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

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

AND

Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

Heard Shri K.G. Salunke, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

- 2. Applicant was working under respondent no. 04. In response to advertisement bearing No. 01/2024 dated 29.02.2024 published by respondent no. 03 thereby calling upon the applications to fill up various posts, the present applicant submitted an application for the post of Police Constable and he stood second in the select list. However, he has not been given appointment for the reason that he has not obtained 'No Objection Certificate' from the earlier employer nor submitted his application for the post of Police Constable through the Department where he was working.
- 3. Learned Presenting Officer submits that the present Original Application is premature one since

the concerned authority is seeking guidelines from the superiors in connection with this and the same is not yet received.

- 4. It further appears that there are no Recruitment Rules in this regard and only certain administrative guidelines are there, which constrain such employees to follow certain procedure for filing in the application for recruitment.
- 5. In view of the same, issue notice to the respondents, returnable on 22.11.2024. The respondent no. 03 is hereby directed to keep one post of Police Constable vacant on which the applicant is shown to have been selected till the next date of hearing.
- 6. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 7. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

::-3-:: **O.A. NO. 1246/2024**

- 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 22.11.2024.
- 11. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1207/2024 (Bhausaheb Popat Walunj Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

Heard Shri Rajendra S. Kasar, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

- 2. The Office has raised an objection that the applicant applied to the post of Police Constable in terms of the advertisement published by respondent no. 03, the Superintendent of Police, Sangli, and therefore, the present Original Application do not come within the territorial jurisdiction of this Bench of the Tribunal.
- 3. The learned counsel for the applicant submits that the applicant is working as Home Guard and in that capacity he has filed the application for the post of Police Constable in terms of the advertisement published by respondent no. 03 and even in the final waiting list his candidature is considered from O.B.C. (Home Guard). In response to the

communication made by respondent no. 02, the Superintendent of Police, Ahmednagar, the applicant has submitted application.

- 4. In view of above, the office objection about jurisdiction is not sustainable.
- 5. Issue notice to the respondents, returnable on 17.11.2024.
- 6. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 7. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

::-3-:: **O.A. NO. 1207/2024**

- 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 17.11.2024.
- 11. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1209/2024 (Ashwini N. Nagargoje Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

Heard Shri A.B. Rajkar, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

- 2. Issue notice to the respondents, returnable on 22.11.2024.
- 3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 4. 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 22.11.2024.
- 8. Steno copy and Hamdast is allowed to both parties.

C.P. NO. 80/2024 IN REV. ST. 2234/2023 IN O.A. NO. 354/2023

(Bhanudas D. Shrirao Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

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

- 2. Issue simple notice to the respondents, returnable on 13.11.2024.
- 3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 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 13.11.2024.
- 8. Steno copy and Hamdast is allowed to both parties.

C.P. NO. 83/2024 IN O.A. NO. 423/2019 (Dr. Hanumant Parkhe Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

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

2. In view of absence of applicant and his counsel, S.O. to 12.11.2024.

MEMBER (A)

MEMBER (J)

C.P. NO. 85/2024 IN O.A. NO. 239/2022 (Vitthal S. warangane & Ors. Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

AND

Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

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

2. With consent of both sides, S.O. to 18.11.2024.

MEMBER (A)

MEMBER (J)

C.P. NO. 86/2024 IN O.A. NO. 241/2021 (Datta B. Shinde Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

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

2. With consent of both sides, S.O. to 18.11.2024.

MEMBER (A) MEMBER (J)

C.P. NO. 87/2024 IN O.A. NO. 243/2021 (Pandurang Bellale Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

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

2. With consent of both sides, S.O. to 18.11.2024.

MEMBER (A) MEMBER (J)

T.A. NO. 26/2024 (W.P. NO. 7052/2024) (Kiran M. Salve Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

Shri Kiran M. Salve – party in person and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

- 2. It appears that though there is delay in filing the present T.A./W.P., the office has not examined the same. The Registrar of this Bench is now directed to put up a note as to whether the delay is caused in filing the present T.A./W.P. or not.
- 3. S.O. to 18.10.2024.

MEMBER (A)

MEMBER (J)

M.A. NO. 518/2024 IN O.A.. NO. 1238/2024 (Balasaheb Kapse & Ors. Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

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

2. S.O. to 17.10.2024.

MEMBER (A) MEMBER (J)

ORIGINAL APPLICATION NO. 1190/2024 (Pooja K. Gumaladu Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

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

2. S.O. to 11.11.2024.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1191/2024 (Akansha Bighot Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

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

2. S.O. to 11.11.2024.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1224/2024 (Kalpana Salunke Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant and Shri S.S. Dambe, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 11.11.2024.

MEMBER (A)

MEMBER (J)

M.A. ST. NO. 199/2024 IN O.A. ST. 106/2024 (Sheetal Tigile Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

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

2. In view of absence of applicant and her counsel, S.O. to 18.11.2024.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1070/2024 (Shaikh Atikh Shaikh Mehtab Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

AND

Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

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

- 2. Learned Chief Presenting Officer has tendered affidavit in reply on behalf of respondent no. 02. It is taken on record and copy thereof has been supplied to other side.
- 3. S.O. to 12.11.2024 for filing rejoinder affidavit, if any, by the applicant and for filing affidavit in reply, if any, on behalf of other respondents.

MEMBER (A)

MEMBER (J)

C.P. NO. 14/2022 IN O.A. NO. 367/2019 (Arvind D. Sulakhe Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

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

2. At the request of learned Presenting Officer, S.O. to 27.11.2024.

MEMBER (A)

MEMBER (J)

C.P. NO. 40/2024 IN O.A. NO. 424/2022 (Raosaheb Jare Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

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

2. At the request of learned Presenting Officer, S.O. to 25.10.2024.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 578/2023 (Vijay Jamade & Ors. Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

None appears for the applicants. Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, is present.

- 2. Learned Chief Presenting Officer has tendered affidavit in reply for respondent no. 02. It is taken on record. He undertook to supply copy of said reply to the learned counsel for the applicant.
- 3. S.O. to 02.12.2024 for filing rejoinder, if any, by the applicant and also for filing affidavit in reply, if any, on behalf of other respondents.

MEMBER (A)

MEMBER (J)

M.A. NO. 462/2024 IN O.A. NO. 393/2024 (Dr. Shaikh Wahab Ayub Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

Shri K.B. Bhise, learned counsel for the applicant and Shri V.P. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. By consent of both the sides, S.O. to 11.11.2024. The interim relief granted earlier in the O.A. to continue till then.

MEMBER (A)

MEMBER (J)

C.P. NO. 20/2024 IN O.A. NO. 792/2023 (Jyoti R. Pawar Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

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

- 2. Learned C.P.O. submits affidavit in reply on behalf of respondent no. 02 as directed. It be taken on record and copy thereof be supplied to other side.
- 3. S.O. to 25.10.2024.

MEMBER (A)

MEMBER (J)

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

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

Shri Rahul Shimre, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present. None appears for respondent no. 05.

2. At the request of learned counsel for the applicant, S.O. to 26.11.2024 for admission hearing.

MEMBER (A)

MEMBER (J)

M.A. NO. 521/2024 IN O.A. NO. 1201/2024 (Akshay Ambadas Deshmukh & Ors. Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

AND

Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

Heard Shri C.V. Dharurkar, learned counsel for the applicants and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

- 2. Learned counsel for the applicants submits that the present Misc. Application is filed for grant of Stay.
- 3. It reveals from the documents that the Original Application No. 1201/2024 filed by the applicants came to be disposed of by this Tribunal vide order passed on 08.10.2024 giving directions to the respondent authorities to decide the objection-cum-representation raised by the applicants in connection with a particular question of written examination. The respondent authorities have decided the said objection and therefore nothing survives for further consideration in the present Misc. Application.
- 4. In view of above, the Misc. Application stands disposed of with no order as to costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 460/2024 (Yadav Shankarrao Jadhav & Ors. Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

AND

Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

Shri Syeed Tauseef Yaseen, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

- 2. Learned counsel for the applicants submits that rejoinder affidavit is already filed, but the office has incorrectly mentioned that the rejoinder affidavit is not yet filed.
- 3. S.O. to 22.10.2024 for admission hearing. The Interim Relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 434/2024 (Anil P. Ghodke Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

Shri Anil P. Ghodke – party-in-person and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

- 2. Learned Presenting Officer submits that the respondent no. 01 will be adopting the affidavit in reply filed on behalf of respondent no. 02. The party-in-person seeks 04 weeks' time to file rejoinder affidavit. Time granted.
- 3. S.O. to 25.11.2024 for filing rejoinder affidavit by the applicant.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 796/2024 (Mohan H. Pokale Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

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

- 2. Learned Presenting Officer submits affidavit in reply for sole respondent and copy thereof is given to the learned counsel for the applicant today itself. Learned counsel for the applicant seeks time to go through the said reply and file rejoinder affidavit of the applicant.
- 3. S.O. to 28.10.2024 for filing rejoinder affidavit, if any, by the applicant. .

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 765/2024 (Sarvesh Ram Pankar Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

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

2. It appears that the grievance raised by the applicant has been redressed and nothing survives for further consideration in the present Original Application. The Original Application has thus become infructuous and it is accordingly disposed of. There shall be no order as to costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 548/2024 (Varsha B. Samundre & Ors. Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

AND

Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel Presenting Officer, S.O. to 11.11.2024 for filing affidavit in reply of the respondents. The Interim Relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 633/2024 (Sandip A. Patil Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

AND

Shri Vinay Kargaonkar, Member (A)

DATE: 15.10.2024

ORAL ORDER:

Shri Ajay S. Deshpande, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

- 2. Shri Sandesh Shukla, learned counsel appears and submits that he has filed his V.P. for respondent no. 03 in the office. He has also filed affidavit in reply on behalf of respondent no. 03. It is taken on record and copy thereof has been supplied to other side.
- 3. Learned counsel for the applicant submits that the applicant is not interested in filing the rejoinder affidavit.
- 4. S.O. to 23.10.2024 for filing affidavit in reply of other respondents.

MEMBER (A)

M.A.NO. 522/2024 IN O.A.ST.NO. 434/2024 (Bhagwat Manik Chaudhari Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

DATE: 15.10.2024

ORAL ORDER:

Heard Shri H.P. Randhir, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

- 2. Issue notice to respondents in M.A., returnable on 06.12.2024.
- 3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

//2// M.A.522/2024 In O.A.ST. 434/2024

- 6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
- 7. S.O. to 06.12.2024.
- 8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 1165 OF 2024 (Sudhakar Yesaji Dandge Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

DATE: 15.10.2024

ORAL ORDER:

Heard Shri R.O. Awasarmol, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

- 2. Issue notice to respondents, returnable on 09.12.2024.
- 3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

//2// O.A. 1165/2024

- 6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
- 7. S.O. to 09.12.2024.
- 8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 1219 OF 2024 (Nilesh Sanjay Joshi Vs. State of Maharashtra & Ors.)

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

DATE: 15.10.2024

ORAL ORDER:

Shri Krishna Rodge, learned counsel for the applicant, **absent**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant. S.O. to 14.11.2024.

MEMBER (J)

SAS ORAL ORDER 15.10.2024

ORIGINAL APPLICATION NO. 1249 OF 2024 (Amol Uddhav Kamble Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

DATE: 15.10.2024

ORAL ORDER:

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

- 2. Issue notice to respondents, returnable on 29.10.2024.
- 3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

- 6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
- 7. Learned Presenting Officer is directed to call the record particularly the minutes of meeting of Police Establishment Board, if any.
- 8. S.O. to 29.10.2024.
- 9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

SAS ORAL ORDER 15.10.2024

ORIGINAL APPLICATION NO. 1250 OF 2024 (Tensing Mangilal Rathod Vs. State of Maharashtra & Ors.)

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

DATE: 15.10.2024

ORAL ORDER:

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

- 2. Issue notice to respondents, returnable on 29.10.2024.
- 3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

//2// O.A. 1250/2024

- 6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
- 7. Learned Presenting Officer is directed to call the record particularly the minutes of meeting of Police Establishment Board, if any.
- 8. S.O. to 29.10.2024.
- 9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

SAS ORAL ORDER 15.10.2024

ORIGINAL APPLICATION NO. 1251 OF 2024 (Abhijit Rajeshwar Dahale Vs. State of Maharashtra & Ors.)

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

DATE: 15.10.2024

ORAL ORDER:

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

- 2. Issue notice to respondents, returnable on 29.10.2024.
- 3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

//2// O.A. 1251/2024

- 6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
- 7. Learned Presenting Officer is directed to call the record particularly the minutes of meeting of Police Establishment Board, if any.
- 8. S.O. to 29.10.2024.
- 9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

SAS ORAL ORDER 15.10.2024

ORIGINAL APPLICATION NO. 1253 OF 2024 (Aniket Bhagwanrao Palepwad Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

DATE: 15.10.2024

ORAL ORDER:

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

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

//2// O.A. 1253/2024

- 6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
- 7. Learned Presenting Officer is directed to call the record particularly the minutes of meeting of Civil Services Board, if any.
- 8. S.O. to 22.10.2024.
- 9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

O.A.NO. 1257/2024 WITH Caveat No. 67/2024 (Dr. Sudhir P. Choudhari Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

DATE: 15.10.2024

ORAL ORDER:

Heard Shri Ajay S. Deshpande, learned counsel holding for Shri J.B. Choudhary, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri Kalyan V. Patil, learned counsel holding for Shri S.R. Barlinge, learned counsel for respondent No.4/ Caveator.

- 2. Issue notice to respondents, returnable on 23.10.2024.
- 3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

//2// O.A. 1257/2024 With Caveat 67/2024

- 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. Learned Presenting Officer is directed to place before this Tribunal the relevant record including the minutes of meeting of Civil Services Board, if any.
- 8. S.O. to 23.10.2024.
- 9. Steno copy and Hamdast is allowed to both parties.

ORIGINAL APPLICATION NO. 1259 OF 2024 (Uttam Laxman Jadhav Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

DATE: 15.10.2024

ORAL ORDER:

Heard Shri A.S. Deshmukh, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

- 2. It appears that by impugned order dated 10.10.2024 (Annexure 'A-1') the applicant came to be transferred from the post of Assistant Regional Transport Officer (ARTO), Deputy Regional Transport Office, Nandurbar to the post of Assistant Regional Transport Officer (ARTO), Deputy Regional Transport Office, Hingoli. The applicant was due for transfer and he had worked in the Tribal Area for near about three and half years. In terms of the Government Circular dated 23.02.2024 the applicant has exercised four options of his choice, however, the same were not considered and the applicant came to be transferred to Hingoli.
- 3. Learned counsel for the applicant on instructions submits that the applicant is yet not relieved and he is still working on the post of

Assistant Regional Transport Officer (ARTO), Nandurbar. Even no other employee has been posted at Nandurbar on the post which the applicant is holding.

- 4. In view of above, the parties are directed to maintain status quo as on today till the next date of hearing.
- 5. Issue notice to respondents, returnable on 29.10.2024.
- 6. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 7. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (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. Learned Chief Presenting Officer is directed to call the record pertaining to the transfer of the applicant.
- 11. S.O. to 29.10.2024.
- 12. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

SAS ORAL ORDER 15.10.2024

O.A.NOS. 884, 886, 887, 888, 889, 890, 891, 892, 893, 894 & 895 all of 2017 & O.A.No. 200/2018 (Prabhakar D. Mali & Ors. Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

DATE : 15.10.2024

ORAL ORDER:

Shri Mohit Deshmukh, learned counsel for the applicants in O.A.Nos. 884 & 886 to 895 all of 2017 and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these O.As., are present.

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

- 2. Learned counsel Shri S.T. Deshmukh submits that he has instructions to appear for the applicant in O.A.No. 200/2018 and he will file **VAKALATNAMA** in the office today itself.
- 3. The present matters are part heard.
- 4. At the request of learned P.O., S.O. to 24.10.2024 as a last chance for further hearing.

ORIGINAL APPLICATION NO. 133 OF 2021

(Balasaheb A. Chivate Vs. State of Maharashtra & Ors.)

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

DATE: 15.10.2024

ORAL ORDER:

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

2. This is a part heard matter. S.O. to 13.11.2024 for citations.

MEMBER (J)

SAS ORAL ORDER 15.10.2024

ORIGINAL APPLICATION NO. 359 OF 2024 (Shubham Ganesh Patil Vs. State of Maharashtra & Ors.)

<u>CORAM</u>: Justice Shri V.K. Jadhav, Member (J)

Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

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

2. S.O. to 19.11.2024. Interim relief granted earlier to continue till then.

MEMBER (A) MEMBER (J)

ORIGINAL APPLICATION NO. 07 OF 2024

(Vilas Ramdas Ghule Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

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

2. S.O. to 18.11.2024. Interim relief granted earlier to continue till then.

MEMBER (A) MEMBER (J)

O.A.NOS. 487 AND 488 BOTH OF 2022 (Rajesh J. Gangurde & Anr. Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

Shri V.B. Wagh, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities in both the matters, are present.

2. S.O. to 20.11.2024. The status quo granted earlier in both the matters to continue till then.

MEMBER (A) MEMBER (J)

ORIGINAL APPLICATION NO. 1210/2024

(Ravindra Subhash Joshi Vs. The State of Maharashtra & Ors.)

CORAM: Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

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

2. List the matter for hearing on 25.10.2024.

MEMBER (A)

ORIGINAL APPLICATION NO. 976/2024

(Aruna Ganesh Sangewar Vs. The State of Maharashtra & Ors.)

CORAM: Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

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

2. Learned Presenting Officer has sought two weeks' time for filing affidavit in reply. Time granted.

3. S.O. to 28.10.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

ORIGINAL APPLICATION NO. 1105/2024

(Damodhar Nagorao Jadhav Vs. The State of Maharashtra & Ors.)

CORAM: Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

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

Shri R.G. Nirmal, learned counsel holding for Shri S.S. Gangakhedkar, learned counsel appearing for respondent No. 3, is present.

- 2. Learned Presenting Officer seeks one week's time for filing affidavit in reply. Learned counsel appearing for respondent No. 3 also seeks one week's time for filing affidavit in reply on behalf of the said respondent.
- 3. Time granted by way of last chance for filing affidavit in reply on behalf of respondent No. 1.
- 4. S.O. to 22.10.2024.

MEMBER (A)

ORIGINAL APPLICATION NO. 1146/2024

(Somnath Bhagwan Jadhav Vs. The State of Maharashtra & Ors.)

CORAM: Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

Heard Shri Yuvraj V. Kakade, learned counsel for the applicant, Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities and Shri Walmik S. Jadhav, learned counsel for respondent No. 4.

- 2. Learned counsel for the applicant seeks leave to amend the address of applicant. Leave granted.
- 3. The applicant shall carry out the necessary amendment within a week.
- 4. After carrying out the necessary amendment, issue fresh notice to the respondents, returnable on 13.11.2024.
- 5. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 6. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

:: - 2 - :: **O.A. NO. 1146/2024**

- 7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 8. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
- 9. S.O. to 13.11.2024.
- 10. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

ORIGINAL APPLICATION NO. 1205/2024
(Nagnath Shankar Aaylane Vs. The State of Maharashtra & Ors.)

CORAM: Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

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

- 2. Learned counsel for the applicant seeks leave of this Tribunal to correct the address of respondent No. 3. Leave granted. The applicant shall carry out the necessary amendment within a week.
- 3. After carrying out the necessary amendment by the applicant, issue fresh notice to respondent No. 3, returnable on 12.11.2024.
- 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. 1205/2024**

- 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 12.11.2024.
- 9. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

ORIGINAL APPLICATION NO. 1111/2024

(Dr. Gopal Madhavrao Kudlikar Vs. State of Maharashtra & Ors.)

CORAM: Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

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

- 2. Learned counsel for the applicant seeks leave of this Tribunal to produce acknowledgement of service of notice of respondent No. 2. Leave granted.
- 3. S.O. to 13.11.2024.

MEMBER (A)

ORIGINAL APPLICATION NO. 894/2024

(Shashikant Narayan Deulgaonkar Vs. State of Maharashtra & Ors.)

CORAM: Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

Shri S.B. Jadhav, learned counsel holding for Shri B.G. Sagade Patil, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

None appears for respondent No. 4.

- 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. S.O. to 24.10.2024.

MEMBER (A)

ORIGINAL APPLICATION NO. 893/2024 (Akshay Sanjay Kharpude Vs. State of Maharashtra & Ors.)

CORAM: Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

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

- 2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 1 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.
- 3. S.O. to 12.11.2024.

MEMBER (A)

O.A.NOS. 19 & 20 BOTH OF 2023

(Dr. Ajit P. Thorbole & Anr. Vs. State of Maharashtra & Ors.)

CORAM: Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

Shri S.D. Joshi, learned counsel for the applicants and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in both the matters, are present.

2. S.O. to 28.10.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

ORIGINAL APPLICATION NO. 1022/2024

(Dnyaneshwar Bhagwan Bhosale Vs. State of Maharashtra & Ors.)

CORAM: Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

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

2. S.O. to 24.10.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

ORIGINAL APPLICATION NO. 1009/2023 (Bharati Vithalrao Raut Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)

DATE : 15.10.2024

ORAL ORDER:

Shri Rahul Shimre, learned counsel holding for Shri R.K. Ashtekar, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

- 2. Learned counsel for the applicant has tendered across the bar rejoinder affidavit and the same is taken on record and copy thereof has been served on the other side.
- 3. S.O. to 13.11.2024.

MEMBER (A)