Seniority List	For Admission Reply Filed by R-3	28.02

47	OA63/24	A'bad	Adv. K G Salunke (Balbir Singh Jagannath Prasad Tyagi)	Major Punishment	For Hearing Reply Filed by R-2 & R-4	04.03
48	OA399/23	Nanded	Adv.D K Dagadkhair (Aniket B Rathod)	Selection Process	For Hearing Reply Filed by R-1 to R-3	16-02
49	OA400/23	A'ngar	Adv.D K Dagadkhair (Mahesh B Gavhane)	Selection Process	For Hearing Reply Filed by R-1 to R-3	16-02
50	OA401/23	A'nagar	Adv.D K Dagadkhair (Shahadeo M Bhaware)	Selection Process	For Hearing Reply Filed by R-1 to R-3	16-02
51	OA402/23	A'nagar	Adv.D K Dagadkhair (Sunny N Dhangar)	Selection Process	For Hearing Reply Filed by R-1 to R-3	16-02
52	OA445/23	Dhule	Adv.V B Wagh (Hemant M Londhe)	Seniority/ Promotion	For Hearing Reply Filed by R-1 & R-2	26.03
53	OA516/23	A'bad	Adv.V V Deshmukh (Yogesh S Kharde)	Selection Process	For Hearing Reply Filed by R-3	27.03
Final Hearing Matters						
54	TA2/12 WP9902/11	O'bad	Adv.A L Tikle/ Adv.R V Naiknaware (Radha N Choure)	Selection/ Appointment	Reply Filed by R-2 Short Affidavit in Reply Filed by R-2	20.02
55	OA525/16	N'bar	Adv.S S Dambe (Manohar K Borse)	Promotion	Reply Filed by R-2 & R-3	26.02
56	OA153/17	Jalna	Adv.J S Deshmukh (Dr.Ramnath B Hemke) <u>Adv.Avinash D Aghav for R.No.4 & 5</u>	Suspension Period Minor Penalty	Reply Filed by R-4 to R-6	
57	OA669/17	P'bhani	Adv.Talekar & Associates (Balasaheb B Surwase)	Selection/ Appointment	Reply Filed by R-1 to R-3	29.02
58	OA242/18	A'bad	Adv.U T Pathan (Sayeeda Begum Syed Mohammed Ali)	Dismissal	Reply Filed by R-2 to R-4	05.03

59	OA259/18	A'bad	Adv.Avinash S Deshmukh (NaseemBanuNazir Patel)	Departmental Enquiry	Reply Filed by R-1 to R-3	05.03
60	OA273/18	A'bad	Adv.Sandeep B Sontakke (Ganesh D Chavhan) <u>Adv.Pramod A Salvi for R.No.4</u>	Seniority	Reply filed by R-1 to R-5	01.03
61	OA514/18	A'nagar	Adv.Mashesh S Taur (Saheberao G Avhad)	Selection/ Appointment	Reply Filed by R-1 to R-3	01.03
62	OA519/18 With	Dhule	Adv.AvishkarShelke (Vishwanath U Choudhary)	Challenging Advertisement	Reply Filed by R-2	01.03
63	OA534/18	O'bad	Adv.Avishkar S Shelke (Manoj S Gavhane&Ors.)	Challenging Advertisement	Reply Filed by R-1 & R-2	01.03
64	OA653/18 With	A'nagar	Adv.S D Dhongde Adv.S D Dhongde has Filed Leave Note From 05.02.2024 to 15.03.2024 (Gorakshanath N Londhe&Ors.)	IInd Time Bound Promotion & G.R. Challenge	Recalled For Hearing Reply Filed by R-1 to R-6	22.03
65	OA654/18	Nashik	Adv.S D Dhongde (Somnath B Bagul&Ors.)	IInd Time Bound Promotion(24 Years) & Assured Progress Scheme	Recalled For Hearing Reply Filed by R-1 to R-4	22.03
66	OA802/18	Hingoli	Adv.Sanjay B Bhosale (Jitendra B Mutyalu)	Termination	Reply Filed by R-2 to R-4	01.03
67	OA847/18	Nanded	Adv.Talekar& Associates (Ananda N Kolewad) <u>Adv.M R Wagh for R.No.4</u>	Selection/ Appointment	Reply Filed by R-2	01.03
68	OA316/19	A'abd	Adv.M B Karande/ Adv.M K Bhsoale (Shamlal C Bhagure)	Departmental Enquiry	Reply Fild by R-2	05.03

69	OA639/19	O'bad	Adv.Talear& Associates (Ajit V Pawar) <u>Adv.C V Dharurkar for R.No.3</u> <u>Adv.S B Solanke for R.No.4</u>	Selection/ Appointment		05.03
70	OA54/20	Jalna	Adv.Kishor D Khade (Bharatlal T Dhupe)	Appointment	Reply Filed by R-1 to R-4	04.03

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

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Division Bench

Before: - **THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN**

And

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

Date: -15/02/2024

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	CP01/21 In OA83/18	Nanded	AdvKiran M Nagarkar (Vyankant S More &Ors.)	Contempt Petition	Reply Filed By R-2, 3, 5 & R- 6 <u>Ref Order Dtd. 05.12.2022</u>	
2	CP14/22 In OA367/19	A'bad	Adv R B Ade (Arvind D Sulakhe)	Contempt Petition	As a Last Chance For Filing Affidavit in Reply in C.P <u>Ref Order Dtd. 21.06.2023</u>	01.03
3	CP31/22 In OA44/20	Jalna	Adv.K.B. Jadhav (Asha S Gaikwad)	Contempt Petition	Reply Filed by R-4 As a one more Last Chance for	01.03

					Filing Affidavit in Reply <u>Ref Order Dtd. 29.09.2023</u>	
4	CP26/23 In OA76/19	J'gaon	Adv. Vijay B Patil (Nilesh S Badgajar)	Contempt Petition	Reply Filed by R-2	18.03
5	CP69/23 In OA870/19	A'bad	Adv S D Joshi (Dr. Devrao S Dakhure)	Contempt Petition	For Filing Affidavit in Reply	29.02
6	OA906/18	O'bad	Adv S D Joshi (Chetan S Ahire)	Appointment	As a Last Chance For Filing Affidavit in Rejoinder <u>Ref Order Dtd. 09.06.2023</u>	29.02
7	OA397/19	A'bad	Adv.V.B. Wagh (Shilpa J Ingale)	Challenging G.R.	For Filing Affidavit in Reply to the Amended OA <u>Ref Order Dtd. 15.02.2023</u>	05.04
8	OA831/21	A'bad	Adv.M.B. Bharaswadkar (Anand B Gayake) <u>Adv.S.D. Joshi For R.No.8</u>	Challenging Recruitment Rules	Reply Filed By R-2 to R-4 For Filing Affidavit in Reply	13.03
9	TA25/23 WP14978/23	Jalgaon	Adv B S Deshmukh (PramodV.Sonar)	Promotion	For Filing Affidavit in Reply	01.03
10	OA393/22	Beed	Adv.S.S. Jadhavar (Deepak V Chatap)	Revised ACPS Yojna	As a Last Chance For Filing Affidavit in Reply	05.04
11	OA474/22	Beed	Adv.S.S. Kulkarni/ Adv.V.S. Kadam (Anurath A Lande)	Selection	As a Last Chance For Filing Affidavit in Rejoinder	01.03

12	OA676/22	Latur	Adv S B Solanke (Balaji B Tekale&Ors.)	Seniority	For Filing Affidavit in Reply R-1 & R-2	12.03
13	OA705/22	Beed	Adv M S Karad (Amol V Sanap&Anr.)	Selection Process	Await Service R-3 For Filing Affidavit in Reply	12.03
14	OA885/22	Latur	Adv V G Pingle (Chandrakant S Nakhate)	Exemption From Passing Examination For Crossing 45 Yes of Age	By way of Last Chance For Filing Affidavit in Reply R-1 & R-2	
15	OA1038/22	Dhule	Adv.A.D. Sonar (Prakash S Jain) <u>Adv.M.S.Bansod R-6</u> <u>Adv.J.B.Choudhary</u> <u>R-7.8</u>	Seniority List/ Promotion	For Filing Affidavit in Reply <u>Ref Order</u> <u>Dtd.</u> <u>03.03.2023</u>	01.03
16	OA49/23	Dhule	Adv.K.B. Jadhav (Sagar S Patil)	Departmental Enquiry	For Filing Affidavit in Rejoinder	22.02
17	OA193/23	Jalna	Adv S SJadhavar (Vinayak U Banchod)	Direction/ Seniority List	For Filing Affidavit in Reply	05.04
18	OA181/23	A'bad	Adv.S.P. Koli (Dr. Prawara P Kulkarni&Ors.)	Selection Process	For Filing Affidavit in Reply <u>Ref Order Dtd.</u> <u>24.11.2023</u>	05.03
19	OA182/23	J'gaon	Adv.M P Tripathi (Umesh B Jadhav)	Resignation/ Reinstate in Service	For Filing Affidavit in Reply	27.03
20	OA201/23	J'gaon	Adv.Sandeep R Andhale (Sharad S Borse)	Promotion	For Filing Affidavit in Reply For R-2	27.02
21	OA310/23	Nanded	Adv.S.B. Solanke (Prashant B Karkhelikar)	Show Cause Notice (MPSC)	As a Last Chance For Filing Affidavit in Reply	29.02
22	OA363/23	J'gaon	Adv.Sandip R Andhale (Bharat W Ware)	Promotion	Reply Filed By R-1 & R-3 to R- 6	27.03

23	OA601/23	Beed	Adv S R Kedar (Santosh S Kasbe)	Selection Process (MPSC)	Last Chance For Filing Affidavit in Reply	22.02
24	OA637/23	Beed	Adv. O.D. Mane/ Adv.A.O. Mane (Sheshrao L Wagatkar)	Minor Punishment (Dismissal)	For Filing Affidavit in Reply	04.04
25	OA673/23	Jalna	Adv.V.B. Wagh/ Adv.A.S. Therokar/ Adv.V.P. Adkine (Gajanan B Darade)	Dismissal From Service	For Filing Affidavit in Rejoinder <u>Ref Order Dtd. 12.10.2023</u>	01.03
26	OA927/23	Jalgaon	Adv Ganesh V Mohekar/ Adv S SPhatale (Dr. Yogesh M Savale)	Selection Process	For Filing Affidavit in Reply	14.03
27	OA1046/23	Nanded	Adv.V.B. Dhage (Wasimakaran Hakim Shaikh)	Selection Process	By way of Last Chance For Filing Affidavit in Reply	01.03
28	OA1079/23	A'bad	AdvAmol B Chalak (Rajesh D Mane)	Appointment	For Filing Affidavit in Reply	15.03
29	OA1091/23	Jalgaon	Adv L V Sangit (Bharti D Sarwade @ Bharti G Koshti)	Direction Medical Examination	For Filing Affidavit in Reply	
30	OA1114/23	Nashik/ Mumbai	AdvSuchitaDhongde (Prakash N Patil&Ors.) <u>AdvSuchitaDhongde has Filed Leave note From 13.02.2024 to 23.02.2024</u>	Challenging G.R Absorption	For Filing Affidavit in Reply	21.03
31	OA08/24	A'nagar	AdvAmol N Kakade/ Adv G P Darandale (Vitthal M Kakade)	Departmental Enquiry	For Filing Affidavit in Reply	01.03

Order Matters						
32	MA134/22 In OAS1419/21	Latur	Adv K M Nagarkar (Chate S Dhondiba) <u>Adv S B Mene For R-3 to R-6</u>	M.A for Condonation of delay	For Filing Affidavit in Rejoinder	27.03
33	MA390/23 In OAS1562/23	Nanded	Adv.R.D. Khadap (Balaji V Malchpure)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	15.03
34	MA564/22 In OAS1951/22	A'bad	Adv.S.B. Solanke (Pramod G Ramdasi)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	01.03

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

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

And

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

Date:-15/02/2024

Suplimentary Board

Sr · N o	Case No.	Distric t	Advocate's & Applicant's Name	Subject	Remarks	
Urgent Admission Matters						
1	MA61/24 In OAS1306/24	Beed Etc.	Adv. J S Deshmukh (Dr. Shobha M Munde&Ors.)	M.A. For Sue Jointly	Circulation	16.02
2	OA164/24	A'bad	Adv. A D Sugdare (Dr. Monali T Bhorge)	Selection Process	Circulation	13.03
3	OA165/24	N'bar	Adv. A D Sugdare (Sushant S Dhanavade)	Selection Process	Circulation	16.02

4	OA166/24	N'bar	Adv. A D Sugdare (Pranita S Kamble)	Selection Process	Circulation	16.02
5	OA167/24	Dhule	Adv. A D Sugdare (Amarsingh R Hajari)	Selection Process	Circulation	16.02
6	OAS1310/24	A'bad	Adv. Sudhir K Chavan (Dr. Sphoorti P Bende)	Selection Process	Circulation with Office Objection	13.03
7	O.A.ST.320/2 4	Nanded	Adv. A.B.Kharosekar (Vitthal T. Shetwad & Ors.)	Selection Process	Circulation with Office Objection	

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

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

Date: -15/02/2024

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	OA618/19	Latur	Adv Uddhav L Momale (Dhondiram G Kamble)	Refund of Recovered Amount	Reply Filed By R-5 & For Filing Affidavit in Reply	26.03.2024
2	OA174/20	Nanded	Adv A AKhande (Ravindra P Bibekar) <u>Adv G N Patil for R-4</u>	Compassionate Appointment Seniority List	For Filing Affidavit in Reply	21.03.2024
3	OA102/21	Nanded	Adv Suresh D Dhongde (Sangram U Rathod) <u>Adv Suresh D Dhongde has Filed Leave note From 05.02.2024 to 15.03.2024</u>	Time Bound Promotion	For Filing Amendment Application	03.04.2024
4	OA156/21	A'bad	Adv Suresh D Dhongde (Jayshree A Sonwane) <u>Adv Suresh D Dhongde has Filed Leave note From 05.02.2024 to 15.03.2024</u>	Benefit of G.R Time Bound Promotion	For Filing Amendment Application	03.04.2024

5	OA979/22	P'rbn	AdvYogesh P Deshmukh (Chagan Y Gaikwad) <u>Adv S B Mene For R-1 to R-4</u>	Recovery (Govt. Quarter)	Await Service R-4	26.03.2024
6	OA1147/22	Jalgaon	Adv K B Jadhav (Janardan G Koli)	Absorption	For Filing Affidavit in Rejoinder	26.03.2024
7	OA04/23	Beed	Adv K B Jadhav (Sunil L Jadhav) <u>Adv D T Devane For R-4</u>	Compassionate Appointment Delay	As a Last Chance For Filing Affidavit in Reply	07.03.2024
8	OA228/23	Nanded	Adv J S Deshmukh (Dr.Sangita L Rathod) <u>AdvYogita S Thorat For R-4</u>	Increments	For Filing Affidavit in Reply	26.03.2024
9	OA255/23	Dhule	Adv K B Jadhav (Harischandra S Fulpagare)	Suspension	For Filing Affidavit in Reply	28.03.2024
10	OA586/23	Nanded	AdvKakasaheb B Jadhav (Umesh R Kavle)	Transfer	As a Last Chance For Filing Affidavit in Reply	07.03.2024
11	OA618/23	Jalgaon	Adv K B Jadhav (Kishor A Salunke)	Transfer	As a Last Chance For Filing Affidavit in Reply	07.03.2024
12	OA643/23	Hingoli	Adv A B Jagtap (Dilip B Kadam) <u>AdvAshish B Rajkar For R-3</u>	Transfer/ Posting	For Filing Affidavit in Rejoinder	19.03.2024
13	OA766/23	A'Nagar	AdvJiwan J Patil (Omkar T Pachpute)	Compassionate Appointment	For Filing Affidavit in Rejoinder	21.03.2024
14	OA767/23	A'bad	Adv.S.B. Patil (Krishna S. Borde)	Recovery	For Filing Affidavit in Reply	15.03.2024
15	OA768/23	A'bad	Adv S B Patil (Appasaheb S Abak)	Recovery	For Filing Affidavit in Reply	15.03.2024

16	OA810/23	Nanded	AdvUttamTelgaonkar/ AdvNitinTelgaonkar (Ramkishan G Jakulwar)	Pensionery Benefits	Reply Filed By R-3 Await Service For Filing Affidavit in Rejoinder	26.03.2024
17	OA856/23	Latur	AdvNitin L Dhobale (Yankatrao D Manale)	Directions/ Benefits of Old Pension Scheme	Reply Filed by R-3 As a Last Chance For Filing Affidavit in Reply of Remaining Respondents	26.03.2024
18	OA911/23	Nanded	AdvVikram S Kadam (Arvind A Joshi) Adv G N Patil For For-3	Benefits of G.R	Await Service R-4	26.03.2024
19	OA930/23	A'nagar	Adv A S Deshmukh (Dr.Pravinkumar B More)	Payment of Balance / G.P.F	For Filing Affidavit in Reply	26.03.2024
20	OA83/24	Dhule	AdvPreeti R Wankhade (Kunal H Rajput)	Police Patil	For Filing Affidavit in Reply	15.03.2024
21	OA115/24	Jalna	Adv A S Deshmukh (Vijay B Nikalje&Ors.)	Relive	For Filing Affidavit in Reply	06.03.2024
Order Matters						
22	MA229/21 In OASt655/21	Nanded	AdvAmol G Vasmatkar (Pundlik N Amberao Died through LRs. Anusaya P Amberao&Ors.)	M.A For Condonation of Delay	For Filing Affidavit in Reply	15.03.2024
23	MA178/22 In OASt447/22	Dhule	Adv M R Wagh (Ratnabai B Patil)	M.A For Condonation of Delay	Await Service	26.03.2024
24	MA457/23 In OASt1897/23	A'bad	AdvKakasaheb B Jadhav (Bibhishan R Hinge)	M.A For Condonation of Delay	For Filing Affidavit in Reply	26.03.2024
25	MA535/23 In OASt1962/23	Nanded	Adv A AKhande (Gangagir S Giri)	M.A For Condonation of Delay	For Filing Affidavit in Reply	21.03.2024

**ORIGINAL APPLICATION ST. NO. 2414 OF 2023
(Sultana Ekbal Naikwade Vs. State of Maharashtra & Ors.)**

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

DATE : 15.02.2024

ORAL ORDER :

Shri Suhas P. Urgunde, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the Original Application is not correctly drafted and the material facts are omitted and seems not to have been specifically pleaded.

3. Learned counsel for the applicant thus seeks leave to replace the memo of application.

4. In view of above submissions, leave to replace the memo of application is granted. The applicant is also directed to remove the office objections till then.

5. S.O. to 15.03.2024 as requested by learned counsel for the applicant.

MEMBER (J)

ORIGINAL APPLICATION NO. 114 OF 2024
(Gangasagar B. Kokate Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 07.03.2024.

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. 114/2024

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. The learned P.O. appears for all the respondents and seeks time for taking instructions.

8. S.O. to 07.03.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 126 OF 2024
(Sonaji Kondibarao Pundge Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 08.04.2024.

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

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

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

//2// O.A. 126/2024

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. The learned P.O. appears for all the respondents and seeks time for taking instructions.

8. S.O. to 08.04.2024.

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

MEMBER (J)

ORAL ORDER 15.02.2024 sas

ORIGINAL APPLICATION NO. 157 OF 2024
(Swapnil Panjabrao Kale Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 07.03.2024.

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. 157/2024

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. The learned P.O. appears for all the respondents and seeks time for taking instructions.

8. S.O. to 07.03.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 951 OF 2023
(Dr. Sandipbhai Jivanbhai Patel Vs. State of Maharashtra
& Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Heard Shri J.B. Choudhary, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that in view of order issued by the Government dated 05.01.2024, nothing survives for further consideration in this Original Application.

3. Learned counsel for the applicant thus on instructions seeks leave to withdraw the present Original Application.

4. Leave as prayed for is granted.

5. The Original Application is disposed of as withdrawn. No order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 87 OF 2020
(Rajendra B. Kamble Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Ms. Preeti R. Wankhade, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. This is a part heard matter.

3. By consent of both the parties, S.O. to 16.02.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 584 OF 2022
(Balaji T Kedare Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

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

2. The present matter is reserved for order.

MEMBER (J)

ORAL ORDER 15.02.2024 sas

**M.A.NO. 78 OF 2022 IN O.A.ST.NO. 293 OF 2022
(Vaishai B. Tote Vs. State of Maharashtra & Ors.)**

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

DATE : 15.02.2024

ORAL ORDER :

Shri A.D. Gadekar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 20.03.2024 for hearing.

MEMBER (J)

ORAL ORDER 15.02.2024 sas

**M.A.NO. 187 OF 2023 IN O.A.ST.NO. 696 OF 2023
(Bapu M. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 15.02.2024

ORAL ORDER :

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

2. By this Misc. Application the applicant is seeking condonation of delay caused in filing the accompanying Original Application.

3. Learned counsel for the applicant submits that by way of Original Application the applicant is challenging the arbitrary and illegal order dated 26.10.2021 issued by the respondent No. 3 i.e. the Deputy Forest Conservator, Jalgaon, thereby rejecting the proposal of the applicant for consideration of absorption, permanency and regularization of service on the post of Van Mjoor (Forest Labour).

4. Learned counsel for the applicant submits that the applicant is presently unemployed and due to financial constraint and due to certain ailments the applicant could not approach this Tribunal

//2// M.A.No. 187/2023 in
O.A.St. 696/2023

within stipulated time and as such the delay of 166 days has been caused in filing the Original Application.

5. Learned counsel for the applicant submits that there is no inaction on the part of the applicant. The applicant has been prevented from sufficient cause to approach the Tribunal within time. There is no intentional or deliberate delay as such. Thus the application seeking condonation of delay deserves to be allowed.

6. Learned Presenting Officer has strongly resisted the application on the ground that there is an inordinate delay for which no satisfactory explanation has been tendered by the applicant. There is no substance in the application and the same is liable to be dismissed.

7. The applicant is unemployed at present. Due to financial constrain he could not approach this Tribunal within time. However, he has suffered from certain ailments for which he has annexed the medical certificate Annexure "M-A-1". Thus, I am satisfied that the applicant has been

//3// M.A.No. 187/2023 in
O.A.St. 696/2023

prevented from sufficient cause to approach this Tribunal within time. There is no inaction on the part of the applicant nor there is intentional and deliberate delay. Hence, the following order:-

ORDER

- (i) M.A. No. 187/2023 is allowed.
- (ii) The delay of 166 days caused in filing the accompanying O.A. is hereby condoned.
- (iii) Accompanying O.A. be registered and numbered in accordance with law.
- (iv) No order as to costs.

MEMBER (J)

**ORIGINAL APPLICATION ST.NO. 696 OF 2023
(Bapu Mahadu Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 15.02.2024

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 08.04.2024.

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

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

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

//2// O.A.St. 696/2023

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. The learned P.O. appears for all the respondents and seeks time for taking instructions.

8. S.O. to 08.04.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 387 OF 2021
(Shankar B. Ghogare Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri A.V. Thombre, learned counsel for the applicant, is **absent**. Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant.
3. S.O. to 08.04.2024 for hearing.

MEMBER (J)

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

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

DATE : 15.02.2024

ORAL ORDER :

Shri P.D. Surywanshi, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., S.O. to 23.02.2024 for filing additional affidavit in reply.

MEMBER (J)

ORAL ORDER 15.02.2024 sas

ORIGINAL APPLICATION NO. 160 OF 2022
(Anant A. Kendrekar Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri Akshay Kulkarni, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant on instructions from the applicant who is present in person in the court submits that the applicant do not want to carry out amendment as the separate O.A. is required to be filed for redressal of his grievance in respect of promotional aspect.

3. S.O. to 12.03.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1000 OF 2022
(Dilip R. Gavit & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 15.02.2024

ORAL ORDER :

Heard Shri Amol S. Sawant, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicants submits that by passage of time, the matter has become infructuous.

3. In view of same, the Original Application is disposed of as infructuous. No order as to costs.

MEMBER (J)

ORAL ORDER 15.02.2024 sas

ORIGINAL APPLICATION NO. 586 OF 2023
(Umesh R. Kavle Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

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

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

3. List the matter for admission hearing on 07.03.2024 with liberty to respondents to file affidavit in reply, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 618 OF 2023
(Kishor A. Salunke Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

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

3. List the matter for admission hearing on 07.03.2024 with liberty to respondents to file affidavit in reply, if any.

MEMBER (J)

ORAL ORDER 15.02.2024 sas

ORIGINAL APPLICATION NO. 643 OF 2023
(Dilip B. Kadam Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri Dhananjay Chinchole, learned counsel holding for Shri A.B. Jagtap, learned counsel for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri A.B. Rajkar, learned counsel for respondent No.3, are present.

2. Learned counsel for the applicant on instructions submits that the applicant is not willing to file any affidavit in rejoinder.

3. Pleadings completed. List the matter for admission hearing on 19.03.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 766 OF 2023
(Omkar T. Pachpute Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri Dhananjay Chinchole, learned counsel holding for Shri J.J. Patil, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time to file affidavit in rejoinder. Time granted.

3. S.O. to 21.03.2024.

MEMBER (J)

ORAL ORDER 15.02.2024 sas

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

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

DATE : 15.02.2024

ORAL ORDER :

Shri S.B. Patil, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time granted.

3. S.O. to 15.03.2024. The interim relief granted earlier to continue till then.

MEMBER (J)

ORAL ORDER 15.02.2024 sas

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

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

DATE : 15.02.2024

ORAL ORDER :

Shri S.B. Patil, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time granted.

3. S.O. to 15.03.2024. The interim relief granted earlier to continue till then.

MEMBER (J)

ORAL ORDER 15.02.2024 sas

ORIGINAL APPLICATION NO. 83 OF 2024
(Kunal H. Rajput Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Ms. Preeti R. Wankhade, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time granted.

3. S.O. to 15.03.2024.

MEMBER (J)

ORAL ORDER 15.02.2024 sas

**M.A.NO. 229 OF 2021 IN O.A.ST.NO. 655 OF 2021
(Pundlik N. Amberao Did through LRs. Anusaya P.
Amberao & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 15.02.2024

ORAL ORDER :

Shri Amol G. Vasmatkar, learned counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 15.03.2024 for filing affidavit in reply as a last chance.

MEMBER (J)

ORAL ORDER 15.02.2024 sas

ORIGINAL APPLICATION NO. 558 OF 2021
(Prakash A. Aghav Patil Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 22.02.2024 for final hearing.

MEMBER (J)

ORAL ORDER 15.02.2024 sas

ORIGINAL APPLICATION NO. 607 OF 2023
(Gajanan B. Borse Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 21.03.2024 for hearing.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 672 OF 2023
(Ganpat U. Radkar Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri A.A. Khande, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits affidavit in reply on behalf of respondent No.5. The same is taken on record and copy thereof is given to learned counsel for the applicant.

3. At the request of learned P.O., S.O. to 29.02.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 717 OF 2023
(Rajendra D. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

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

2. Part heard.

3. S.O. to 16.02.2024 for production of citation by the applicant.

MEMBER (J)

ORAL ORDER 15.02.2024 sas

ORIGINAL APPLICATION NO. 798 OF 2023
(Jaywant R. Wagh Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 14.03.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 968 OF 2023
(Rambhau D. Chavan & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 15.02.2024

ORAL ORDER :

Shri Ajay S. Deshpande, learned counsel for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. In compliance with the order dated 05.02.2024, learned P.O. submits the additional affidavit in reply. The same is taken on record and copy thereof is given to other side.

3. O.A.No. 115 of 2024 listed at Sr. No. 21 of reply board is also identical matter pending for filing affidavit in reply. Thus the matter may be listed along with the present matter on the next date.

4. S.O. to 06.03.2024.

MEMBER (J)

O.A. NOS. 537, 538, 539, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 563, 565, 566, 581, 582, 585, 629, 531, 631, 632, 633, 635, 749, 741, 742, 743, 744, 745, 747, 753, 755, 764, 765, 653, 775, 781, 791, 831, 832, 807, 808 AND 830 ALL OF 2023 (Dr. Snehalata T. Yellambkar Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Ms. P.R. Wankhade, S/Shri J.B. Choudhary, J.S. Deshmukh, S.B. Patil, K.G. Salunke, M.R. Kulkarni, A.V. Sakolkar, S.B. Mene, Ajay Deshpande, learned counsel for the respective applicants in respective O.As., Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these O.A. and Shri M.R. Kulkarni, learned counsel for respondent No.6 in O.A. 742/2023, are present.

2. At the request of learned C.P.O. S.O. to 23.02.2024 for filing short affidavit.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 228/2022
(Dr. Saurabh P. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Heard Shri M.B. Kolpe, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer submits on record a copy of order dated 20.05.2022 passed by the respondent No. 4, wherein in terms of sub-rule (5) of Rule 72 of the Maharashtra Civil Services (Joining Time, Foreign Services and Payment During Suspension, Dismissal and Removal) Rules, 1981 (for short 'Rules of 1981') directed to pay 75% of the amount of pay and allowances to the applicant. Same is taken on record and marked as document 'X' for identification.

3. Learned counsel for the applicant seeks time to take instructions from the applicant as to whether the applicant has been given an opportunity of being heard by giving notice in terms of sub-rule (5) of

//2//

O.A. No. 228/2022

Rule 72 of the Rules of 1981 and also in terms of sub-rule (7) of Rule 72 of the said Rules proviso, whether the applicant has expressed his desire to covert the period of suspension into leave of any kind and admissible to the applicant. Time granted.

4. Part heard.
5. S.O. to 29.02.2024 for further hearing.

MEMBER (J)

KPB ORAL ORDER 15.02.2024

ORIGINAL APPLICATION NO. 388/2018
(Namdeo P. Gawali Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri Prashant Deshmukh, learned counsel for the applicant (**Absent**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant. It appears that the applicant is not interested in prosecuting the present matter. The Original Application is hereby dismissed in default.

MEMBER (J)

ORIGINAL APPLICATION NO. 492/2022
(Pankaj J. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri S.P. Dhobale, learned counsel holding for Shri N.L. Choudhary, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 21.03.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 1100/2023
(Dr. Sanjay M. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Heard Shri S.D. Joshi, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer holding for Shri Sanjeev B. Deshpande, learned Special counsel for respondent authorities and Shri Avinash Deshmukh, learned counsel for respondent No. 4.

2. Learned Chief Presenting Officer holding for Shri Sanjeev B. Deshpande, learned Special counsel submits affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record and copy thereof has already been given to other side.

3. S.O. to 20.02.2024 for filing rejoinder affidavit, if any and final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 618/2019
(Dhondiram G. Kamble Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri U.L. Momale, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

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

3. List the matter for admission hearing on 26.03.2024 and filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 911 OF 2023
(Arvind A. Joshi Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Heard Shri S.K. Chavan, learned counsel holding for Shri V.S. Kadam, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that the applicant will furnish the correct address of respondent No. 4.

3. It is informed that learned counsel Shri G.N. Patil, representing for respondent No. 3 is no more.

4. After correct address is provided, issue fresh notice to respondent Nos. 3 & 4, returnable on 26.03.2024.

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

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

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

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

9. S.O. to 26.03.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 122 OF 2024
(H.R. Das Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri H.R. Das, applicant in person and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. The present matter shall not be placed before the Division Bench of which Shri Vinay Kargaonkar, Member (A) is the Member.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 370 OF 2020
(Shrimant Maroti Ture Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

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

2. Learned counsel for the applicant sought leave to file additional affidavit. Leave granted. Additional affidavit is taken on record and copy of the same is given to the learned Presenting Officer. Learned P.O. submits that liberty may be given to the respondents to respond to the additional affidavit filed on record by the applicant. Permission granted.

3. S.O. to 28.02.2024. Part heard.

MEMBER (A)

VICE CHAIRMAN

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

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

DATE : 15.02.2024

ORAL ORDER :

Heard Shri A.R. Borulkar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The applicant had applied for the post of Hostel Superintendent in pursuance of the advertisement No. 2/2022. The applicant has been held ineligible in the document verification on the ground that he is not possessing minimum experience as prescribed in the advertisement after acquiring the requisite qualification. The learned counsel for the applicant invited out attention to the advertisement. The post of Hostel Superintendent is at sr. no. 5 and in the 4th column the experience is prescribed is as under:-

“Possess minimum experience of one year of organization of work and administrative ability; and

Possess ability to keep and maintain proper account of expenditure; and

Possess ability to supervise games and sports and other recreational facilities.”

3. The learned counsel submitted that in the advertisement it is nowhere mentioned that the experience as expected shall be after acquiring necessary qualification. Insofar as other posts are concerned, it has been specifically averred in the said column that the experience must be after securing minimum qualification. Learned counsel pointed out that the applicant is having experience of 03 years working in all the fields as are required in the column of experience. Learned counsel submits that there was no reason for the respondents to declare the applicant ineligible on the said ground. Learned counsel further argued that the recruitment process is at the last stage of issuing appointment orders. Learned counsel in the circumstances has prayed for directing the respondents to keep one post vacant till the decision of the present Original Application.

4. The learned Chief Presenting Officer opposed for grant of any such relief. Learned C.P.O. submitted that the recruitment process is still in progress and for issuance of appointment orders some more time is required. In the circumstances, the respondents be granted time to file affidavit in reply and till then no interim relief as prayed for deserves to be granted in favour of the applicant.

5. We have duly considered the submissions advanced on behalf of the applicant. Prima-facie there is substance in the contentions as are raised in the O.A. Certificate at page 61 reveals that the applicant possesses the experience as prescribed in the advertisement. In the advertisement insofar as other posts are concerned, it has been specifically averred that the experience must be after securing minimum qualification. However, the post of Hostel Superintendent is concerned, it is nowhere mentioned in the advertisement that the experience as expected shall be after acquiring necessary qualification. In the circumstances, we deem it appropriate to pass the following order:-

O R D E R

1. Issue notice to the respondents, returnable on 13.3.2024. **In the meanwhile if the appointments are issued, the respondents shall keep one post vacant till filing of the reply by the respondents.**
2. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
3. 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.
4. 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.
5. 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.
6. S.O. to 13.3.2024.
7. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 160/2024
(Dr. Archana Baburao Dhavale Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

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

2. The applicant had applied for the post of Assistant Professor in Biochemistry. Total 21 posts are advertised. The applicant possesses qualification of M.D. in Biochemistry. Respondents have held the applicant ineligible on the ground that she is not possessing the experience of one year working on the post of Senior Resident in the concerned subject. Learned counsel for the applicant pointed out that after having done M.D. in the year 2016, the applicant was given an appointment in the Government Medical College at Aurangabad on the post of Assistant Professor (Biochemistry) w.e.f. 15.6.2019 and till date she is working on the said post. Learned counsel further pointed out that in the identical matter before

Nagpur Bench of this Tribunal the National Medical Commission has recommended that the appointment to the post of Assistant Professor by the State Government, the experience as Assistant Professor may be counted against the requirement of one year working on the post of Senior Residency. The learned counsel, in the circumstances, prayed for grant of interim relief, thereby allowing the applicant to appear for the interview and to consider her candidature for appointment on the subject post, subject to outcome of the present Original Application.

3. The learned Presenting Officer opposed for grant of any such interim relief. Learned P.O. submitted that the appointment of the applicant on the post of Assistant Professor in Biochemistry cannot be equated with direct appointment as mentioned by National Medical Commission in the opinion given in the matter before the Nagpur Bench of the Tribunal. Learned P.O. submitted that in such circumstances, no case is made out by the applicant for grant of interim relief.

4. We have duly considered the submissions advanced on behalf of the applicant. We have also gone through the documents placed on record. We are convinced that prima-facie case is made out by the applicant. It is not disputed that the applicant is working on the post of Assistant Professor in Biochemistry in Government Medical College, Aurangabad from 2019. The applicant is thus holding the experience of 3 years. In the opinion given by the National Medical Commission though word is used as directly appointed Assistant Professor, it cannot be interpreted to mean that appointment of the applicant would not fall within that category. Hence, we deem it appropriate to pass the following order:-

ORDER

1. Issue notice to the respondents, returnable on 13.3.2024. **The respondents are directed to permit the applicant to appear for the interview subject to outcome of the present O.A.**
2. 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. 160/2024

3. 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.

4. 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.

5. 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.

6. S.O. to 13.3.2024.

7. The learned Presenting Officer shall intimate this order to the M.P.S.C.

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

MEMBER (A)

ARJ ORAL ORDER 13.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 167/2024
(Indalsing Maharu Jadhav (Banjara) Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Heard Shri S.R. Kedar, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant, on instructions, seeks leave to withdraw the present Original Application to avail the alternate remedy. Hence, the following order:-

ORDER

The learned counsel for the applicant is permitted to withdraw the Original Application and hence stands disposed of with no order as to costs.

MEMBER (A)

ARJ ORAL ORDER 13.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO. 268/2024
(Laxman Shekanna Narmwar Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Heard Shri Jiwan J. Patil, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant seeks leave to add one more prayer clause i.e. clause (F) in the prayer clauses, thereby praying for setting aside the communication dated 11.1.2024 issued by respondent no. 2. Learned counsel pointed out that said communication/order is filed on record by the applicant.

3. In view of above, leave granted as prayed for. Amendment be carried out forthwith. Though the office has raised objection about limitation, after going through averments made in the O.A., the said objection does not survive and is set aside.

4. Issue notice to the respondents, returnable on 5.4.2024.

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

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

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

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

9. S.O. to 5.4.2024.

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

MEMBER (A)

ARJ ORAL ORDER 13.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 885/2022
(Chandrakant S. Nakhate Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Heard Shri V.G. Pingle, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent nos. 1 & 2. Request is opposed by the learned counsel for the applicant stating that due opportunities are already availed. In the interest of justice, time granted till 28.3.2024. On that date, if the reply is not filed, the matter will be heard on the said date without reply of the respondent nos. 1 & 2.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 08/2024
(Vitthal M. Kakade Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Heard Shri S.B. Solunke, learned counsel holding for Shri Amol Kakade, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer has tendered affidavit in reply on behalf of respondent nos. 2 to 4. Same is taken on record and copy thereof has been supplied to other side.

3. S.O. to 1.3.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 959/2022
(Amol Waghmare Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri D.P. Munde, learned counsel for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri S.U. Urgunde, learned counsel for respondent no. 3, are present.

2. Learned Presenting Officer has tendered affidavit in reply on behalf of respondent no. 02. Same is taken on record and copy thereof has been supplied to other side.

3. S.O. to 12.3.2024 for final disposal.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 132/2024
(Mohan R. Doiphode Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri S.D. Yababhar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 22.2.2024.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDER 15.02.2024

**M.A. NO. 579/2023 IN M.A. ST. 2324/2023 IN O.A.
ST. NO. 2325/2023
(Pallavi Karande & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 15.02.2024

ORAL ORDER :

Shri C.V. Dharurkar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that notice was sent to the respondent no. 01, however, acknowledgement is not yet received. All other respondents are served. Learned Chief Presenting Officer fairly concedes for waiving service on respondent no. 01. Service on respondent no. 1 is therefore treated as completed.

3. S.O. to 28.2.2024 for filing affidavit in reply by the respondents.

MEMBER (A)

VICE CHAIRMAN

M.A. NO. 53/2024 IN O.A. ST. NO. 201/2024
(Kakasaheb A. More & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Heard Shri V.Y. Patil, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

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

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

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

MEMBER (A)

VICE CHAIRMAN

O.A. ST. NO. 201/2024

(Kakasaheb A. More & Ors. Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE : 15.02.2024

ORAL ORDER :

Heard Shri V.Y. Patil, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 5.4.2024.

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 5.4.2024.

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

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDER 15.02.2024

**M.A. ST. 874/2023 IN REV. ST. 875/2023 IN O.A. NO.
222/2022**
(Khushalsinh Pardeshi Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

None appears for the applicant. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present.

2. S.O. to 8.4.2024.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDER 15.02.2024

**M.A. NO. 516/2023 IN C.P. ST. 2162/2023 IN O.A.
NO. 133/2017
(Radhakrushna S. Bodkhe Vs. State of Maharashtra & Ors.)**

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

DATE : 15.02.2024

ORAL ORDER :

Heard Shri A.D. Gadekar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 5.4.2024.

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

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

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

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

7. S.O. to 5.4.2024.

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

MEMBER (A)

VICE CHAIRMAN

REV. NO. 06/2023 IN O.A. NO. 490/2018
(Bhanudas D. Vaishnav Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Smt. Vishakha Patil, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 6.3.2024.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDER 15.02.2024

ORIGINAL APPLICATION NO. 637/2023
(Sheshrao L. Wagatkar Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Heard Shri O.D. Mane, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer seeks leave to file affidavit in reply. Learned counsel for the applicant pointed out that due opportunities are already availed and hence on the previous date this Tribunal has passed an order of keeping the matter for hearing without reply of the respondents. Learned counsel, in the circumstances, opposed for taking reply on record. In the alternative he submitted that the reply may be taken on record by imposing adequate cost on the respondents.

3. In the interest of justice respondents are permitted to file the reply, subject to payment of

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O.A. NO. 637/2023

costs of Rs. 2,000/- to be paid to the applicant. Reply is taken on record and copy thereof is supplied to the learned counsel. Costs amount be paid to the applicant on or before next date.

4. S.O. to 4.4.2024.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDER 15.02.2024

ORIGINAL APPLICATION NO. 49/2023
(Sagar S. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

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

2. Learned counsel for the applicant seeks time to file rejoinder affidavit. One week's time granted therefor.
3. S.O. to 1.3.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 1038/2022
(Prakash Jain Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 15.02.2024

ORAL ORDER :

Shri A.D. Sonar, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, Shri M.S. Bansod, learned counsel for respondent no. 6 and Shri J.B. Choudhary, learned counsel for respondent nos. 7 & 8, are present.

2. Learned Presenting Officer has sought time to file the affidavit in reply. Request is opposed by the learned counsel for the applicant stating that due opportunities are already availed. In the interest of justice, last chance granted till 1.3.2024. On that date, if the reply is not filed, the matter will be heard on the said date without reply of the respondents.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 601/2023
(Santosh S. Kasbe Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

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

2. Request is again made by the learned Presenting Officer for grant of time to file reply of the MPSC. Request is opposed by the learned counsel for the applicant stating that due opportunities are already availed. In the interest of justice, one week time is granted for filing reply of MPSC. On that date, if the reply is not filed, the matter will be heard on the said date without reply of the respondents.

3. S.O. to 22.2.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 1046/2023
(Wasimakaran Hakim Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri S.R. Kedar, learned counsel holding for Shri V.B. Dhage, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Request is again made by the learned Presenting Officer for grant of time to file reply of the respondents. Request is opposed by the learned counsel for the applicant stating that due opportunities are already availed. In the interest of justice, one week time is granted for filing reply of the respondents. On that date, if the reply is not filed, the matter will be heard on the said date without reply of the respondents.

3. S.O. to 22.2.2024.

MEMBER (A)
ARJ ORAL ORDER 15.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 393/2022
(Deepak Chatap Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri S.S. Tambe, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered the affidavit in reply on behalf of respondent nos. 1 to 3. Same is taken on record and copy thereof has been supplied to other side.

3. S.O. to 5.4.2023.

MEMBER (A)

VICE CHAIRMAN

M.A. NO. 87/2023 IN O.A. NO. 259/2021
(Megharani Tarkast & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri C.V. Dharurkar, learned counsel for the applicants, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri Avinash S. Deshmukh, learned counsel for respondent nos. 4 & 5, are present.

2. On request of learned counsel for respondent nos. 4 & 5, time is granted till 20.2.2024 for filing the affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDER 15.02.2024

ORIGINAL APPLICATION NO. 193/2023
(Vinayak Banchod Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri S.S. Tambe, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 5.4.2024 for filing affidavit in reply on behalf of the respondents, as a last chance.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 181/2023
(Dr. Pravara Kulkarni & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri S.P. Koli, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned Chief Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Request is opposed by the learned counsel for the applicants stating that due opportunities are already availed. In the interest of justice, time granted till 5.3.2024. On that date, if the reply is not filed, the matter will be heard on the said date without reply of the respondents.

MEMBER (A)

VICE CHAIRMAN

C.P. 1/2021 IN O.A. NO. 83/2018
(Vyankat S. More & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

None appears for the applicants. Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits that the order, contempt of which is alleged in the present C.P., has been complied with. The affidavit in reply is also filed in that regard. Learned counsel for the petitioner was supposed to take instructions and make a statement in that regard today. Learned counsel for the petitioner, however, is absent.

3. Having regard to the fact as aforesaid, contempt petition stands disposed of without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

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

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

DATE : 15.02.2024

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. List the matter for hearing on 12.3.2024.

MEMBER (A)

VICE CHAIRMAN

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

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

DATE : 15.02.2024

ORAL ORDER :

Shri U.L.Telgaonkar, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. On request of both sides, S.O. to 27-03-2024.

MEMBER (A)
YUK ORAL ORDER 15.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.63/2024
(Balbeersingh Theng Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

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

2. After having considered heard the matter for some time, it is felt necessary that the original enquiry papers must be available for perusal of the Tribunal. Respondents are, therefore, directed to call for original record in respect of enquiry proceedings for perusal of this Tribunal.

3. Learned Counsel for applicant has also submitted the written notes of arguments. Copy thereof is taken on record.

4. S.O. to 04-03-2024.

MEMBER (A)
YUK ORAL ORDER 15.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.399/2023
(Aniket B. Rathod Vs. State of Maharashtra & Ors.)

ORIGINAL APPLICATION NO.400/2023
(Mahesh B. Gavhane Vs. State of Maharashtra & Ors.)

ORIGINAL APPLICATION NO.401/2023
(Shahadeo Bhaware Vs. State of Maharashtra & Ors.)

ORIGINAL APPLICATION NO.402/2023
(Sunny Dhangar Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Heard Shri D.K.Dagadkhair, learned Counsel for applicants in all cases, Shri M.S.Mahajan, learned Chief Presenting Officer, Shri V.R.Bhumkar, Smt. M.S.Patni and Smt. Deepali Deshpande, learned Presenting Officer for respondent authorities in respective cases.

2. S.O. tomorrow i.e. on 16-02-2024 for further consideration and passing appropriate order.

MEMBER (A)
YUK ORAL ORDER 15.02.2024

VICE CHAIRMAN

**ORIGINAL APPLICATION NOS.375/2020, 376/2020,
418/2020, 428/2020 & 434/2020
(Amol Naikwade & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 15.02.2024

ORAL ORDER :

Shri A.S.Deshmukh, learned Counsel for the applicants and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 04-03-2024 for hearing. Interim relief granted earlier to continue till then.

MEMBER (A)
YUK ORAL ORDER 15.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.03/2022
(Sunil S. Ingle Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri C.V.Dharurkar, learned Counsel for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 05-03-2024. Interim relief granted earlier to continue till then.

MEMBER (A)
YUK ORAL ORDER 15.02.2024

VICE CHAIRMAN

M.A.NO.496/2023 IN O.A.NO.222/2023
(Vijay U. Awadhane & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri S.B.Mene, learned Counsel holding for Shri Ajay Deshpande, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 04-03-2024. Till then the interim arrangement shall continue.

MEMBER (A)
YUK ORAL ORDER 15.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO.310/2024
(Dr. Sphoorti P. Bende Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Heard Shri Sudhir K. Chavan, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned Counsel for the applicant undertakes to remove office objections.

3. Applicant has applied for the post of Assistant Professor in Biochemistry in pursuance of the advertisement published on 05-12-2023. Applicant has been declared ineligible on the ground that she is not possessing the requisite experience as prescribed in the advertisement of having worked on the post of Senior Resident for the period of one year. Learned Counsel pointed out that the applicant is working on the post of Assistant Professor since the year 2017. It is further pointed out that in the Government Medical College,

Aurangabad applicant worked during the period between 2017-2018, thereafter in Government Cancer Hospital at Aurangabad for the period 2018-2019. Learned Counsel for the applicant also referred to the order passed by the Tribunal on 24-08-2022 in O.A.No.749/2022 with connected other matters. The facts in the present matter are identical with the facts involved in the said matter. Similar objection was also raised in the said matter but was rejected by the Tribunal with the following observations:

“5. After having considered the submissions advanced by the learned Counsel for the applicants and the learned PO and after having gone through the documents filed on record, it appears to us that prima facie case is made out by the applicants for grant of interim relief as has been prayed by the applicants. When as per the information provided by the Medical Council of India, the provision of Senior Residency does not apply to the pre-clinical and para-clinical subjects, the MPSC should not have declared the applicant as non-eligible candidate on the ground that he does not possess experience of working on the post of Senior Resident.”

4. After having considered the facts as aforesaid, we are convinced that, *prima facie* case is made out by the applicant.

5. Learned CPO has sought time for filing affidavit in reply. Learned CPO has prayed for passing appropriate order in so far as interim relief is concerned. Hence, the following order:

ORDER

[i] Issue notice to the respondents, returnable on 13-03-2024. **Maharashtra Public Service Commission (MPSC) is directed to call the present applicant also for interview subject to outcome of the present O.A. Learned CPO shall intimate the order to MPSC.**

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

[iii] 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.

[iv] 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.

[v] 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.

[vi] S.O. to 13-03-2024.

[vii] Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

YUK ORAL ORDER 15.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.164/2024
(Dr. Monali T. Bhorge Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Shri A.D.Sugdare, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities.

2. The applicant had applied for the post of Assistant Professor in Biochemistry. Total 21 posts are advertised. The applicant possesses qualification of M.D. in Biochemistry. Respondents have held the applicant ineligible on the ground that she is not possessing the experience of one year working on the post of Senior Resident in the concerned subject. Learned counsel for the applicant pointed out that after having done M.D. in the year 2019, the applicant was given an appointment in the Government Medical College at Aurangabad on the post of Assistant Professor (Biochemistry) w.e.f. 20.08.2019 and till date she is working on the said post. Learned counsel further pointed out that in the identical matter before

Nagpur Bench of this Tribunal the National Medical Commission has recommended that the appointment to the post of Assistant Professor by the State Government, the experience as Assistant Professor may be counted against the requirement of one year working on the post of Senior Residency. The learned counsel, in the circumstances, prayed for grant of interim relief, thereby allowing the applicant to appear for the interview and to consider her candidature for appointment on the subject post, subject to outcome of the present Original Application.

3. The learned Presenting Officer opposed for grant of any such interim relief. Learned P.O. submitted that the appointment of the applicant on the post of Assistant Professor in Biochemistry cannot be equated with direct appointment as mentioned by National Medical Commission in the opinion given in the matter before the Nagpur Bench of the Tribunal. Learned P.O. submitted that in such circumstances, no case is made out by the applicant for grant of interim relief.

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O.A.NO.164/2024

4. We have duly considered the submissions advanced on behalf of the applicant. We have also gone through the documents placed on record. We are convinced that prima-facie case is made out by the applicant. It is not disputed that the applicant is working on the post of Assistant Professor in Biochemistry in Government Medical College, Aurangabad from 2019. The applicant is thus holding the experience of 3 years. In the opinion given by the National Medical Commission though word is used as directly appointed Assistant Professor, it cannot be interpreted to mean that appointment of the applicant would not fall within that category. Hence, we deem it appropriate to pass the following order:-

ORDER

1. Issue notice to the respondents, returnable on 13.3.2024. **The respondents are directed to permit the applicant to appear for the interview subject to outcome of the present O.A.**
2. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
3. 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.

4. 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.

5. 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.

6. S.O. to 13.3.2024.

7. The learned Presenting Officer shall intimate this order to the M.P.S.C.

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

MEMBER (A)

YUK ORAL ORDER 15.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 553 OF 2019
(Markand Nagorao Gangaram & Ors. Vs. State of Mah. & Ors.)

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

DATE : 15.02.2024

ORAL ORDER :

Heard Shri Mujahed Hussain, learned counsel for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. The grievance which has been raised by the applicants in the present O.A. and the prayers made therein are beyond the jurisdiction of this Tribunal. However, if at all there is some grievance of the applicants, it would be open for them to make representation with all particulars with the Government and pursue their matter with the Government. Learned counsel pointed out that such representations were made, however, they have not been decided. Learned counsel further submitted that recommendations were also made by the department vide its letter dated 24.05.2016, which is there on record at page No. 24 and document at 'A-8'. We have gone through the recommendations so made. It appears to us that the grievance as has

been made by the applicants deserves to be considered by the competent authority in light of the recommendations, which are made in the said letter addressed to the Secretary of the Water Resources Department.

3. Respondent No. 1 shall consider the request of the applicants to extend them the benefit of Assured Carrier Progression Scheme in light of the recommendation made by Superintending Engineer, Quality Control, Aurangabad in his letter dated 24.05.2016 and in accordance with the relevant GR's and circulars within 12 weeks from the date of this order.

4. The Original Application stands disposed of with the above term, however without any order as to costs.

MEMBER (A)

VICE CHAIRMAN