

Date : 15.06.2021

M.A.NO. 158/2021 IN O.A.ST.NO. 593/2021

(Kishor J. Shinde V/s State of Maha. & Ors.)

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

1. Shri Nilesh J. Patil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, are present.
2. Circulation is granted. Issue notices to the respondents in **M.A. No. 158/2021**, returnable on 22.07.2021. The case be listed for admission hearing on **22.07.2021**.
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.

I/C REGISTRAR

ORIGINAL APPLICATION NO. 208 OF 2021
(Dnyaneshwar B. Biradar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 15.06.2021

ORAL ORDER :

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

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

3. S.O. to 01.07.2021.

MEMBER (A)
KPB ORAL ORDERS 15.06.2021

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 618 OF 2021
(Shivaji N. Wagh Vs. State of Maharashtra & Ors.)

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

DATE : 15.06.2021

ORAL ORDER :

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

2. The applicant is challenging the impugned communication / show cause notice dated 07.06.2021 issued by the respondent No. 2, thereby why the promotion of the applicant for the post of Reserve Police Sub Inspector (R.S.I.) should not be cancelled and reverted him from that post.

3. The checkered history of this litigation is that earlier this applicant and others filed O.A. Nos. 378, 38, 39 & 40 all of 2016 challenging the result of the applicants therein that they were failed in the requisite Departmental Examination. By common order dated 24.03.2017 in the said O.As., this applicant and others were declared passed in the Departmental Examination held in the year 2014. The respondents thereby were directed to act upon accordingly and to

give promotion on the promotional post of R.S.I. The applicant thereafter was promoted to the post of R.S.I. Thereafter, the applicant has received impugned show cause notice dated 07.06.2021, Annexure A-12 at page No. 85 of paper book asking him why he should not be removed from the post of R.S.I., in the background of decision dated 10.03.2021 in O.A. No. 829/2019 decided by the Hon'ble Division Bench of Principal Seat of this Tribunal at Mumbai, taking different view.

4. In this background of the matter, in our considered opinion, it is seen that due process has been adopted by the respondents and opportunity has been given to the applicant and it cannot be said that the respondents are in haste. In view of the same, in our opinion it would be just and proper to consider the ad-interim relief prayer upon receipt of the affidavit in reply by the respondents by the next date.

5. In view of the same, issue notices to the respondents, returnable on 02.07.2021.

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

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O.A. St. 618/2021

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

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

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

10. S.O. to 02.07.2021.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 198 OF 2021
(Umesh A. Bavare & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 15.06.2021

ORAL ORDER :

Heard Shri S.D. Munde, learned Advocate for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 and 4 to 8.

2. Notice is not served upon the respondent Nos. 2 and 3.

3. Issue fresh notices to the respondent Nos. 2 & 3, returnable on 20.07.2021.

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

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

//2// O.A. No. 198/2021

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

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

8. S.O. to 20.07.2021.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 22 OF 2020
(Santosh G. Rane Vs. State of Maharashtra & Ors.)

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

DATE : 15.06.2021

ORAL ORDER :

Heard Shri P.B. Rakhunde, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Record shows that affidavit in reply is filed by all the respondents.
3. At the request of learned Advocate for the applicant, S.O. to 20.07.2021 for filing rejoinder affidavit.

MEMBER (A)
KPB ORAL ORDERS 15.06.2021

MEMBER (J)

C.P. No. 7/2021 in O.A. No. 768/2017
(Rajan A. Lengde Vs. State of Maharashtra & Ors.)

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

DATE : 15.06.2021

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent No 1 and Shri S.B. Mene, learned Advocate for respondent Nos. 2 to 4.

2. Learned Presenting Officer for respondent No. 1, as well as, learned Advocate for respondent Nos. 2 to 4 seeks time for filing affidavit in reply.

3. In view of the facts and circumstances, time is granted for filing affidavit in reply.

4. S.O. to 20.07.2021.

MEMBER (A)
KPB ORAL ORDERS 15.06.2021

MEMBER (J)

C.P. No. 05/2021 in O.A. No. 546/2019
(Pallavi D. Pavshe & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 15.06.2021

ORAL ORDER :

Heard Shri P.B. Rakhunde, learned Advocate holding for Shri V.V. Ingale, learned Advocate for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Presenting Office has filed affidavit in reply on behalf of respondent No. 2. Same is taken on record and copy thereof has been served on the other side.

3. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent No. 3. Time granted.

3. S.O. to 19.07.2021.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 15.06.2021

C.P. No. 06/2021 in O.A. No. 165/2019
(Supriya K. Dehpande & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 15.06.2021

ORAL ORDER :

Heard Shri P.B. Rakhunde, learned Advocate holding for Shri V.V. Ingale, learned Advocate for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Learned Presenting Office has filed affidavit in reply on behalf of respondent No. 2. Same is taken on record and copy thereof has been served on the other side.

3. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent No. 3. Time granted.

3. S.O. to 19.07.2021.

MEMBER (A)

MEMBER (J)

C.P. No. 21/2019 in O.A. St. No. 1857/2017
(Vasant N. Phad Vs. State of Maharashtra & Ors.)

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

DATE : 15.06.2021

ORAL ORDER :

Heard Shri S.S. Tandale, learned Advocate holding for Shri B.R. Kedar, learned Advocate for the applicant and Shri S.B. Mene, learned Advocate for the respondent Nos. 1 & 2.

2. At the request of learned Advocate for the applicant, S.O. to 29.06.2021.

MEMBER (A)
KPB ORAL ORDERS 15.06.2021

MEMBER (J)

ORIGINAL APPLICATION NO. 436 OF 2020
(Indrasen M. Titkare Vs. State of Maharashtra & Ors.)

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

DATE : 15.06.2021

ORAL ORDER :

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

2. Learned Presenting Officer for the respondents submits that impugned Departmental Enquiry initiated against the applicant is closed by the respondents. In that regard, he has placed on record a copy of communication dated 14.06.2021 with requisite order dated 20.04.2021 (wrongly mentioned as 20.04.2020 in the order). Same is taken on record and marked as document 'X' collectively for the purpose of identification.

3. In view of the same, the O.A. stands disposed of so far as prayer Clause X(B) is concerned and shall proceed the present O.A. for prayer clause X(C).

4. Record shows that affidavit in reply is filed by the respondent No. 4.

//2//

O.A. No. 436/2020

5. Learned P.O. seeks time for filing affidavit in reply on behalf of respondent Nos. 1 to 3. Time granted.

6. S.O. to 20.07.2021.

MEMBER (A)

KPB ORAL ORDERS 15.06.2021

MEMBER (J)

**M.A. 153/2021 with M.A. 154/2021 in O.A. St. 297/2021
(Baliram S. Sapkale & Anr. Vs. State of Maharashtra & Ors.)**

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

DATE : 15.06.2021

ORAL ORDER :

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

2. The Original Application is filed by the applicants seeking directions to the respondents to consider the claim for promotion and to release their withheld increments and consequential increase in salary and grade pay of their suspension period of approximate three years w.e.f. 13.04.2012 to 29.07.2015, as in spite of acquittal in Special (A.C.B.) case No. 15 of 2012 on 18.03.2015 itself, their promotion and increments with grade pay were withheld only on account of pendency of appeal before the Hon'ble High Court.

3. In view of above, it is the contention of applicants that they are serving in the same department in the same district under the control of same authority. The grievance of the applicants is same against the same action of respondent No. 2.

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M.A. 153/21 with M.A.
154/21 in O.A. St. 297/21

4. In view of the same, to avoid multiplicity of proceeding, this is a fit case to grant permission to the applicants to sue the respondents jointly.

5. In the result, permission to sue jointly is granted, subject to payment of court fee stamps, if not paid.

6. 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)

KPB ORAL ORDERS 15.06.2021

MEMBER (J)

M.A. No. 154/2021 in O.A. St. No. 297/2021
(Baliram S. Sapkale & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 15.06.2021

ORAL ORDER :

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

2. Issue notices to the respondents in M.A., returnable on 16.07.2021.
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

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M.A. 154/2021 in
O.A. St. 297/2021

(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 16.07.2021.

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

MEMBER (A)

MEMBER (J)

**M.A. 150/21 WITH M.A. 85/21 IN O.A.ST.348/21
(Laxmibai Wd/o Shankar Pawar Vs. State of
Maharashtra & Ors.)**

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

DATE : 15.06.2021

ORAL ORDER :

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

2. This M.A. No. 150/2021 has been filed by the applicant viz. Laxmibai Shankar Pawar seeking permission to bring her on record being legal representative of the deceased applicant viz. Shankar Fulsing Pawar in M.A. No. 85/2021 and O.A. St. No. 348/2021.

3. The original applicant namely Shankar Fulsing Pawar filed O.A. St. No. 348/2021 seeking directions to the respondent No. 3 to refund the amount of Rs. 1,01,611/- to him in view of guidelines issued by the Hon'ble Apex Court in case of STATE OF PUNJAB AND OTHERS VS. RAFIQ MASIH in Civil Appeal No. 11527/2014 dated 18.12.2014. He filed the said O.A. along with delay condonation application bearing M.A. No. 85/2021.

4. During the pendency of the said proceeding, the original applicant namely Shankar Fulsing Pawar died on 10.05.2021. The applicant in M.A. No. 150/2021 namely

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**M.A. 150/21 WITH M.A.
85/21 IN O.A.ST.348/21**

Laxmibai Shankar Pawar, therefore, has filed this application seeking permission to bring herself on record being legal representative of the deceased original applicant. The present M.A. is filed on 7.6.2021. Hence, it is filed within a period of 30 days' from the date of death of the original applicant, as prescribed under Section 19 (1) of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988. Considering the nature of proceeding right to sue would survive in the present applicant.

5. In view of the above, the present M.A. is allowed. Requisite amendment be carried out in the M.A. No. 85/2021 and also in the O.A. St. No. 348/2021, within a period of two weeks.

6. Accordingly, the present M.A. stands disposed of with no order as to costs.

MEMBER (J)

ORAL ORDERS 15.06.2021-HDD

M.A. 85/21 IN O.A.ST.348/21
(Shankar Fulsing Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 15.06.2021

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 30.06.2021 for enabling him to file affidavit in reply in the present M.A.

MEMBER (J)

ORAL ORDERS 15.06.2021-HDD

**ORIGINAL APPLICATION NO. 99 OF 2021
(Shrikant V. Mundhe Vs. State of Maharashtra & Ors.)**

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

DATE : 15.06.2021

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that the applicant has still not received the subsistence allowance.

3. In view of the above, learned Presenting Officer is directed to verify the status report regarding the subsistence allowance by the next date.

4. At the request of learned Presenting Officer, S.O. to 06.07.2021 for filing affidavit in reply.

MEMBER (J)

ORAL ORDERS 15.06.2021-HDD

**ORIGINAL APPLICATION NO. 531 OF 2020
(Manik D. Chavan Vs. State of Maharashtra & Ors.)**

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

DATE : 15.06.2021

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that though the permission to carry out the necessary amendment is granted by this Tribunal by an order dated 4.5.2021, he could not carry out the necessary amendment in the present O.A. due to lack of certain documents. He further submits that two weeks' time may be granted for carry out the necessary amendment in the O.A. Time as prayed for is granted.

3. S.O. to 02.07.2021.

MEMBER (J)

ORAL ORDERS 15.06.2021-HDD

**ORIGINAL APPLICATION NO. 493 OF 2020
(Prabha G. Thakare Vs. State of Maharashtra & Ors.)**

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

DATE : 15.06.2021

ORAL ORDER :

Shri Sudhir K. Chavan, learned Advocate for the applicant (**absent**). Smt. M.S. Patni, learned Presenting Officer for the respondents, present.

2. Record shows that affidavit in reply on behalf of respondents has already been filed on record. In the circumstances, the present case is fixed for hearing at the stage of admission itself.

3. S.O. to 13.07.2021.

MEMBER (J)

ORAL ORDERS 15.06.2021-HDD

**ORIGINAL APPLICATION NO. 455 OF 2020
(Sahebrao D. Wagh Vs. State of Maharashtra & Ors.)**

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

DATE : 15.06.2021

ORAL ORDER :

Heard Shri Rushikesh A. Joshi, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Record shows that the pleadings are complete. Considering the nature of proceeding, the present case is fixed for hearing at the stage of admission itself.

3. S.O. to 16.07.2021.

MEMBER (J)

ORAL ORDERS 15.06.2021-HDD

**ORIGINAL APPLICATION NO. 337 OF 2020
(Avinas S. Adke Vs. State of Maharashtra & Ors.)**

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

DATE : 15.06.2021

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate holding for Smt. Punam Mahajan, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Pleadings up to affidavit in reply are complete. In the circumstances, the present case is fixed for hearing at the stage of admission itself with liberty to the respondents to file sur-rejoinder, if any.

3. S.O. to 14.07.2021.

MEMBER (J)

ORAL ORDERS 15.06.2021-HDD

**ORIGINAL APPLICATION NO. 230 OF 2020
(Ashwini D. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 15.06.2021

ORAL ORDER :

Heard Shri S.B. Solanke, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 to 3. None appears for respondent No. 4.

2. Record shows that affidavit in reply on behalf of respondent Nos. 1 to 3 has already been filed on record. In the circumstances, the present case is fixed for hearing at the stage of admission itself.

3. S.O. to 14.07.2021.

MEMBER (J)

ORAL ORDERS 15.06.2021-HDD

**M.A.NO.116/2021 WITH M.A.NO.237/2019 IN
O.A.NO.42/2014
(State of Maharashtra & Ors. V/s. Suresh B. Andhale & Anr.)**

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

DATE : 15.06.2021

ORAL ORDER :

Heard Shri V.R. Bhumkar, learned Presenting Officer for the Applicants (Org. Respondents) and Shri S.R. Shirsat, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the Respondents (Org. Applicants).

2. At the request of the learned Advocate for the Respondents (Org. Applicants), S.O. to 16.06.2021

MEMBER (A)

MEMBER (J)

M.A.NO.509/2018 IN O.A.NO.939/2018
(Yadav T. Suryawanshi Vs. State of Maharashtra & Ors.)

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

DATE : 15.06.2021

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.

2. The present matter is closed for order.

MEMBER (A)

MEMBER (J)

M.A.NO.510/2018 IN O.A.NO.940/2018
(Namdeo M. Wakude Vs. State of Maharashtra & Ors.)

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

DATE : 15.06.2021

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the Applicant and Shri B.S. Deokar, learned Presenting Officer for the Respondents.

2. The present matter is closed for order.

MEMBER (A)

MEMBER (J)

M.A.NO.157/2021 IN O.A.NO.260/2021
(Ramrao R. Yadav & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 15.06.2021

ORAL ORDER :

Heard Shri S.D. Munde, learned Advocate for the Applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondents.

2. By this application, the Applicants are seeking amendment in the Original Application due to certain development during pendency of the Original Application.

3. The Applicants filed the Original Application challenging the impugned letter/order dated 17.05.2021 issued by the Respondent No.3 to the Respondent Nos.5 & 6. Thereby the Respondent No.3 directed all the Divisional Joint Director, Agriculture to fill up the posts which are to be filled by limited departmental examination immediately by giving ad-hoc promotion.

4. In the Original Application, notices were issued to the Respondents returnable on 21.06.2021. However, thereafter, during pendency of the said Original

Application, the Respondent No.5 acted upon the said impugned letter/order dated 17.05.2021 and issued promotion orders by its order dated 08.06.2021. In view of the said subsequent development, the Respondent authorities have violated fundamental right of the Applicants. The Applicants are having every right to compete the limited departmental examination in view of the Article 14 of Constitution of India. The Respondents allegedly have not taken into consideration the relevant notification dated 29.01.2018 and 28.11.2018. In view of the same, the Applicants seek necessary amendment by adding pleadings and prayer.

5. Learned Presenting Officer for the Respondents opposes the said application.

6. Considering the facts and circumstances as discussed above, in our considered opinion, the proposed amendment is necessary to adjudicate real controversy between the parties. By refusing to amend the pleadings, the Original Application likely to be frustrated.

//3// M.A.157/21 In O.A.260/21

7. In view of above, the Misc. Application No.157/2021 is allowed. Applicant to carry out requisite amendment within a period of one week and serve amended copy to the Respondents.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.260/2021
(Ramrao R. Yadav & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 15.06.2021

ORAL ORDER :

Heard Shri S.D. Munde, learned Advocate for the Applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondents.

2. S.O. to 21.06.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.130/2017
(Priyanka A. Dongre Vs. State of Maharashtra & Ors.)

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

DATE : 15.06.2021

ORAL ORDER :

Shri S.K. Chavan, learned Advocate for the Applicant (**absent**). Shri B.S. Deokar, learned Presenting Officer for the Respondent No.1 to 4 and Shri S.B. Solanke, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the Respondent No.5. None appears for Respondent No.6.

2. S.O. to 22.07.2021 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.851/2019
(Ravindra Ramdas Gite Vs. State of Maharashtra & Ors.)

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

DATE : 15.06.2021

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.

2. Record shows that the pleadings are complete.
3. In the facts and circumstances, the matter is fixed for hearing at the stage of admission.
4. S.O. to 13.07.2021.

MEMBER (J)