ORIGINAL APPLICATION NO. 549 OF 2019 (Salim B. Tadvi Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 21.03.2022 for taking necessary steps.

MEMBER (J)

ORIGINAL APPLICATION NO. 908 OF 2019 (Shaikh Nisar Ahmed Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Girish N. Kulkarni, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Record shows that one more last chance was already granted for filing affidavit-in-reply.

3. Today learned P.O. again seeks time for filing affidavit-in-reply.

4. However, in the interest of justice, final chance is granted for filing affidavit-in-reply on behalf of the respondents.

5. S.O. to 28.03.2022.

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

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

DATE : 15.02.2022

ORAL ORDER:

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

2. Record shows that the affidavit-in-reply is already filed on behalf of the respondent Nos.4 and 5.

3. At the request of learned P.O., time is granted for filing affidavit-in-reply on behalf of other respondents.

4. Learned Advocate for the applicant also seeks time for filing affidavit-in-rejoinder, if any, to the affidavit-in-reply filed by the respondent Nos.4 & 5. Time is granted.

5. S.O. to 23.03.2022.

ORIGINAL APPLICATION NO. 1083 OF 2019

(Ambadas P. Deshpande Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Shri Sudhir Telgote, learned Advocate for the applicant is **absent**. Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Affidavit-in-reply is already filed on behalf of the respondent Nos.1 to 3.

3. S.O. to 31.03.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 165 OF 2020

(Babu D. Ghute Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri V.B. Wagh, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent No.1 and Shri Anant D. Gadekar, learned Advocate for the respondent No.2.

2. At the request of learned P.O. for the respondent No.1 and learned Advocate for the respondent No.2, time is granted for filing affidavit-in-reply on behalf of the respondents.

3. S.O. to 30.03.2022.

ORIGINAL APPLICATION NO. 341 OF 2020 (Mangala M. Pande Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri S.B. Patil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 22.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 342 OF 2020 (Savita N. Murmude Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

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

2. At the request of learned Advocate for the applicant, S.O. to 22.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 343 OF 2020 (Bhimrao S. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri S.B. Patil, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 22.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 479 OF 2020

(Nitin R. Jadhav & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Vinod P. Patil, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Record shows that the affidavit-in-reply is filed

only on behalf of the respondent No.4.

3. At the request of learned C.P.O., time is granted

for filing affidavit-in-reply on behalf of other

respondents.

4 S.O. to 29.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 97 OF 2021 (Shahaji W. Surwase Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Shri Vinod D. Godbharle, learned Advocate for the applicant is **absent**. Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. As none present on behalf of the applicant, S.O. to 29.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 131 OF 2021

(Vilas N. Shahane Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri V.G. Pingle, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 28.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 375 OF 2021 (Ravindra R. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

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

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

3. Learned P.O. for the respondents seeks time for filing affidavit-in-reply on behalf of the respondent Nos.1 and 4. Time is granted.

4. S.O. to 28.03.2022.

ORIGINAL APPLICATION NO. 376 OF 2021 (Hanumant S. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Prashant Deshmukh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

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

3. Learned P.O. for the respondents seeks time for filing affidavit-in-reply on behalf of the respondent Nos.1 and 4. Time is granted.

4. S.O. to 28.03.2022.

ORIGINAL APPLICATION NO. 377 OF 2021 (Vivekanand P. Dhongade Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

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

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

3. Learned P.O. for the respondents seeks time for filing affidavit-in-reply on behalf of the respondent Nos.1 and 4. Time is granted.

4. S.O. to 28.03.2022.

ORIGINAL APPLICATION NO. 383 OF 2021 (Sidharth Y. Bhalerao Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Girish Kulkarni, learned Advocate holding for Shri A.M. Hajare, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned P.O., time is granted for filing affidavit-in-reply on behalf of respondent Nos.1,2 & 4.

3. S.O. to 03.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 389 OF 2021 (Baburao C. Mahire Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Yogesh H. Jadhav, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent No.1. Shri Sushil Pandit, learned Advocate for the respondent No.2 to 5 is **absent**.

2. At the request of learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent No.1.

3. S.O. to 28.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 402 OF 2021 (Sudhakar N. Kamble Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

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

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

3. Learned P.O. for the respondents seeks time for filing affidavit-in-reply on behalf of the respondent Nos.1, 4 & 5. Time is granted.

4. S.O. to 28.03.2022.

ORIGINAL APPLICATION NO. 403 OF 2021 (Navnath D. Ghorpade Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Prashant Deshmukh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. Learned P.O. for the respondents seeks time for filing affidavit-in-reply on behalf of the respondent Nos.1,4 & 5. Time is granted.

4. S.O. to 28.03.2022.

ORIGINAL APPLICATION NO. 404 OF 2021

(Jayshree P. Hambire Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Prashant Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. Learned P.O. for the respondents seeks time for filing affidavit-in-reply on behalf of the respondent Nos.1 and 4. Time is granted.

4. S.O. to 28.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 417 OF 2021 (Ramakant D. Joshi Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Prashant Deshmukh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. Learned P.O. for the respondents seeks time for filing affidavit-in-reply on behalf of the respondent Nos.1 and 4. Time is granted.

4. S.O. to 28.03.2022.

ORIGINAL APPLICATION NO. 464 OF 2021

(Vilas K. Hiwale Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. S.O. to 29.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 467 OF 2021 (Dr. Mohan P. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos.1 to 4 and Shri Vinayak P. Narwade, learned Advocate for the respondent No.5.

2. Affidavit-in-reply filed on behalf of the respondent No.5 is taken on record and copy thereof has been served on the other side.

3. Record shows that the affidavit-in-reply on behalf of respondent No.4 is already filed.

4. At the request of learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 to 3.

5. S.O. to 03.03.2022.

ORIGINAL APPLICATION NO. 479 OF 2021

(Lotan D. Vishi Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 22.03.2022.

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

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri R.C. Bramhankar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

- 2. The Original Application is filed challenging the suspension order of the applicant dated 27.01.2021 (Annex. 'A') issued by the Respondent No.3 i.e. the Divisional Joint Registrar, Co-operative Societies, Latur.
- 3. Learned Advocate for the applicant submitted that vide order dated 18.01.2022 the order of suspension of the applicant is revoked. He produced the copy of said order. It is taken on record and marked as document 'X' for the purpose of identification.
- 4. In view of above, the grievance of the applicant raised in the Original Application said to have been redressed. Hence I proceed to pass following order:-

//2//

O.A.738/2021

ORDER

- (a) The Original Application stands disposed of as the grievance of the applicant raised in the Original Application is redressed by order of revocation of suspension dated 18.01.2022 ('X' for identification).
- (b) No order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 778 OF 2021 (Dr. Laxmikant M. Shende Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

None present on behalf of the applicant.

Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

- 2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.
- 3. S.O. to 04.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 44 OF 2022

(Rekha D. Wagatkar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Subhash Chilarge, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

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

3. S.O. to 30.03.2022.

MEMBER (J)

M.A.NO.332 OF 2018 IN O.A.ST.NO.1178 OF 2018 (Pradeep P. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Sachin M. Vaidya, learned Advocate holding for Shri H.P. Jadhav, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

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

3. S.O. to 04.03.2022.

MEMBER (J)

M.A.NO.99 OF 2019 IN O.A.ST.NO.260 OF 2019 (Soma M. Dhangar Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

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

2. By consent S.O. to 28.03.2022 for hearing.

MEMBER (J)

M.A.NO.276 OF 2019 IN O.A.ST.NO.871 OF 2019 (Rakesh T. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri K.B. Jadhav, learned Advocate holding for Shri S.N. Suryawanshi, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. By consent S.O. to 31.03.2022 for hearing.

MEMBER (J)

M.A.NO.551 OF 2019 IN O.A.ST.NO.2227 OF 2019 (Mohammad Siddiq Mohammad Sarwar Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri G.N. Kulkarni, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. By consent S.O. to 31.03.2022 for hearing.

MEMBER (J)

M.A.NO.84 OF 2021 IN O.A.ST.NO.263 OF 2021

(Raju P. Korde Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J)

DATE : 15.02.2022

ORAL ORDER:

Shri N.P. Bangar, learned Advocate for the applicant is **absent**. Heard Shri D.R. Patil, learned Presenting Officer for the respondent Nos.1 & 2 and Shri S.B. Mene, learned Advocate for the respondent Nos.3 to 6.

2. Await service of notice on the respondent No.5.

3. As none present on behalf of the applicant, S.O.

to 30.03.2022.

MEMBER (J)

M.A.NO.419 OF 2021 IN O.A.ST.NO.1799 OF 2021

(Nilabai P. Mamulwar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Sachin M. Vaidya, learned Advocate holding for Shri H.P. Jadhav, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

M.A.

3. S.O. to 04.03.2022.

MEMBER (J)

M.A.NO.135 OF 2020 IN O.A.ST.NO.336 OF 2020 (Khurshid Begum Mohd. Moosa Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

None present on behalf of the applicant.

Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. As none present on behalf of the applicant, S.O. to 07.03.2022.

MEMBER (J)

M.A.NO.290 OF 2021 IN O.A.NO.921 OF 2019 (Dr. Aasma Kalim Siddiqui Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Shri R.P. Adgaonkar, learned Advocate for the applicant is **absent**. Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. As none present on behalf of the applicant, S.O. to 30.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.34 OF 2021 (Arvind B. Salve Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

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

- 2. Learned Advocate for the applicant submits that in respect of the departmental enquiry held against the applicant, the enquiry office i.e. the S.D.O, Nagar Division, District- Ahmednagar has submitted the enquiry report dated 10.08.2021 with the respondents but final order in that respect has not been passed by the respondents.
- 3. In the circumstances, learned P.O. to seek necessary instructions and place on record the present status in respect to the said departmental enquiry.
- 4. S.O. to 04.04.2022.

ORIGINAL APPLICATION ST.NO.776 OF 2021 (Rajnikant R. Durge@Rajnikant E. Mortate Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Ms. Pooja Deshmukh, learned Advocate holding for Shri J.M. Murkute, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 01.04.2022.

MEMBER (J)

ORIGINAL APPLICATION ST.NO.1728 OF 2021 (Ravindra P. Bahadare Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

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

- 2. Issue notice to the respondents, returnable on 22.03.2022.
- 3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

//2// O.A.St.1728/2021

- 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. Point of limitation is kept open.
- 8. S.O. to 22.03.2022.
- 9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO.1740 OF 2021 (Jayprakash B. Sonawane Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri S.S. Jadhavar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks leave to amend the Original Application in respect of exhausting the remedy of appeal.

3. Leave as prayed for is granted.

4. The applicant to amend the Original Application within a period of one week and to serve the copy of amended O.A. on the other side.

5. S.O. to 28.02.2022.

MEMBER (J)

ORIGINAL APPLICATION ST.NO.78 OF 2022

(Ashru M. Kaldate Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J)

DATE : 15.02.2022

ORAL ORDER:

Heard Shri V.M. Humbe, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time for taking necessary steps for filing delay condonation application. Time is granted.

3. S.O. to 01.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.508 OF 2017 (Syed Azam Syed Lal Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Asif Ali, learned Advocate holding for Ms. A.N. Ansari, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 08.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.567 OF 2017

(Bebabai P. Koli (Sapkale) Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Vinod Patil, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, time is granted for filing affidavit-in-rejoinder, if any.

3. S.O. to 29.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.775 OF 2017 (Dilip N. Sangle & Ors. Vs. State of Maharashtra & Ors.)

ORIGINAL APPLICATION NO.940 OF 2017 (Chandrashekar Gangurde Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

None present on behalf of the applicants in both the O.As.

Heard Shri M.P. Gude, learned Presenting Officer for the respondents in both the O.As.

- 2. Record shows that the pleadings are complete upto affidavit-in-rejoinder.
- 3. S.O. to 01.04.2022.

MEMBER (J)

M.A.NO.347 OF 2019 IN O.A.ST.NO.1444 OF 2019

(Vijaykumar M. Nawale Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J)

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos.1 to 4 and Shri V.B. Wagh, learned Advocate for the respondent No.5.

2. At the request of the learned Advocate for the applicant, S.O. to 04.04.2022.

MEMBER (J)

M.A.NO.325 OF 2020 IN O.A.ST.NO.332 OF 2020 (Vilas S. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Prashant Deshmukh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. S.O. to 28.03.2022 for hearing.

MEMBER (J)

M.A.NO.68 OF 2021 IN O.A.NO.76 OF 2020 (Shantabai G. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE: 15.02.2022

ORAL ORDER:

Heard Shri Anand S. Deshmukh, learned Advocate holding for Shri R.B. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

- 2. This application is made by the applicant seeking to set aside the order of dismissal passed in O.A.No.76/2020 dated 03.03.2020. The present application is made on or about 23.02.2021. The restoration application ought to have been filed within 30 days from the date of order of dismissal i.e. on or before 02.04.2020.
- 3. It is the matter of record that the Covid-19 Pandemic situation started from about 20.03.2020.
- 4. Learned Advocate for the applicant produced on record the order of Hon'ble Apex Court in the matter of cognizance for extension of limitation dated 10.01.2022.

M.A.68/2021 In O.A.76/2020

- 5. As per the dictum of the Hon'ble Apex Court, relaxation of period of limitation is extended from 15.03.2020 onwards. The same is extended from time to time and it is extended till 28.02.2022.
- 6. In the circumstances as above in my considered opinion, this is a fit case to condone the delay and set aside the order of dismissal passed in the O.A.No.76/2020. Hence I proceed to pass the following order:-

ORDER

- (a) Misc. Application No.68/2021 in O.A.No.76/2020 is allowed.
- (b) The order of dismissal dated 03.03.2020 passed in O.A.No.76/2020 is hereby set aside and the Original Application is restored under its original number and the matter will proceed further from the stage as was on 03.03.2020.
- (c) No order as to costs.

ORIGINAL APPLICATION NO.76 OF 2020 (Shantabai G. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Anand S. Deshmukh, learned Advocate holding for Shri R.B. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 08.03.2022.

MEMBER (J)

M.A.NO.378 OF 2021 IN O.A.NO.900 OF 2019 (Arvind R. Bhingardive Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

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

- 2. This application is made by the applicant seeking amendment in the Original Application basically to bring on record the subsequent development and seeking appropriate additional relief thereof.
- 3. The Original Application is filed challenging the impugned order of transfer of the applicant dated 21.09.2019 whereby he was transferred from Local Crime Branch to Supa Police Station. As per the said order, the applicant joined at transferred place of Supa Police Station during pendency of the Original Application.
- 4. It is submitted that during pendency of the Original Application, the applicant was put under suspension vide order dated 28.10.2020 issued by the respondent No.2 i.e. the Superintendent of Police, Ahmednagar, District Ahmednagar. Subsequently the

said suspension order is revoked vide order dated 06.07.2021 and the applicant is posted at Pathardi Police Station, District Ahmednagar. The applicant has joined at the said place.

- 5. In the circumstances as above, the applicant is seeking amendment in the Original Application and is also seeking relief of modification of revocation order of suspension dated 06.07.2021 to the effect that in case of his succeeding in this in the Original Application, he would be required to be reposted at Local Crime Branch.
- 6. Considering the pleadings of the applicant in the Original Application and the proposed amendment sought for, in my considered opinion, the proposed amendment is subsequent development which took place in respect of posting of the applicant. In view of same, the proposed amendment is not going to change the nature of original proceedings. In fact the proposed amendment is just and necessary to determine the real question of controversy between the parties. I therefore, proceed to pass following order:-

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M.A.378/2021 in O.A.900/2019

ORDER

- (i) The Misc. Application No.378/2021 in O.A.No.900/2019 is allowed.
- (ii) Amendment as prayed for is granted.
- (iii) The applicant to carry out the amendment within the period of one week and to serve the copy of amended O.A. on the other side.
- (iv) No order as to costs.

MEMBER (J)

ORIGINAL APPALICATION NO.900 OF 2019 (Arvind R. Bhingardive Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

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

2. By consent of both the sides, S.O. to 10.03.2022.

MEMBER (J)

M.A.NO.48 OF 2022 IN O.A.NO.712 OF 2021 (Dr. Subhash G. Kabade Vs. State of Maharashtra & Ors.)

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

DATE: 15.02.2022

ORAL ORDER:

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

- 2. By this application the applicant is seeking amendment in the Original Application by way of addition of party respondent namely the Account Officer, Pay Verification Unit, Aurangabad as well as necessary amendment in the pleadings.
- 3. The Original Application is filed challenging the impugned order/communication dated 18.10.2021 issued by the respondent No.3. The said impugned order is the recovery order in respect of excess payment.
- 4. It is the contention of the applicant that initially he was appointed as Medical Officer vide order dated 11.01.1994. Accordingly he joined on the post of Medical Officer, Class-II. Subsequently in the year, 1998 he was duly selected by the M.P.S.C. on the post

M.A.48/2022 in O.A.712/2021

of Medical Officer, Class-II and he was posted in Maharashtra State Employees Insurance Society Hospital, Chikalthana, Aurangabad.

- 5. After joining ESIS his pay was fixed by the Medical Superintendent, ESIS Hospital, Aurangabad as per Rule 10 of the Maharashtra Civil Services (Pay) Rules, 1981. However, his pay was re-fixed as per order dated 28.07.2009 treating the past service from 28.01.1994 31.07.1998 as continuous to and uninterrupted service of the applicant by officer order dated 26.10.2009. After that the service book of the applicant was sent to the Pay Verification Unit. Impugned order dated 18.10.2021 came to be passed on the basis of objection raised by the Pay Verification Unit.
- 6. In the circumstances, the applicant desires to raise additional pleadings assailing the impugned order of recovery and also wants to add the Account Officer, Pay Verification Unit, Aurangabad as additional respondent.

M.A.48/2022 in O.A.712/2021

- 7. Considering the proposed amendment and documents, it is evident that the applicant is only raising additional pleadings and producing additional documents to support the contentions raised in the Original Application. He also wants to join the Pay Verification Unit as one of the respondents.
- 8. In the circumstances as above, in my considered opinion, the proposed amendment is not going to change the nature of original proceedings. Moreover, the Pay Verification Unit will be a proper party. In fact the proposed amendment is just and necessary to determine the real question of controversy between the parties. I therefore, proceed to pass following order:-

ORDER

- (i) The Misc. Application No.48/2022 in O.A.No.712/2021 is allowed.
- (ii) Amendment as prayed for is granted.
- (iii) The applicant to carry out the amendment within the period of one week and to serve the copy of amended O.A. on the other side.
- (iv) No order as to costs.

ORIGINAL APPLICATIONI NO.712 OF 2021

(Dr. Subhash G. Kabade Vs. State of Maharashtra & Ors.)

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

DATE: 15.02.2022

ORAL ORDER:

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

- 2. Issue notice to the added respondents, returnable on 23.02.2022.
- 3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

//2// O.A.712/2021

- 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 23.02.2022.
- 8 Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO.36 OF 2016 (Laxmi S. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri S.D. Munde, learned Advocate holding for Shri S.S. Gangakhedkar/Shri S.P. Salgar, learned Advocates for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent Nos.1 & 5 to 7. None present for remaining respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 04.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.629 OF 2021

(Dr. Archana V. Bhosle Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri V.G. Pingle, learned Advocates for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Affidavit-in-rejoinder filed on behalf of the applicant is taken on record and copy thereof has been served on the other side.

3. S.O. to 23.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 335 OF 2020

(Arjun N. Pache Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Ms. Preeti Wankhade, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

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

3. At the request of learned Advocate for the applicant, time is granted for filing short affidavit.

4. S.O. to 25.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 799 OF 2016 (Bhura R. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

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

2. By consent of both the sides, S.O. to 28.02.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 317 OF 2019

(Mangala D. Lasurkar (died) Lrs. Purushottam E. Joshi Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

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

2. By consent of both the sides, S.O. to 15.03.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 653 OF 2019 (Vijay B. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

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

2. By consent of both the sides, S.O. to 17.03.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 270 OF 2021 (Nanda V. Solanki & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Avinash Deshmukh, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 17.03.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 297 OF 2021

(Manjusha M. Mutha Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

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

3. By consent of both the sides, S.O. to 04.03.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 507 OF 2021

(Sunil N. Khamitkar Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J)

DATE : 15.02.2022

ORAL ORDER:

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 & 2, Shri S.S. Manale, learned Advocate for respondent No. 4 and Shri V.B. Wagh, learned Advocate holding for Shri U.B. Bondar, learned Advocate for respondent No. 3.

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

3. By consent of both the all the parties, S.O. to 17.02.2022.

4. Interim relief granted earlier to continue till then.

MEMBER (J)

O.A. Nos. 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894 & 895 all of 2017 (Prabhakar D. Mali & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

Shri S.G. Chapalgaonkar, learned Advocate for the applicants in all these O.As. (**Absent**).

Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 4 in all these O.As.

Shri Vivek Deshmukh, learned Advocate for respondent No. 5 in O.A. Nos. 884, 888, 892 & 893 all of 2017, Shri N.K. Tungar, learned Advocate for respondent Nos. 5 in O.A. Nos. 886 & 895 both of 2017, Shri Abhijit More, learned Advocate for respondent No. 5 in O.A. No. 887/2017 and Shri B.R. Sontakke, learned Advocate for respondent No. 5 in O.A. No. 891/2017, are **absent**.

2. As none present for the applicants, S.O. to 16.03.2022 for final hearing.

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

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

S/shri Avinash S. Deshmukh along with Kuldeep S. Patil, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

- 2. The learned Counsel for the applicant has placed on record copy of the representation dated 2.2.2022 made by the applicant to the M.P.S.C. It is taken on record. The learned Counsel for the applicant, in view of the documents as has been submitted by him, has ultimately prayed for directing the M.P.S.C. to consider the said representation submitted by the applicant, on merit.
- 3. The learned Presenting Officer has pointed out that he would like to place on record G.R. dated 1.7.2016, which is relevant in this matter and justified the stand taken by the respondents. The learned P.O. submits that during the course of the day, he will file on the record copy of said G.R.

- 4. The learned Counsel for the applicant submitted that said G.R. dated 1.7.2016 referred by him during the course of his arguments and in the representation submitted by the applicant on 20.12.2017, he has also given reference of the said G.R. The learned Counsel submitted that the said G.R. may not come in the way of applicant for getting appointment from the Sports category.
- 5. The arguments of both the sides are concluded. The matter is closed for orders.

MEMBER (A)

MEMBER (J)

ARJ ORAL ORDERS 15.2.2022

M.A. 39/2022 IN O.A. 133/2016 (Smt. Laxmibai N. Atkulwar Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Heard Shri M.L. Paithane, learned Counsel holding for Shri Madhur A. Golegaonkar, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The present Misc. Application is filed for restoration of O.A. No. 133/2016, which has been dismissed in default by the Tribunal. The O.A. was dismissed in default on 31.8.2017 and the present Misc. Application for restoration of O.A. is filed on 12.1.2022, i.e. after lapse of about 4 ½ years. The reasons as are stated in the Misc. Application are not at all convincing. The reason assigned that the period of COVID-19 pandemic prevented the applicant from approaching the Tribunal cannot be accepted, since it started much later from the date on which the O.A. was dismissed in default. Though, it is true that in such matters, a liberal view is to be taken so that the main matter can be decided on merit, since there is

::-2-:: **M.A. 39/2022 IN O.A. 133/2016**

inordinate delay and the reasons assigned therefor are not cogent and sufficient, we are not inclined to accept the request of the applicant. Hence, the following order:-

ORDER

Misc. Application No. 39/2022 stands dismissed with no order as to costs.

MEMBER (A)

MEMBER (J)

ARJ ORAL ORDERS 15.2.2022

C.P. 36/2019 IN O.A. 229/2015 (Dr. Bhaskar S. Borgaonkar Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.2.2022

ORAL ORDER:

Shri P.R. Tandale, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

- 2. The learned Presenting Officer sought time for filing sur-rejoinder. Time granted.
- 3. S.O. to 11.3.2022.

MEMBER (A)

MEMBER (J)

C.P. 37/2019 IN O.A. 230/2015 (Dr. Dilip R. Tandale Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.2.2022

ORAL ORDER:

Shri P.R. Tandale, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

- 2. The learned Presenting Officer sought time for filing sur-rejoinder. Time granted.
- 3. S.O. to 11.3.2022.

MEMBER (A)

MEMBER (J)

C.P. 4/2020 IN O.A. 333/2017 (Shital A. Soni Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.2.2022

ORAL ORDER:

Shri J.S. Deshmukh, learned Counsel for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent nos. 1 to 4 and Smt. M.S. Jagtap-Ware, learned Counsel for respondent no. 5, are present.

- 2. The learned Presenting Officer sought time for filing affidavit in reply of respondent nos. 1 to 4. Time granted.
- 3. S.O. to 3.3.2022.

MEMBER (A)

MEMBER (J)

C.P. 5/2020 IN O.A. 336/2017 (Dr. Yogesh V. Solanke Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Shri J.S. Deshmukh, learned Counsel for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent nos. 1 to 4 and Shri M.S. Taur, learned Counsel for respondent no. 5, are present.

- 2. The learned Presenting Officer sought time for filing affidavit in reply of respondent nos. 1 to 4. Time granted.
- 3. S.O. to 3.3.2022.

MEMBER (A)

MEMBER (J)

C.P. 6/2020 IN O.A. 332/2017 (Dr. Anil S. Biradar Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Shri J.S. Deshmukh, learned Counsel for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent nos. 1 to 4 and Shri V.P. Narwade, learned Counsel for respondent no. 5, are present.

- 2. The learned Presenting Officer sought time for filing affidavit in reply of respondent nos. 1 to 4. Time granted.
- 3. S.O. to 3.3.2022.

MEMBER (A)

MEMBER (J)

M.A. 372/2018 IN O.A. 581/2018 WITH
M.A. 521/2018 IN O.A. 818/2018
(Vaishali R. Barhate & Anr. Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Shri S.D. Dhongde for himself and holding for Shri G.M. Mujeshwar, learned Counsel for the applicants in both the matters and Shri M.P. Gude, learned Presenting Officer for the respondents in both the matters, are present.

2. At the request of learned Counsel for the applicants, S.O. to 21.2.2022. **High on Board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 722/2019 (Gajanan B. Bansode & Anr. Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.2.2022

ORAL ORDER:

Shri Ajay S. Deshpande, learned Advocate for the applicants, Shri S.K. Shirse, learned P.O. holding for Shri M.S. Mahajan, learned C.P.O. for respondent Nos. 1 to 3, Shri M.B. Kolpe, learned Advocate for respondent No. 4, Shri A.S. Deshmukh, learned Advocate for Respondent Nos. 5, 6, 71, 87, 150, 198, 211, 229, 369, 489, 511, 528, 625, 628 & 629, Shri G.K. Kshirsagar, learned Advocate for the Respondent Nos. 221, 222, 249, 252, 296, 327, 353, 573, 581, 593, 606 & 627, Shri S.G. Chapalgaonkar, learned Advocate for the Respondent Nos. 15, 193, 194, 278, 288, 291, 331, 344, 510, 515 & 554 and Shri Ashish Rajkar, learned counsel for himself and holding for Shri Sandeep Dere, learned Advocate for Respondent Nos. 105, 317, 443 458, 142, 248, 412, 20, 22, 23, 30, 33, 36, 58, 60, 75, 78, 79, 84, 90, 92, 94, 109, 111, 115, 117, 121, 123, 126, 130, 132, 133, 158, 162, 171, 173, 177, 178, 180, 189, 196, 200, 205, 209, 210, 213, 216, 218, 226, 240, 255, 258, 260, 267, 271, 272, 594, 277, 279, 298, 303, 309, 315, 320, 326, 339, 343, 349, 351, 359, 372, 377, 382, 390, 391, 400, 402, 407, 411, 415, 417, 422, 426, 428, 436, 442, 450, 451, 453, 325, 456, 458, 467, 475, 477, 478, 479, 488, 491, 500, 502, 512, 514, 517,

533, 535, 536, 541, 545, 550, 367, 560, 563, 565, 568, 569, 596, 603, 618, 619, 624, 626, 630, 634, 636 & 638, are present.

- 2. Shri Kolpe, learned Counsel advanced arguments for the respondent M.P.S.C.
- 3. It is informed that Shri Mahajan, learned C.P.O. is not well and Shri S.K. Shirse, learned P.O. is appearing on his behalf.
- 4. The learned Counsel for the applicants has also placed on record the written notes of arguments. The same is taken on record. Any other Counsel desires to file the written notes of arguments, they are permitted to file the same by providing copies thereof to the other side, within 3 days from today.
- 5. The matter is reserved for orders.

MEMBER (A)

M.A. 31/2022 IN O.A. 136/2020 (Rameshwar G. Kadam Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Heard Shri A.R. Tapse, learned Counsel for the applicant and Smt. Sanjivani Deshmukh, learned Presenting Officer for the respondents.

- 2. The present Misc. Application is filed seeking restoration of O.A. no. 136/2020, which has been dismissed in default vide order passed by the learned Registrar on 3.12.2020.
- 3. We have gone through the contents of the Misc. Application. It is seen that, though O.A. was filed before commencement of the COVID-19 pandemic and order of issuance of notices was passed on 11.3.2020, the said order cannot be complied with due to lockdown imposed by the Government immediately thereafter. During the entire said period, the matters were not taken up and that is the reason that suitable steps could not be taken. Hence, we are inclined to allow the present M.A. Hence, we pass the following order:-

ORDER

- 1. M.A. No. 31/2022 is allowed and O.A. no. 136/2020 stands restored to its original file.
- 2. Issue notice to the respondents in O.A., returnable on 22.3.2022.
- 3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along -with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
- 7. S.O. to 22.3.2022.
- 8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

ORIGINAL APPLICATION NO. 230/2021 (Vidya Smt. Meenal P. Thosar Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

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 respondents, are present.

- 2. At the request of learned Counsel for the applicant, issue fresh notice to the respondents, returnable on 24.3.2022.
- 3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along -with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
- 7. S.O. to 24.3.2022.
- 8. Steno copy and Hamdast is allowed to both parties.

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

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Shri S.D. Dhongde, learned Counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 21.2.2022 for hearing.

MEMBER (A)
ARJ ORAL ORDERS 15.2.2022

ORIGINAL APPLICATION NO. 488 OF 2019

(Shaikh Ajmal Shaikh Abdulla Vs. State of Maharashtra & Ors.)

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

DATE : 15.02.2022

ORAL ORDER:

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

2. As none present for the applicant, S.O. to 10.03.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 15.02.2022

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

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

- 1. Shri J.B. Choudhary, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.
- 2. Circulation is granted. Issue notices to the respondents, returnable on 15.03.2022. The case be listed for admission hearing on **15.03.2022**.
- 3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
- 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

ORIGINAL APPLICATION NO. 152 OF 2022 (Duryodhan S. Wankhede Vs. The State of Maharashtra & Ors.)

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

- 1. Ms. Megha Y. Mali, learned Advocate holding for Shri S.K. Mathpati, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.
- 2. Circulation is granted. Issue notices to the respondents, returnable on 16.03.2022. The case be listed for admission hearing on **16.03.2022**.
- 3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
- 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

ORIGINAL APPLICATION NO. 151 OF 2022 (Chhaban V. Kulkarni Vs. The State of Maharashtra & Ors.)

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

- 1. Ms. Megha Y. Mali, learned Advocate holding for Shri S.K. Mathpati, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.
- 2. Circulation is granted. Issue notices to the respondents, returnable on 16.03.2022. The case be listed for admission hearing on **16.03.2022**.
- 3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
- 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

ORIGINAL APPLICATION NO. 153 OF 2022 (Rupali J. Namewar Vs. The State of Maharashtra & Ors.)

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

- 1. Ms. A.A. Bhagwat, learned Advocate holding for Shri G.K. Kshirsagar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.
- 2. Circulation is granted. Issue notices to the respondents, returnable on 17.03.2022. The case be listed for admission hearing on **17.03.2022**.
- 3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
- 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

ORIGINAL APPLICATION NO. 154 OF 2022 (Geeta M. Nakade Vs. The State of Maharashtra & Ors.)

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

- 1. Ms. A.A. Bhagwat, learned Advocate holding for Shri G.K. Kshirsagar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.
- 2. Circulation is granted. Issue notices to the respondents, returnable on 17.03.2022. The case be listed for admission hearing on **17.03.2022**.
- 3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
- 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

ORIGINAL APPLICATION NO. 155 OF 2022 (Prerana D. Londhe Vs. The State of Maharashtra & Ors.)

<u>Per :- Standing directions of Hon'ble Chairperson,</u> <u>M.A.T., Mumbai-</u>

- 1. Ms. A.A. Bhagwat, learned Advocate holding for Shri G.K. Kshirsagar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.
- 2. Circulation is granted. Issue notices to the respondents, returnable on 17.03.2022. The case be listed for admission hearing on **17.03.2022**.
- 3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
- 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

ORIGINAL APPLICATION NO. 686 OF 2019 (Brijlal H. Bibe Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.2.2022

ORAL ORDER:

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

2. It is pointed out that the present matter has been wrongly listed in the reply board. In fact, it is a matter for hearing.

3. In the circumstances, list the present case for further consideration on 28.2.2022.

MEMBER (A)

MEMBER (J)

C.P.NO. 21/2021 IN O.A.NO. 355/2017 (Rajendra T. Dawange Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.2.2022

ORAL ORDER:

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

- 2. The applicant or the respondents may place the concerned Government Resolution dated 7.10.2016 on record on the next date.
- 3. S.O. to 17.3.2022.

MEMBER (A)

MEMBER (J)

REV.NO. 211/2022 IN O.A.NO.490/2021 (Ninad A. Lane Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Shri H.H. Padalkar, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3 and Shri A.S. Khedkar, learned counsel for respondent Nos. 4 & 5, are present.

2. Learned counsel for respondent Nos. 4 & 5 has tendered across the bar affidavit in reply on their behalf and the same is taken on record and copy thereof has been served on the other side.

3. Learned Chief Presenting Officer sought time for filing affidavit in reply. Time granted.

4. No formal notice was issued on the previous date, it shall be deemed to have been issued since the respondents have caused appearance in the matter.

5. S.O. to 8.3.2022. Interim relief granted earlier to continue till then.

MEMBER (A)
ORAL ORDERS 15.2.2022-HDD

ORIGINAL APPLICATION NO. 262 OF 2019 (Vijay U. Pawar Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.2.2022

ORAL ORDER:

Shri R.P. Bhumkar, learned counsel for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri V.M. Chate, learned counsel for respondent No. 5, are present.

- 2. In spite of availing due opportunities today also time is sought for filing affidavit in reply. Request not accepted.
- 3. List the present matter for hearing on 16.3.2022.

MEMBER (A)

MEMBER (J)

M.A. 56/21 IN MA ST. 346/20 IN OA 563/14 (Tushar B. Rajput Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.2.2022

ORAL ORDER:

Shri R.N. Bharaswadkar, learned counsel holding for Shri H.V. Tungar, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 15.3.2022.

MEMBER (A)

MEMBER (J)

M.A.NO. 112/2021 IN O.A.NO. 386/2020 (Ganga S. Suryawanshi Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.2.2022

ORAL ORDER:

Shri Santosh C. Bhosale, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 10.3.2022.

MEMBER (A)

MEMBER (J)

M.A. 386/2021 IN O.A. ST. 1659/2021 (Bhaskar N. Patil & Ors. Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Heard Shri R.P. Bhumkar, learned Counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

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)

ORIGINAL APPLICATION ST. NO. 1659 OF 2021 (Bhaskar N. Patil & Ors. Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.2.2022

ORAL ORDER:

Heard Shri R.P. Bhumkar, learned Counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

- 2. Issue notice to the respondents, returnable on 23.3.2022.
- 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 23.3.2022.
- 8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

ORIGINAL APPLICATION NO. 104 OF 2022 (Bhagwan N. Ugalmugale Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Heard Shri S.B. Jadhav, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

- 2. Issue notice to the respondents, returnable on 23.3.2022.
- 3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.
- 7. S.O. to 23.3.2022.
- 8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

ORIGINAL APPLICATION NO. 86 OF 2022 (Ranjit D. Shingare Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.2.2022

ORAL ORDER:

Shri R.D. Khadap, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 16.2.2022.

MEMBER (A)

MEMBER (J)

O.A.NOS. 1/2015, 626/2015, 627/2015 & 8/2017 (Dr. Balaji G. Phalke & Ors. Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Shri J.S. Deshmukh, learned Counsel for himself and holding for S/Shri Milind Patil & P.P. Dama, learned counsel for the applicants in all these cases and Shri S.K. Shirse, learned Presenting Officer for the respondents in all these cases, are present.

2. At the request of learned counsel for the applicants, S.O. to 24.3.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 737 OF 2018 (Dr. Rangnath B. Sangle Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Shri Avinash S. Deshmukh, learned Counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 24.3.2022 for filing rejoinder affidavit.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 681 OF 2019 (Damodhar G. Thengde Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.2.2022

ORAL ORDER:

Shri M.B. Bharaswadkar, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 24.3.2022 for filing rejoinder affidavit.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 532 OF 2020 (Hemant J. Kinhikar Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

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

- 2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 3 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.
- 3. At the request of learned counsel for the applicant, S.O. to 24.3.2022 for filing rejoinder affidavit, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 4 OF 2021 (Kiran S. Pawar Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Shri Ajay S. Deshpande, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

- 2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 & 2 and the same is taken on record and copy thereof has been served on the other side.
- 3. At the request of learned counsel for the applicant, S.O. to 24.3.2022 for filing rejoinder affidavit, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 36 OF 2021 (Rajendra A. Mali & Anr. Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Shri Ganesh J. Kore, learned Counsel for the applicants (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondents, present.

- 2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 1 and the same is taken on record. He undertook to serve the copy of the same on the other side.
- 3. S.O. to 22.3.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 81 OF 2021 (Sadashiv B. Gitte Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Shri J.M. Murkute, learned Counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

- 2. Learned Presenting Officer sought time for filing affidavit in reply. Time granted.
- 3. S.O. to 24.3.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 124 OF 2021 (Kiran B. Kamle Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Smt. Suchita A. Dhongde, learned Counsel for the applicant and Shri D.R. Patil, learned Chief Presenting Officer for the respondents, are present.

- 2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 3 and the same is taken on record and copy thereof has been served on the other side.
- 3. At the request of learned counsel for the applicant, S.O. to 24.3.2022 for filing rejoinder affidavit, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 125 OF 2021 (Shrikant N. Desale Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Smt. Suchita A. Dhongde, learned Counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 3 and the same is taken on record and copy thereof has been served on the other side.

3. At the request of learned counsel for the applicant, S.O. to 24.3.2022 for filing rejoinder affidavit.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 163 OF 2021 (Nisar Kha Abdullatif Kha Pathan Vs. State of Maha. & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Shri K.B. Jadhav, learned counsel holding for Shri Sanket N. Suryawanshi, learned Counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

- 2. Learned Presenting Officer sought time for filing affidavit in reply. Time granted.
- 3. S.O. to 22.3.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 566 OF 2021 (Manisha H. Sonar Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.2.2022

ORAL ORDER:

Shri S.S. Tandale, learned Counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. S.O. to 14.3.2022.

MEMBER (A)

MEMBER (J)

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

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.2.2022

ORAL ORDER:

Shri S.S. Tandale, learned Counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. S.O. to 14.3.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 679 OF 2021 (Mahesh G. Satkar Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Shri K.B. Jadhav, learned Counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

- 2. Learned counsel for the applicant sought time for filing rejoinder affidavit. Time granted.
- 3. S.O. to 22.3.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1 OF 2022 (Vishnu B. More Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.2.2022

ORAL ORDER:

Shri Kiran G. Salunke, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Await service.

3. S.O. to 9.3.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 2 OF 2022 (Shantilal D. Hiwarale Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.2.2022

ORAL ORDER:

Shri Kiran G. Salunke, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Await service.

3. S.O. to 9.3.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 42 OF 2022 (Surendranath B. Shinde Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Shri S.S. Kulkarni, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

- 2. Await service of notice on respondent Nos. 6 to 8, 13, 14, 16, 18, 27, 29, 32, 33, 37, 39 to 45, 48, 51, 53, 61 & 68.
- 3. S.O. to 10.3.2022.

MEMBER (A)

MEMBER (J)

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

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.2.2022

ORAL ORDER:

Shri V.B. Wagh, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

- 2. Learned Presenting Officer sought time for filing affidavit in reply on behalf of the respondents in M.A. Time granted as a last chance.
- 3. S.O. to 17.3.2022.

MEMBER (A)

MEMBER (J)

M.A.NO. 561/2019 IN O.A.ST.NO. 2250/2019 (Ratish R. Manurkar Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.2.2022

ORAL ORDER:

Shri Ajay Deshpande, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 17.3.2022 for filing rejoinder affidavit.

MEMBER (A)

MEMBER (J)

M.A.NO. 118/2021 IN O.A.ST.NO. 395/2021 (Mira Bhausaheb Avhad Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, learned Counsel for the applicant and Smt. Sanjivani Deshmukh-Ghat, learned Presenting Officer for the respondents, are present.

- 2. Learned Presenting Officer sought time for filing affidavit in reply. Time granted.
- 3. S.O. to 16.3.2022.

MEMBER (A)

MEMBER (J)

M.A.NO. 140/2021 IN O.A.ST.NO. 415/2021 (Nashaboina S. Yadgiri Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Shri Yogesh P. Deshmukh, learned Counsel for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent No. 1 and Shri Sham B. Patil, learned counsel for respondent Nos. 2 & 3, are present.

- 2. Learned counsel for respondent Nos. 2 & 3 has tendered across the bar affidavit in reply on their behalf and the same is taken on record.
- 3. At the request of learned Presenting Officer, S.O. to 22.3.2022 for filing affidavit in reply on behalf of respondent No. 1.

MEMBER (A)

MEMBER (J)

M.A.NO. 343/2021 IN O.A.NO. 692/2017 (Bhanudas R. Watane Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Shri V.G. Pingle, learned Counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

- 2. Learned Presenting Officer sought time for filing affidavit in reply. Time granted.
- 3. S.O. to 24.3.2022. The interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 29 OF 2021 (Vijay N. Khawane Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.2.2022

ORAL ORDER:

Shri S.S. Dambe, learned Counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

- 2. Learned Presenting Officer sought time for filing affidavit in reply. Time granted.
- 3. S.O. to 24.3.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 143 OF 2022 (Dr. Amol K. Chavan Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.2.2022

ORAL ORDER:

Heard Shri J.S. Deshmukh, learned Counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The applicant is working as Medical Officer at Primary Health Centre, Daithna, Tq. & Dist. Parbhani. He has passed M.B.B.S. in the year 2010. The applicant now intends to pursue the post-graduation and is claiming the admission on the seats meant for 'in service' candidates. Such candidates are given weightage if they had worked in tribal or rural area by way of grace marks. It is the contention of the applicant that though 24 grace marks are already given to him for the service rendered by him in rural area, he is also entitled for more 6 grace marks for service rendered by him in the same area but on ad hoc His request for giving the said additional grace marks has been turned down stating that during the said period he did not work for a period of continuous one year in every said year.

- 3. Learned counsel pointed out that initially the applicant was appointed on ad hoc basis at Primary Health Centre, Jamb, Tq. & District Parbhani on 10.12.2012 and the said period expired on 19.11.2013. It is his further contention that thereafter another appointment was given to him at Primary Health Centre Dhanora, District Parbhani from 7.12.2013 again for 11 months up to 6.11.2014 and thereafter he was posted at Primary Health Centre, Waghala, Dist. Parbhani from 11.11.2014 till 15.5.2015. It is the contention of the applicant that the breaks were in fact technical breaks as per the prevailing practice. Learned counsel in the circumstances has prayed that the interim relief be granted in his favour since the date of finalizing the admission is 22.2.2022.
- 4. The submissions made by the learned counsel for the applicant are opposed by the learned Presenting Officer and he prayed for rejecting the request of the applicant for grant of interim relief pointing out that in the first appointment order dated 5.12.2012 itself it has been clarified that service rendered on the said post may not be considered as experience in case the applicant in future intends to pursue post-graduation as in-house candidate. In the circumstances, according to the learned Presenting Officer no case is made out for grant of any interim relief.

- 5. We have considered the submissions advanced by the learned counsel appearing for the applicant and learned Presenting Officer. We have gone through the documents filed on record.
- 6. The experience certificate issued by the District Health Officer, Parbhani is filed on record by the applicant. One another certificate is also filed on record by the applicant. However, the same is undated though seems to be signed by the Health Officer, Zilla Parishad, Parbhani namely Dr. S.P. Deshmukh, wherein the details of the services rendered by the applicant on ad hoc basis are provided. From the said record, it reveals that at P.H.C. Jam, the applicant worked from 10.12.2012 to 19.11.2013 i.e. for the period of 11 months and 9 days. At P.H.C. Dhanora Kale, Tq. Purna, Dist. Parbhani, the applicant worked from 07.12.2013 to 06.11.2014. Thus, he worked there for the period of 11 months. Thereafter, he was appointed at P.H.C. Waghala, Tq. Pathri, Dist. Parbhani from 11.11.2014 to 15.05.2015.
- 7. We see no rational on part of the appointing authorities to give the appointment for the period less than one year when one of the criteria for getting grace marks is that the candidate concerned must have worked in the rural or tribal area for complete one year. If the certificate issued on 24.01.2022 is perused it creates an impression

that the applicant was continuously working from 10.12.2012 to 15.05.2015 and on the next date i.e. on 16.05.2015 he was given regular permanent appointment. Further we see no fault on the part of the applicant for not having completed one year complete service in every year of his ad hoc appointment. Therefore, prima facie it appears an unjust decision not to consider the said period for giving weightage by way of grace marks. Secondly, as mentioned by the applicant in his O.A. contents of which are sworn by him on affidavit, if similarly situated candidate namely Dr. Vipin Sing has been allotted the grace marks, who had also worked for 11 months as ad hoc appointee, there seems no reason for not giving the same treatment to the present applicant. As has been stated by the counsel for the applicant the admission process is in progress and the list of the candidates is scheduled to be published by 22.2.2022.

8. After having considered the facts as above, we find that the *prima facie* case is made out in favour of the applicant. Subject to outcome of the present O.A., we, therefore, direct the respondents to consider the period of the service rendered by the applicant on ad hoc basis in the rural area and accordingly provisionally allot him the adequate grace marks of the said period so that the applicant may not lose the opportunity of being considered for admission to the P.G. course on his merit.

:: - 5 - :: O.A. NO. 143 OF 2022

- 9. Issue notice to respondents, returnable on 8.3.2022.
- 10. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 11. 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.
- 12. 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.
- 13. 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.
- 14. S.O. to 8.3.2022.
- 15. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

ORIGINAL APPLICATION NO.491/2018 (Shivanand Taksale Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.02.2022

ORAL ORDER:

Ku. Anagha Pandit learned Advocate holding for Shri S.B.Talekar, learned Advocate for the applicant, Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, Shri V.N.Upadhye learned Advocate for respondent no.4 and Shri A.S.Deshmukh learned Advocate for respondent no.5 are present.

2. S.O. to 04-03-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.702/2018
WITH

CAVEAT NO.64/2018 TO 70/2018

(Dashrath Bhure & Ors. Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.02.2022

ORAL ORDER:

Shri V.B.Wagh, learned Advocate for the applicant,
Shri N.U.Yadav, learned Presenting Officer for the
respondents and Shri R.N.Bharaswadkar learned Advocate
for the Caveators, are present.

2. S.O. to 08-04-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.25/2019 (Dnyaneshwar Kale Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.02.2022

ORAL ORDER:

Shri R.N.Bharaswadkar, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents, are present.

2. S.O. to 10-03-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.151/2019 (Sachin Gade & Ors. Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.02.2022

ORAL ORDER:

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

2. S.O. to 08-04-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.859/2019 (Kalpesh Patil Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.02.2022

ORAL ORDER:

Shri P.S.Anerao, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents, are present.

2. S.O. to 07-03-2022.

MEMBER (A)

MEMBER (J)

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

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.02.2022

ORAL ORDER:

Shri S.D.Munde, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. S.O. to 07-03-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.480/2020 (Prakash Nirmal & Ors. Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.02.2022

ORAL ORDER:

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

2. S.O. to 24-03-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.499/2020 (Dr. Gajanan Tarpe Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 15.02.2022

ORAL ORDER:

Shri S.G.Magre, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. S.O. to 22-03-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.500/2020 (Yeshwant Bhadare Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.02.2022

ORAL ORDER:

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

2. S.O. to 17-03-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.26/2021 (Vilas Jagtap Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.02.2022

ORAL ORDER:

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

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.325/2021, 326/2021 & 327/2021

(Pankaj Kelkar & Ors. Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.02.2022

ORAL ORDER:

Shri P.S.Anerao, learned Advocate for the applicants and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. S.O. tomorrow i.e. on 16-02-2022.

MEMBER (A)

MEMBER (J)

M.A.NO.187/2021 IN O.A.ST.NO.1096/2020 (Rakesh Kapdne Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.02.2022

ORAL ORDER:

Shri Santosh B. Bhosale, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents, are present.

2. S.O. to 24-03-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.111/2013 (Gajanan Shikare Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.02.2022

ORAL ORDER:

Shri S.S.Haikude, learned Advocate for the applicant, Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, Shri G.J.Kore learned Advocate for respondent no.3 and Shri S.K.Sawangikar learned Advocate for respondent no.4, are present.

2. S.O. to 17-03-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.578/2016 (C.H.Dongaonkar Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.02.2022

ORAL ORDER:

Shri Suchita Dhongde, learned Advocate for the applicant, Smt. Sanjivani Ghate, learned Presenting Officer for the respondent no.1 and Shri D.T.Devane learned Advocate for respondent nos.2 to 5, are present.

2. S.O. to 15-03-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.262/2017 (Trimbak Phasle Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.02.2022

ORAL ORDER:

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

2. S.O. to 08-04-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.242/2018 (Sayeeda Begum Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.02.2022

ORAL ORDER:

Smt. U.T.Pathan, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents, are present.

2. S.O. to 24-03-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.854/2018 (Bhima Chakale Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.02.2022

ORAL ORDER:

Shri M.P.Tripathi, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents, are present.

2. S.O. to 24-03-2022.

MEMBER (A)

MEMBER (J)

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

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.02.2022

ORAL ORDER:

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

2. S.O. to 22-03-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.531/2019 (Nagnath Hatkar & Ors. Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 15.02.2022

ORAL ORDER:

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

2. S.O. to 10-03-2022.

MEMBER (A)

MEMBER (J)