

**ORIGINAL APPLICATION NO.229/2020**  
**(Dr. Manik Sangale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Learned P.O. seeks time for filing sur-rejoinder. Time is granted.
3. S.O. to 12-10-2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO.589/2017**  
**(Kailas Waval Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri V.B.Wagh, learned Advocate for the Applicant and Smt. Deepali Deshpande, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant has filed representation of the applicant addressed to him requesting for withdrawal of O.A. In view of the same, learned Advocate for the applicant has prayed for leave to withdraw the O.A.

3. In view of above, leave as prayed for is granted. O.A. stands disposed of as withdrawn with no order as to costs.

**MEMBER (A)**

**ORIGINAL APPLICATION NO.350/2020**  
**(Ramraje Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri J.S.Deshmukh learned Advocate holding for Shri K.G.Salunke, learned Advocate for the Applicant and Shri D.R.Patil, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant has prayed for time for filing affidavit in rejoinder. Time is granted.

3. S.O. to 11-10-2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO.351/2020**  
**(Ramraje Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri J.S.Deshmukh learned Advocate holding for Shri K.G.Salunke, learned Advocate for the Applicant and Smt. Deepali Deshpande, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant has prayed for time for filing affidavit in rejoinder. Time is granted.

3. S.O. to 11-10-2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO.352/2020**  
**(Ramraje Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri J.S.Deshmukh learned Advocate holding for Shri K.G.Salunke, learned Advocate for the Applicant and Shri B.S.Deokar, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant has prayed for time for filing affidavit in rejoinder. Time is granted.

3. S.O. to 11-10-2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO.541/2021**  
**(Dr. Mangesh Ghodke Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri J.S.Deshmukh, learned Advocate for the Applicant and Shri S.K.Shirse, learned Presenting Officer for the Respondents.

2. A transfer order issued by Public Health Department, Government of Maharashtra dated 09-08-2021 (Annexure A-1) comprise transfer of on Dr. Prashant Nanasaheb Bade from Taluka Health Officer, Buldhana to Taluka Health Officer, Gangapur, District Aurangabad in place of the present incumbent i.e. applicant Dr. Mangesh Madhavrao Ghodke who in turn has not been issued with any formal transfer order. Instead, clause 5 of said transfer order dated 09-08-2021 has mention that in case the said transfer order results into posting at a position which is not vacant, ad-hoc transfer of present incumbent may be made and suitable proposal may be submitted to the Public Health Department, Government of Maharashtra for issuing formal orders of transfer. As a result of which Dr. Mangesh Madhavrao Ghodke had been relieved from Gangapur but he has not been given any posting.

3. The applicant is seeking relief in terms of getting a posting on any vacant post mentioned in his request application dated 11-07-2021 (Annexure A-6) at Aurangabad and till alternate posting is given to the applicant he may be treated as on duty. He has also challenged the transfer order issued on 09-08-2021 stating that it is in violation of the principles of natural justice and provisions of the Transfer Act.

4. In the meanwhile, issue notice to the respondents, returnable on 20.10.2021.

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

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

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

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O.A.NO.541/2021

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 20.10.2021.

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

**MEMBER (A)**

YUK ORAL ORDERS 15.09.2021



**ORIGINAL APPLICATION NO.544/2021  
(Jalpat Vasave Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri M.B.Kolpe learned Advocate holding for Shri A.S.Shelke, learned Advocate for the Applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the Respondents.

2. The applicant has been transferred from the post of Assistant Director, Local Fund Audit, Nandurbar to Deputy Accounts and Finance Officer, Maharashtra Jivan Pradhikaran, Nashik by order dated 01-09-2021 which is at Annexure A-5 paper book page 27. It appears from the submissions made in the O.A. that the applicant had orally consented for a mutual transfer with one Ms. Shabana Fakir, Assistant Director, Local Fund Audit, Dhule. Even though the mutual transfer would have been mid-term transfer, the applicant was not averse for mid-term transfer so long as he was to get posting at Dhule. However, instead of Dhule he has been transferred to Nashik. Based on above fact, it is inferred that the applicant is not aggrieved by mid-term transfer but by his transfer at a place which he has not indicated as a place of choice. Applicant is seeking interim relief of maintaining status quo.

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O.A.NO.544/2021

3. Learned P.O. is seeking two days' time for taking instructions and present minutes of meeting of the Civil Services Board which may also throw light on the authorities treating his transfer as request transfer. Till then, status quo as on today be maintained.

4. However, in the meanwhile if the applicant is already relieved or reliever has reported for joining then the impugned order of transfer be complied with.

5. S.O. to 21-09-2021.

**MEMBER (A)**

YUK ORAL ORDERS 15.09.2021

**ORIGINAL APPLICATION NO.545/2021  
(S.P.Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the Applicant and Shri M.P.Gude, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant prays for interim relief. Learned P.O. prays for time for taking instructions from the respondents and to produce the minutes of the meeting of Civil Services Board.

3. In the interregnum, status quo as on today be maintained till 21-09-2021.

**MEMBER (A)**

**M.A.NO.255/2021 IN O.A.ST.NO.1067/2021  
(Shobha Bidhe & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. M.A.No.255/2021 is 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 applicants have prayed for same relief, and to avoid the multiplicity of litigation, leave to sue jointly is 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.1067/2021  
(Shobha Bidhe & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Issue notice to the respondents, returnable on 22.10.2021.

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 (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

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O.A.ST.NO.1067/2021

produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 22.10.2021.

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

**MEMBER (A)**

YUK ORAL ORDERS 15.09.2021

**M.A.NO.296/2021 IN O.A.ST.NO.1143/2021  
(Ram Anerao & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri V.V.Gujar learned Advocate holding for Shri R.P.Bhumkar, learned Advocate for the Applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the Respondents.

2. M.A.No.296/2021 is 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 applicants have prayed for same relief, and to avoid the multiplicity of litigation, leave to sue jointly is 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.1143/2021**  
**(Ram Anerao & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri V.V.Gujar learned Advocate holding for Shri R.P.Bhumkar, learned Advocate for the Applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the Respondents.

2. Issue notice to the respondents, returnable on 22.10.2021.

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 (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



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O.A.ST.NO.1143/2021

produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 22.10.2021.

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

**MEMBER (A)**

YUK ORAL ORDERS 15.09.2021

**ORIGINAL APPLICATION NO. 542 OF 2019**  
**(Krishna B. Joshi Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri S.D. Dhongde, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri P.R. Tandale, learned Advocate for respondent No. 4. None present on behalf of respondent No. 3, though duly served.

2. Record shows that affidavit in reply on behalf of respondent No. 2 is on record.

3. At the request of learned Advocate for respondent No. 4, time is granted for filing affidavit in reply.

4. S.O. to 11.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 685 OF 2019**  
**(Shivaji R. Thakare Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 18.10.2021. Interim relief granted earlier to continue till next date.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 176 OF 2021**  
**(Ganesh B. Gambhire Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

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

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

3. S.O. to 20.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 183 OF 2021**  
**(Satyajeet M. Ambhore Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Record shows that affidavit in reply on behalf of respondent Nos. 2 & 3 is on record.

3. Record shows that it is already recorded that in the facts and circumstances, affidavit in reply of respondent No. 1 is necessary.

4. Today, learned Presenting Officer placed on record a copy of communication dated 14.09.2021 received from the respondent No. 1 along with G.Rs. dated 21.09.2017, 20.05.2015 & 21.08.2021 issued by the G.A.D.. Same are taken on record and marked as document 'X' collectively for the purpose of identification.

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O.A. No. 183/2021

5. It is stated that the matter is referred by the respondent No. 1 to G.A.D. for further necessary action.

6. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent No. 1.

7. The applicant also can consider whether the G.A.D. would be a necessary party.

8. S.O. to 14.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 191 OF 2021**  
**(Sandip W. Khadse Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri R.J. Nirmal, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer submits that para-wise remarks are received and the matter is sent for approval of the Government and therefore, she seeks time for filing affidavit in reply. Time granted.

3. S.O. to 22.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 277 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 : 15.09.2021**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant submits that he would file rejoinder affidavit during the course of the day.

3. S.O. to 15.11.2021. Interim relief granted earlier to continue till next date.

**MEMBER (A)**

**MEMBER (J)**



**M.A. No. 81/2021 in O.A. St. No. 253/2021**  
**(Sahebrao B. Chavhan Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. At the request of learned Chief Presenting Officer for the respondents, last chance is granted for filing affidavit in reply in M.A.

3. S.O. to 11.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 32/2021 in O.A. St. No. 138/2021**  
**(Gopal D. Ghuge Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

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

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

3. S.O. to 29.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 169/2021 in O.A. St. No. 141/2021  
(Anil J. Kande & Anr. Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri S.D. Munde, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 29.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**C.P. No. 27/2019 in O.A. No. 260/2017  
(Bhagwat D. Bedke Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri V.V. Gujar, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 to 3. Smt. Ujjwal Agarwal, learned Advocate for respondent No. 4, **absent.**

2. Learned Presenting Officer placed on record a copy of Circular dated 03.11.2008 issued by the Finance Department, which is reference in the Farad Sheet of earlier order dated 05.07.2021. Same is taken on record and marked as document 'X' for the purpose of identification.

3. At the request of learned Advocate for the applicant, S.O. to 21.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 435 OF 2019**  
**(Sadhu K. Lohar Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri H.A. Joshi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The present matter is admitted and it be kept for final hearing on 29.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**O.A. Nos. 468, 469 & 478 All of 2020**  
**(Kuldeep I. Chole & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri Sandeep D. Munde, learned Advocate for the applicants in all these O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these O.As.

2. The present matters are admitted and it be kept for final hearing on 26.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 93/2017 with M.A. 409/2014 in O.A. St.  
No. 1452/2014  
(Manjushree B. Deshpande Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. The M.A. No. 409/2014 for condonation of delay be kept for hearing.

3. S.O. to 26.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 79/2021**  
**(Anil S. Puranik Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Learned C.P.O. has filed affidavit in reply of respondent no. 4. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 13.10.2021.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 289/2021**  
**(Madhukar L. Pradhan Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant submits that the applicant is not getting even the provisional pension since 1.1.2021 and only one month's provisional pension is paid to him after filing of the present O.A.

3. Learned P.O. submits that he would take necessary instructions from the concerned respondents in this regard and on the next date he would file affidavit in reply of the respondents.

4. In the above circumstances, the learned P.O. is directed to ensure that the provisional pension is paid to the applicant, if there are no legitimate hurdles.

5. S.O. to 5.10.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 290/2021**  
**(Syyad Yusuf Syyad Lal & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri P.V. Suryawanshi, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 13.10.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 443/2021**  
**(Suresh L. Gaikwad & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Learned Presenting Officer has filed affidavit in reply of respondent no. 3. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 13.10.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 291/2021**  
**(Dattatraya M. More Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks time for filing affidavit in reply of the respondents. Time granted.
3. S.O. to 6.10.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 354/2021**  
**(Saraswati M. Gudmewad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri S.A. Deshmukh, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply of the respondents. Time granted.
3. S.O. to 14.10.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 380/2021**  
**(Prabhakar A. Bhagat Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Shri N.L. Choudhari, learned Advocate for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

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

3. S.O. to 14.10.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 434/2021**  
**(Sanjay D. Phule Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Learned Advocate has placed on record the copy of application of the applicant dated 15.9.2021 seeking permission to allow him to withdraw the present O.A. stating that his grievance is redressed during the pendency of the O.A. Copy of said application of the applicant is taken on record and marked as document 'X' for the purpose of identification.

3. In view of above, permission as sought for by the applicant is granted. Accordingly, the present O.A. stands disposed of as withdrawn with no order as to costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 436/2021**  
**(Adinath V. Mundhe Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. S.O. to 13.10.2021.

**MEMBER (J)**



**M.A. 218/2020 IN O.A. 456/2020**  
**(Ashok B. Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks time for filing affidavit in reply of the respondents in the M.A. Time granted.

3. S.O. to 14.10.2021.

**MEMBER (J)**

ARJ ORAL ORDERS 15.09.2021

**ORIGINAL APPLICATION NO. 542/2021**  
**(Dr. Sunil K. Palhal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. This O.A. is filed challenging the transfer order of the applicant dated 30.8.2021 (Annex. A-1) thereby transferring the applicant from the post of Medical Officer Group-B, Ayurvedic Dispensary, P.H.U., Jogwada, Tq. Jintur, Dist. Parbhani to Ayurvedic Dispensary, Panewadi, Tq. Ghansawangi, Dist. Jalna.

3. It is the case of the applicant that he is working on the present post since 22.7.2019 as reflected in joining report dated 5.8.2019 (page 27). The applicant is native of Aurangabad District, and therefore, vide the representation dated 17.10.2019 the applicant requested the authorities to transfer him in Aurangabad District, however, his said request was not considered in the years 2019, 2020 & 2021. It is further contended that the case of the applicant and one Dr. V.D. Kale along with others was placed in the

meeting of Civil Services Board on 28.7.2021. However, request of both of them was rejected. Meanwhile, the applicant had made representation dated 14.7.2021 thereby requesting the authorities for his transfer to P.H.U., Avhana & Unani Dispensary, Shivana, Dist. Aurangabad. However, his said request was not considered by the respondents. Thereafter by the order dated 24.8.2021 (Annex. A-6) the applicant was transferred to Ghatnandra in place of Dr. V.D. Kale and said Dr. V.D. Kale was transferred to Wadapokharan, Dist. Palghar. Said Dr. V.D. Kale challenged the said order before this Tribunal by filing O.A. no. 486/2021. The said transfer order dated 24.8.2021 of Dr. V.D. Kale is stayed by this Tribunal vide order dated 26.8.2021. Thereafter, by the impugned order dated 30.8.2021 the earlier transfer order dated 24.8.2021 of Dr. V.D. Kale is cancelled by the respondents and therefore, Dr. Kale has continued to work at Ghatnandra, and therefore, the said post at Ghatnandra is not available for the applicant.

4. It is further contended that by the impugned order dated 30.8.2021 (Annex. A-1) the applicant has been transferred to Ayurvedic Dispensary, Panewadi,

Tq. Ghansavangi, Dist. Jalna by partially modifying his earlier transfer order dated 24.8.2021. The impugned order dated 30.8.2021 is mid tenure order. Learned Advocate for the applicant submits that the procedure as contemplated U/s 4(4)(ii) & 4(5) of the Transfer Act, 2005 is not followed by the respondents. It is further submitted by the learned Advocate that the applicant & the respondent no. 5 – Dr. Manisha Uttamrao Andhale - have not been relieved from their present posts as of now. The respondent no. 5 by the impugned order is transferred to the place held by the applicant. In view of the same, he seeks interim stay to the impugned order dated 30.8.2021.

6. Learned P.O. on the other hand submitted that he has to seek instructions as to whether the applicant as of now is relieved or not. He also seeks time for filing affidavit in reply of the respondents.

7. Perusal of the impugned transfer order dated 30.8.2021 would show that so far as the applicant and 6 others mentioned in the said order are concerned, there is no mention therein that the said order is passed by following the procedure as laid down U/s 4(4)(ii) & 4(5) of the Transfer Act, 2005. It is the fact

that the applicant has hardly completed the tenure of about 2 years. His normal tenure is of 3 years, and therefore, it is mid tenure transfer.

8. Perusal of the earlier transfer order of the applicant dated 24.8.2021 (Annex. A-6) would show that it is passed U/s 4(4) and 4(5) of the Transfer Act, 2005. As the applicant has been again transferred by the impugned order dated 30.8.2021 by partially modifying the earlier transfer order dated 24.8.2021 (Annex. A-6), it was incumbent upon the respondents to follow the procedure as laid U/s 4(4) and 4(5) of the Transfer Act, 2005, more particularly placing the proposal before the Civil Services Board. Subsequently, the impugned transfer order of the applicant dated 30.8.2021 is issued within the span of 6 days from the date of earlier transfer order dated 24.8.2021.

9. Considering the above facts, it cannot be said that the case of the applicant would have been placed before the Civil Services Board for approval. In view of the same irresistible view can be taken that the impugned order dated 30.8.2021 (Annex. A-1) is passed in contravention of the provisions of section

4(4) and 4(5) of the Transfer Act, 2005. Therefore, in my opinion, this is a fit case to grant interim stay in terms of para 9(a) of the O.A. to the operation and execution of the impugned order dated 30.8.2021 (Annex. A-1), to the extent of the applicant, till filing of affidavit in reply by the respondents. Ordered accordingly.

10. Issue notice to the respondents, returnable on 18.10.2021.

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

12. 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.

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

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**O.A. NO. 542/2021**

14. 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.

15. S.O. to 18.10.2021.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 285/2021**  
**(Hemant S. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks time for filing affidavit in reply of the respondent no. 1. Time granted.

3. S.O. to 13.10.2021.

**MEMBER (J)**



**M.A. 196/2021 IN M.A. ST. 780/2021 IN O.A.  
198/2020  
(Harishchandra B. Bhujbal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri Walmik S. Jadhav, 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, issue fresh notice to the respondents in M.A. No. 196/2021, returnable on 18.10.2021.

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

::-2-::

**M.A. 196/2021 IN M.A. ST.  
780/2021 IN O.A. 198/2020**

(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 18.10.2021.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 543/2021**  
**(Sanjay G. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Issue fresh notice to the respondents, returnable on 1.10.2021.

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 (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

::-2-::

**O.A. NO. 543/2021**

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 1.10.2021.

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

**MEMBER (J)**

ARJ ORAL ORDERS 15.09.2021

**ORIGINAL APPLICATION NO. 540/2021**  
**(Bhujang V. Godbole Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Issue fresh notice to the respondents, returnable on 12.10.2021.

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 (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 12.10.2021.

8. Learned C.P.O. to produce the concerned original file on the next date for perusal of the Tribunal.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 532/2021**  
**(Kaviraj J. Kucche Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri K.G. Salunke, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent nos. 1 & 2 and Shri N.B. Narwade, learned Advocate for respondent no. 3.

2. Shri Narwade, learned Advocate has filed affidavit in reply of res. no. 3. It is taken on record and copy thereof has been supplied to other side.

3. Learned P.O. seeks time till tomorrow for taking instructions on the line of order dated 14.9.2021. Time granted as prayed for.

4. S.O. to 16.9.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 907/2019**  
**(Dr. N.V. Korde Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent nos. 1 to 4 and Shri C.V. Dharurkar, learned Advocate for respondent no. 6. None appears for respondent no. 5.

2. Record shows that affidavit in reply is already filed by the respondent no. 6. Learned P.O. seeks time for filing affidavit in reply of respondent nos. 1 to 4. Time granted.

3. S.O. to 8.10.2021.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 981/2019**  
**(Ravnindra K. Deshmukh Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Learned Presenting Officer has filed affidavit in reply of the respondents. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 11.10.2021 for filing rejoinder affidavit, if any.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 50/2021**  
**(Ravindra K. Deshmukh Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks time for filing affidavit in reply of the respondents. Time granted.
3. S.O. to 11.10.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 748/2017**  
**(Parasram N. Sonawane Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Ms. Anagha Pandir, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent nos. 1, 2, 4, 5 & 6.

2. Shri Vijaykumar Ramchandra Ingale, Deputy Engineer, Zilla Parishad, Minor Irrigation Sub Division, Harsul, Tq. Tryambakeshwar, Dist. Nashik is present in the court hall and he has filed affidavit in reply of respondent no. 3. It is taken on record and copy thereof has been supplied to other side.

3. On the request of learned P.O., S.O. 8.10.2021 for filing affidavit in reply of concerned respondents to the amended O.A.

**MEMBER (J)**

**M.A. 259/2020 IN O.A. ST. 877/2020**  
**(Vilas M. Yadav & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Record shows that affidavit in reply is already filed by the respondents in the M.A.

3. In the circumstances, with the consent of both the sides, S.O. to 14.10.2021.

**MEMBER (J)**

**M.A. 260/2020 IN O.A. ST. 879/2020**  
**(Indrakumar S. Auti Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Record shows that affidavit in reply is already filed by the respondents in the M.A.

3. In the circumstances, with the consent of both the sides, S.O. to 14.10.2021.

**MEMBER (J)**

ARJ ORAL ORDERS 15.09.2021

**M.A. 261/2020 IN O.A. ST. 881/2020**  
**(Rahul V. Manjare & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Record shows that affidavit in reply is already filed by the respondents in the M.A.

3. In the circumstances, with the consent of both the sides, S.O. to 14.10.2021.

**MEMBER (J)**

ARJ ORAL ORDERS 15.09.2021

**M.A.280/2019 IN O.A.ST.1110/2019**  
**(Sunil H. Pachawane Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. The present case is heard at length and reserved for orders.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 15.9.2021-HDD

**M.A.59/2021 IN O.A.ST.208/2021**  
(Namdeo B. Dhakne Vs. State of Maharashtra & Ors.)

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The present case is heard at length and reserved for orders.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 15.9.2021-HDD



**M.A.271/21 WITH M.A.95/21 IN O.A.170/21  
(Shivkumar V. Chivde Vs. State of Maharashtra & Ors.)**

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

**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Ms. Angha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 4 and Shri J.P. Legal, learned Advocate for respondent Nos. 5 to 7.

2. Learned Chief Presenting Officer has filed common affidavit in reply on behalf of respondent No. 4 in O.A. No. 170/2021 and M.A. No. 95/2021 and the same is taken on record and copy thereof has been served on the other side.

3. Learned Advocate for respondent Nos. 5 to 7 has also filed affidavit in reply on their behalf in O.A. No. 170/2021 and the same is taken on record and copy thereof has been served on the other side.

4. Learned Advocate for respondent Nos. 5 to 7 submits that he has received copy of M.A. today itself.

5. In view of the above, S.O. to 29.10.2021 for filing affidavit in reply on behalf of the respondent Nos. 1 to 3.

**MEMBER (A)**

**MEMBER (J)**

**M.A.272/21 WITH M.A.96/21 IN O.A.171/21  
(Shivkumar V. Chivde Vs. State of Maharashtra & Ors.)**

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

**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Ms. Angha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri J.P. Legal, learned Advocate for respondent Nos. 5 & 6.

2. Learned Chief Presenting Officer has filed common affidavit in reply on behalf of respondent No. 4 in O.A. No. 171/2021 and M.A. No. 96/2021 and the same is taken on record and copy thereof has been served on the other side.

3. Learned Advocate for respondent Nos. 5 & 6 has also filed affidavit in reply on their behalf in O.A. No. 171/2021 and the same is taken on record and copy thereof has been served on the other side.

4. Learned Advocate for respondent Nos. 5 & 6 submits that he has received copy of M.A. today itself.

5. In view of the above, S.O. to 29.10.2021 for filing affidavit in reply on behalf of the respondent Nos. 1 to 3.

**MEMBER (A)**

**MEMBER (J)**

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

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. At the request and by consent of both the parties, S.O. to 24.9.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 537 OF 2019**  
**(Narendra R. Thakur Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Ms. Angha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. At the request and by consent of both the parties, S.O. to 1.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 160 OF 2018**  
**(Nilesh P. Bansude Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri Sachin S. Panale, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request and by consent of both the parties, S.O. to 11.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 844 OF 2018**  
(Navnath M. Shendekar Vs. State of Maharashtra & Ors.)

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri A.N. Nagargoje, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request and by consent of both the parties, S.O. to 11.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 666 OF 2018**  
**(Laxmi S. Gadge Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Shri Vivek G. Pingle, learned Advocate for the applicant has filed leave note. Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 20.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1 OF 2019**  
**(Laxman V. Bharde Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. At the request and by consent of both the parties, S.O. to 20.10.2021.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 384 OF 2019**  
**(Vinayak B. Kapse & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri Mahendra B. Kolpe, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request and by consent of both the parties, S.O. to 28.9.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 941 OF 2019**  
**(Dr. Shukracharya G. Dudhal Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Ms. Angha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request and by consent of both the parties, S.O. to 1.10.2021.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 15.9.2021-HDD

**ORIGINAL APPLICATION NO. 320 OF 2020**  
**(Santosh N. Dhongde Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. At the request and by consent of both the parties, S.O. to 1.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 174 OF 2021**  
**(Shaikh Musa Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri H.M. Shaikh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request and by consent of both the parties, S.O. to 18.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 291/2021 IN O.A.NO. 657/2018**  
**(Ayiesha Feroz Khan Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. At the request and by consent of both the parties, S.O. to 1.10.2021.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 15.9.2021-HDD

**M.A. 285/2021 IN M.A. 212/21 IN O.A. 694/2018  
(Somnath S. Reddy Vs. State of Maharashtra & Ors.)**

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

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3, Shri Kakasaheb B. Jadhav, learned Advocate holding for Shri M.S. Sonwane, learned Advocate for respondent No. 4 and Shri Ajay Deshpande, learned Advocate for respondent Nos. 5 & 6.

2. Learned Chief Presenting Officer seeks modification of order dated 9.8.2021 passed by this Tribunal in M.A. No. 212/2021 granting ad-interim relief in terms of prayer clause 15 (B) of M.A. No. 212/2021.

3. Learned Advocate for the applicant strongly opposed the aforesaid submissions made by the learned Chief Presenting Officer for the respondent Nos. 1 to 3.

4. The present case is heard at length and reserved for orders. Interim relief granted earlier in M.A. No. 212/2021 to continue till then.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION ST. NO. 1136 OF 2021  
(Smt. Abhilasha K. Mhaske Vs. State of Maharashtra &  
Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**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 was required to justify admissibility of the present Original Application as alternate remedy of appeal against the impugned order of suspension had not been exhausted. In that background, he has filed a copy of memo of appeal dated 1.9.2021 filed by the applicant before the Appellate Authority i.e. the District Collector, Aurangabad against the impugned order of suspension dated 06.08.2021.

3. Learned Advocate for the applicant has also filed copies of two judgments delivered by the Hon'ble High Court of Judicature at Bombay Bench at Aurangabad in W.P. No. 8137/2014 (Sureshing Kunusing Taji Vs. the State of Maharashtra and another) and W.P. No. 9660/2014 (the State of Maharashtra Vs. Dr. Subhash Dhondiram Mane to make out a point that the Tribunal can admit the O.A., if it is not practically possible to get relief from alternate remedy available to him under the

provisions of Maharashtra Civil Services (Discipline and Appeal) Rules, 1979. The same are taken on record and marked as document 'X' for the purpose of identification. However, the arguments are no longer relevant in view of appeal filed by the applicant against the impugned order of suspension.

4. Learned Presenting Officer submitted that as alternative remedy is being exhausted by the applicant, the Appellate Authority may be given sufficient time to decide the said appeal. As requested by the learned Presenting Officer, Appellate Authority i.e. the District Collector, Aurangabad is hereby directed to decide the appeal filed by the applicant within a period of 8 weeks i.e. by 16.11.2021.

5. If the applicant aggrieved by the order of Appellate Authority, he will be at liberty to approach this Tribunal by filing a fresh Original Application.

6. Accordingly, the present Original Application stands disposed of with no order as to costs.

**MEMBER (A)**



**ORIGINAL APPLICATION NO. 83 OF 2021  
(Ashok R. Tonde & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

Heard Shri Gajanan K. Kshirsagar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 24.9.2021 for filing rejoinder affidavit.

**MEMBER (A)**

ORAL ORDERS 15.9.2021-HDD

**ORIGINAL APPLICATION NO. 428 OF 2021  
(Pravin K. Gawande Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant has filed copies of two Government Orders dated 27.8.2021 and 30.8.2021 and the same are taken on record and marked as document 'X' & 'X-1' respectively for the purpose of identification.

3. Learned Presenting Officer has assured to place on record copy of minutes of meeting of the Civil Services Board relating to the impugned order by tomorrow.

4. S.O. to 16.9.2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO. 406 OF 2019**  
**(Dayanand V. Kadam Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. As per the oral order passed by the Hon'ble Chairperson of this Tribunal dated 20.1.2021 the present case is fixed for final hearing. However, thereafter it is not come on board. Learned Advocate for the applicant submits that he has already received a copy of affidavit in reply filed on behalf of respondent Nos. 1 to 4 as well as a copy of short affidavit filed on behalf of respondent No. 4. He further submits that he does not wish to file rejoinder affidavit.

3. In view of the above, the present case is kept for final hearing on 18.10.2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO. 97 OF 2020  
(Tukaram V. Sanap Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. It appears from the proceedings that affidavit in reply on behalf of respondent Nos. 2 and 3 has already been filed on record. It further appears that rejoinder affidavit has already been filed on record by the applicant.

3. On instructions, learned Presenting Officer submits that separate affidavit in reply of respondent No. 1 is not required.

4. Pleadings are complete. The present case is fixed for final hearing on 21.10.2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO. 629 OF 2019  
(Masarat Begam Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

Shri Vivek G. Pingle, learned Advocate for the applicant has filed leave note. Shri B.S. Deokar, learned Presenting Officer for the respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 13.10.2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO. 583 OF 2018**  
**(Sahebrao A. Sormare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant has filed written notes of arguments along with copies of case laws. It is taken on record and copy thereof has been served on the learned Presenting Officer for the respondents.

3. Learned Presenting Officer submits that he has no comment on written notes of arguments filed by the applicant. He further submits that affidavit in reply may be treated as written notes of arguments.

4. In view of the above, the present case is closed for orders.

**MEMBER (A)**

**M.A.NO. 160/2020 IN O.A.NO. 712/2018**  
**(Sandipan A. Gawali Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 15.09.2021**

**ORAL ORDER :**

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

2. Issue notices to the respondents in M.A. No. 160/2020, returnable on 22.10.2021.

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 (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

**:: - 2 - ::**

**M.A.NO. 160/2020  
IN O.A.NO. 712/2018**

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

7. S.O. to 22.10.2021.

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

**MEMBER (A)**

ORAL ORDERS 15.9.2021-HDD



**DATE : 15.09.2021**

**ORIGINAL APPLICATION NO. 524 OF 2021**

**(Hanumant R. Kulkarni Vs. The State of Maharashtra & Ors.)**

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

1. Shri S.S. Dargad, 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 04.10.2021. The case be listed for admission hearing on 04.10.2021.
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.

**REGISTRAR**

**DATE : 15.09.2021**

**M.A. No. 292/2021 in O.A. St. No. 1215/2021  
(Anil V. Mule Vs. The State of Maharashtra & Ors.)**

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

1. Shri R.N. Chavan, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents in M.A., returnable on 08.10.2021. The case be listed for admission hearing on 08.10.2021.
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.

**REGISTRAR**

**DATE : 15.09.2021**

**ORIGINAL APPLICATION NO. 547 OF 2021**

**(Jalamsing D. Valvi Vs. The State of Maharashtra & Ors.)**

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

1. Shri S.D. Dhongde, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Circulation is granted. Issue notices to the respondents, returnable on 08.10.2021. The case be listed for admission hearing on 08.10.2021.

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.

**REGISTRAR**