

**ORIGINAL APPLICATION NO. 1032 OF 2022**  
**(Bismilla D. Tadvi Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Heard Shri A.M. Hajare, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. I have heard the learned counsel for the applicant for some time.

3. It appears that way back in the year 2003, the similarly situated persons along with the applicant had approached to this Tribunal by filing the Original Application No. 252/2003 with Misc. Application No. 69/2008 and so far as the applicant is concerned, in paragraph No. 20 it is observed by this Tribunal that the applicant Shri Bismilla Daut Tadvi appears to have completed 240 days' in each of the five years. At present the respondents have come with the case that mistakenly while filing the affidavit in reply in O.A. 252/2003 before the Tribunal the number of working days of the applicant as against the year 01.11.1989 to 31.10.1990 were mentioned wrongly as 307 days

//2// O.A. 1032/2022

instead of 207 days. In order to substantiate the same, the respondents have annexed the relevant documents.

4. In view of above, the learned counsel for the applicant is requested to find out whether the applicant in the aforesaid O.A.No. 252/2003 whose applications came to be rejected by this Tribunal have approached to the Hon'ble High Court of Bombay, Bench at Aurangabad and if it is so, file the copy thereof along with final order, if any.

5. Learned P.O. is also requested to place on record the G.R. dated 31.01.1996 and is also requested to take instructions from the respondents as to whether the applicants in the said O.A.No. 252/2003 have preferred any Writ Petition before the Hon'ble High Court of Bombay, Bench at Aurangabad and the present status of the said Writ Petition, if any.

6. S.O. to 08.03.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1091 OF 2022**  
**(Babasaheb N. Rakte Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Shri G.R. Jadhav, learned counsel holding for Shri A.S. Shelke, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 08.03.2024 for hearing.

**MEMBER (J)**

ORAL ORDER 16.01.2024 sas

**ORIGINAL APPLICATION NO. 22 OF 2023  
(Sudhakar O. Jadhava Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 12.02.2024 for hearing.

**MEMBER (J)**

**O.A.No. 44/2023 With Caveat NO. 03 OF 2023  
(Prashant B. Kachhawa Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Shri K.G. Salunke, learned counsel for the applicant, is present.

2. Learned counsel holding for Shri Ajay Deshpande, learned counsel submits that after remand of this matter by Hon'ble High Court of Bombay, Bench at Aurangabad, learned counsel has no further instructions to appear as Special Counsel for the respondents.

3. In view of submissions, learned C.P.O. seeks time to take further instructions from the concerned department with regard to the same.

4. S.O. to 30.01.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 166 OF 2023**  
**(Sunil R. Kharat Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Shri Joslyn Menezes, learned counsel holding for Smt. Amruta Paranjape Menezes, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. It appears that the pagination is not correctly done. However, so far as the minutes of meeting along with decision submitted with affidavit in reply which is marked as Annexure. 'R-4', the said minutes are not readable.

3. Learned Presenting Officer is requested to correct the pagination and submit typed copy of the said minutes. Similarly learned counsel for the applicant is also requested to give the pagination to rejoinder.

4. S.O. to 05.02.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 508 OF 2023**  
**(Shalini P. Bidarkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

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

2. By consent of both the sides, S.O. to 20.02.2024 for hearing.

**MEMBER (J)**

ORAL ORDER 16.01.2024 sas

**ORIGINAL APPLICATION NO. 502 OF 2017  
(Public Prosecutors Association, Maharashtra State,  
Through its President & Vice President Vs. State of  
Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

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

2. By consent of both the sides, S.O. to 12.02.2024 for final hearing.

**MEMBER (J)**

ORAL ORDER 16.01.2024 sas



**O.A.NOS. 623, 624, 625 & 626 ALL OF 2023  
(Taufik Ali Shaukat Ali & Ors. Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Shri V.U. Rathod, learned counsel for the applicants in all these O.As. and S/Shri B.S. Deokar, D.R. Patil, learned Presenting Officers for the respondent authorities in respective O.As, are present.

2. Learned counsel for the applicants seeks time to file affidavit in rejoinder on behalf of applicants. Time granted.

3. S.O. to 28.02.2024.

**MEMBER (J)**

ORAL ORDER 16.01.2024 sas

**ORIGINAL APPLICATION NO. 641 OF 2023**  
**(Ranjeet N. Andhale Vs. State of Maharashtra & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE :** **16.1.2024**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicant and Mrs. Deepali S. Deshpande, 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 Nos. 1 & 2 and the same is taken on record and the copy thereof has been served on the other side.

3. At the request of learned counsel for the applicant, S.O. to 5.2.2024 for filing rejoinder affidavit, if any. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

ORAL ORDER 16.1.2024-HDD

**ORIGINAL APPLICATION NO. 1049 OF 2023**  
**(Shivaji R. Kachare & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE :** **16.1.2024**

**ORAL ORDER :**

Heard Shri S.S. Dambe, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The respondents are directed to place on record entire merit list of the Limited Departmental Competitive Examination of 2002 on the next date.

3. S.O. to 24.1.2024.

**VICE CHAIRMAN**

ORAL ORDER 16.1.2024-HDD

**ORIGINAL APPLICATION NO. 208 OF 2023**  
**(Suryabhan Eknath Pawar Vs. State of Maharashtra & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE :** **16.1.2024**

**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. Learned Presenting Officer submits that respondent Nos. 2 & 3 have already filed their affidavit in reply, in view of that other respondents do not wish to file any separate affidavit in reply and are adopting affidavit in reply filed by respondent Nos. 2 & 3.

3. S.O. to 5.2.2024. . Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

ORAL ORDER 16.1.2024-HDD

**ORIGINAL APPLICATION NO. 807 OF 2022**  
**(Mohd. Razakhan Mohd Abdul Sattarkhan Vs. State of Maharashtra & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
(This matter is placed before the Single Bench due to non-availability of Division Bench)

**DATE :** **16.1.2024**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 26.2.2024.

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 26.2.2024.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 755 OF 2022**  
**(Sopan R. Suryawanshi Vs. State of Maharashtra & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE :** **16.1.2024**

**ORAL ORDER :**

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

2. S.O. to 6.2.2024. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

ORAL ORDER 16.1.2024-HDD

**O.A.ST.NO. 1980/2023 WITH M.A.NO. 515/2023  
(Mahendrasing V. Padvi & Ors. Vs. State of Mah. & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE :** **16.1.2024**

**ORAL ORDER :**

Heard Shri S.U. Choudhari, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. The present case is not on board. It is taken on board at the request of learned counsel for the applicant.

3. On instructions, learned counsel for the applicants seeks leave of this Tribunal to withdraw the present Original Application. Hence, the following order: -

**ORDER**

(i) The Original Application stands disposed of since withdrawn.

(ii) Since today Original Application itself stood disposed of since withdrawn nothing survives in M.A. No. 515/2023 and the same also stands disposed of.

(iii) There shall be no order as to costs.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 47 OF 2024  
(Shantanu Dattatray Giri Vs. State of Mah. & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.1.2024**

**ORAL ORDER :**

Heard Shri (Dr.) R.J. Godbole, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. The applicant had applied for the post of Administrative Officer in the Medical Education and Drugs Department in pursuance of the advertisement issued by the Maharashtra Public Service Commission (for short 'the Commission') on 30.03.2022. Total 04 posts are advertised, out of which 01 post is reserved for NT-B category candidates. The applicant claims to be belonging to NT-B category. He applied for the subject post from the said category. He appeared for written examination and secured 50 marks therein. For NT-B category candidate the cutoff was provided of 43.50 marks. The applicant thus, received more marks than cutoff marks. Thereafter, list of



candidates who were to be called for interview was published by the Commission. The name of the applicant is not mentioned in the said list.

3. The Commission has also published the list of the candidates who are declared not eligible and in the said list the name of the applicant appeared and the reason which has been assigned for holding the applicant ineligible is that he is of overage, as well as, experience possessed by him is of the services rendered in the private organizations or institutes, whereas according to the advertisement it shall be of the working in the Government organization or the local body.

4. Shri Godbole, learned counsel appearing for the applicant submits that the reasons which are assigned by the Commission for holding the applicant ineligible are apparently unsustainable. Learned counsel pointed out that the applicant had experience of 14 years of working, out of which most of the period he has worked on the post of Principal which is a higher post. The certificates of experience are placed on record by the applicant,

which are from pages 18 to 24 of the paper book. Learned counsel submitted that the experience of having worked in private institution cannot be ignored or else it would amount to discrimination and would be violative of Article 14 of the Constitution of India.

5. Referring to clause 7.2.5 of the advertisement, learned counsel submitted that upper age limit is relaxable if the candidate is having experience of working on higher post than the post of which the experience is required. Learned counsel submitted that as mentioned in clause 8.2 of the advertisement the candidate is expected to possess the experience of working not less than 05 years on the post not inferior or subordinate to the post of Superintendent or any higher post. The experience of working in the local bodies is given equivalence with the experience of working in the Government Organizations. Learned counsel submitted that on both the counts the applicant has *prima facie* proved his eligibility and, as such, his candidature cannot be kept out of consideration. Learned counsel in the circumstances has prayed for interim order while

issuing notices to the respondents thereby directing the respondents to call the present applicant also for interview subject to outcome of the present O.A.

6. Shri M.P. Gude, learned Presenting Officer has opposed for grant of any such interim relief. Learned P.O. submitted that there is a specific clause in the advertisement which prescribes the experience of working in the Government or on the equivalent post in the local bodies or corporations. Learned P.O. further submits that when there was a specific clause prescribing the experience as aforesaid and if the applicant had some reservation about the condition so incorporated, the applicant must have objected to the said condition before participating in the selection process. Learned P.O. submitted that after having participated in the selection process without challenging the said clause in the advertisement the applicant is now estopped from raising any objection to the said condition. Learned P.O. further submitted that the requirement so mentioned in the relevant clause of the advertisement that of possessing experience of working in the Government organization or the local

bodies or corporations cannot be in any sense held to be arbitrary or violative of Article 14 of the Constitution. Learned P.O. submitted that in such circumstances, on both the counts i.e. having crossed age limit and not holding the required experience, the respondents have rightly named the applicant in the list of not eligible candidates. Learned P.O. submitted that *prima facie* there is no case in favour of the applicant and, as such, no interim relief can be granted in favour of the applicant.

7. I have duly considered the submissions made on behalf of the applicant, as well as, State authorities. I have perused the documents filed on record by the applicant.

8. Insofar as the age limit is concerned, it is 43 years for the candidates coming from the reserved category. The applicant claims himself to be belonging to NT-B category for which the age limit may be of 43 years. It is not in dispute that the applicant on the date of making application had crossed the age limit may be by 04 days. Though

the applicant holds the requisite educational qualification, insofar as experience is concerned undisputedly the applicant does not have experience of working on any post in the Government or in the local self-bodies or corporations. The certificates which are produced on record by the applicant are of the private institutes. From the certificate though it appears that the applicant had worked on the post of Principal, there is no document showing that the post on which the applicant worked was the post duly approved and the institution, wherein the applicant worked was possessing the recognition from the State Government.

9. Learned counsel for the applicant further submits that the applicant will place on record the documents showing that the institute where he worked was recognized institute by the State Government. Presently, the applicant is working in the Nursing College of Kamal Nayan Bajaj Hospital. As has been argued by the learned counsel for the applicant, the applicant has questioned the legality of clause 8.2 in the advertisement. The question however, arises that without raising any challenge to

the said terms, which are expressly mentioned in the advertisement when the applicant has participated in the recruitment process it is open for him to raise a challenge now. Considering the fact as aforesaid it does not appear to me that any *prima facie* case can be said to be made out by the applicant for grant of interim relief as has been prayed by him. However, interest of the applicant can be protected by making the selection process for the post of Administrative Officer and appointment made, if any on the said post subject to outcome of the present original application. In the circumstances, the following order is passed: -

**ORDER**

- (i) Issue notices to the respondents, returnable on 27.02.2024. **It is clarified that selection process for the post of Administrative Officer and appointment made, if any on the said post shall be subject to outcome of the present original application.**
- (ii) Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- (iii) Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper

book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

(vi) S.O. to 27.02.2024.

(vii) Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**

**M.A.NO. 20/2024 IN O.A.ST.NO. 63/2024**  
**(Shubham M. Vanjare & Ors. Vs. State of Mah. & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE :** **16.1.2024**

**ORAL ORDER :**

Heard Ms. Neha B. Kamble, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

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

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

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

**VICE CHAIRMAN**

ORAL ORDER 16.1.2024-HDD



**ORIGINAL APPLICATION ST.NO. 63 OF 2024**  
**(Shubham M. Vanjare & Ors. Vs. State of Mah. & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE :** **16.1.2024**

**ORAL ORDER :**

Heard Ms. Neha B. Kamble, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

Shri Kalyan V. Patil, learned counsel for the intervenor is **absent**.

2. The grievance of the applicants is that the method of equalization has been adopted by the respondents without disclosing the said aspect in the advertisement, whereby the applications of the candidates were invited by the respondents. It is also the contention of the applicants that parameters adopted for equalizing the marks have not been disclosed at any stage of the said process. Learned counsel for the applicants has argued that the process carried out having no transparency therein, in fact is liable to be set aside on that count alone. It has been pointed out that the equalization has

also not been properly made since the examples are noticed, wherein in the same set variance in the marks are explicit. In the circumstances, the prayer has been made for grant of interim relief while issuing notices in the matter to direct the respondents not to issue final orders of appointment till decision of the present O.A.

3. Learned counsel for the applicants during the course of her arguments submitted that the respondents are expected to place on record parameters which have been applied at the earliest so that the applicants may be in a position to examine the matter from that angle.

4. Learned Chief Presenting Officer has submitted that the process which has been adopted is time tested systematic method, which has been adopted in some previous recruitment process also. Learned C.P.O. submitted that when number of candidates applying for the post is large and if written tests are required to be conducted in sessions; it is permissible to adopt equalization process. According to the learned P.O., no apparent error has been

committed by the respondents and, as such, the entire recruitment process cannot be arrested. He, therefore, prayed for rejecting the request of interim relief.

5. I have duly considered the submissions made on behalf of the parties. As has been argued and which is revealing from the documents, it appears that the recruitment process has reached up to the stage of completing document verification and thus only part which remains is of issuance of the order of appointments. As has been contended by the learned counsel, the process of issuance of appointment order has already begun and it is noticed that the moment document verification was completed, immediately thereafter order of appointments have been issued in favour of some candidates, which is never seen before.

6. After having considered the submissions as aforesaid and after having noticed that the recruitment process is on the verge of its completion though I am not inclined to accept the request of the applicants to restrain the respondents from issuing

the orders of appointment, the applicants have certainly made out a case for making the selection process and appointments which are likely to be issued subject to outcome of the present O.A. Hence the following order: -

**ORDER**

(i) Issue notice to the respondents, returnable on 05.02.2024. **In the meanwhile, if the appointments are issued, the same shall be subject to outcome of the present O.A.**

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

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

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

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

**(vi) The respondents shall preferably file the affidavit in reply on or before the next date; if not possible, the respondents shall at least place on record short affidavit of the competent authority explaining the parameters adopted in the process of equalization of marks. The copy of the same be provided to the learned counsel for the applicants in advance.**

(vii) S.O. to 05.02.2024.

(viii) Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**

ORAL ORDER 16.1.2024-HDD

**ORIGINAL APPLICATION NO. 1120 OF 2023**  
**(Satule Chetan Virabhadra & Ors. Vs. State of Mah. & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE :** **16.1.2024**

**ORAL ORDER :**

Heard Shri Balasaheb N. Magar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The present case is not on board. It is taken on board at the request of learned counsel for the applicant.

3. Learned counsel pointed out that in O.A. St. No. 63/2024 this Tribunal has issued an order and also have passed further order of making selection process as well as orders of appointment if issued subject to outcome of the said O.A. Learned counsel submitted that identical facts are involved in the present O.A. which exists in the O.A. St. No. 63/2024.

3. Learned Chief Presenting Officer did not dispute that the facts in the present matter are identical with the facts in O.A. St. No. 63/2024. Hence the following order: -

**ORDER**

(i) Issue notice to the respondents, returnable on 05.02.2024. **In the meanwhile, if the appointments are issued, the same shall be subject to outcome of the present O.A.**

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

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

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

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

(vi) **The respondents shall preferably file the affidavit in reply on or before the next date; if not possible, the respondents shall at least place on**

**record short affidavit of the competent authority explaining the parameters adopted in the process of equalization of marks. The copy of the same be provided to the learned counsel for the applicants in advance.**

(vi) S.O. to 05.02.2024.

(viii) Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**

ORAL ORDER 16.1.2024-HDD



**ORIGINAL APPLICATION NO. 1103 OF 2023**  
**(Dr. Pravin A. Bothe Vs. State of Maharashtra & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE :** **16.1.2024**

**ORAL ORDER :**

Heard Shri S.B. Bhosale, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant has tendered across the bar the order dated 11.1.2024 issued by respondent No. 4 i.e. District Civil Surgeon, Ahmednagar, whereby the applicant has been posted at District Hospital, Ahmednagar. Learned counsel for the applicant submits that since very purpose of filing the application of the applicant has been served, the present O.A. may be disposed of.

3. Learned Presenting Officer submitted for passing appropriate order.

4. In view of the aforesaid submissions made on behalf of both the parties and after having gone through the order placed on record, the following order is passed:-

**:: - 2 - ::**

**O.A. NO. 1103 OF 2023**

**ORDER**

The Original Application stands disposed of however, without any order as to costs.

**VICE CHAIRMAN**

ORAL ORDER 16.1.2024-HDD

**ORIGINAL APPLICATION NO. 705 OF 2022**  
**(Amol V. Sanap & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench)

**DATE :** **16.1.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicants, reissue notice to respondent No. 3, returnable on 15.02.2024.

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

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

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

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

7. S.O. to 15.02.2024.

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

**VICE CHAIRMAN**

**M.A.NO.441/2023 IN O.A.NO.659/2021**  
**M.A.NO.442/2023 IN O.A.NO.661/2021**  
**M.A.NO.443/2023 IN O.A.NO.183/2022**  
**M.A.NO.444/2023 IN O.A.NO.185/2022**  
**M.A.NO.445/2023 IN O.A.NO.186/2022**  
**(Sushilkumar B. Rakh & Ors. Vs. State of Maharashtra & Ors.)**

**O.A.NOS.878/2022, 907/2022 to 912/2022,**  
**1101/2022, 1103/2022, 1104/2022, 1105/2022,**  
**986/2022, 998/2022, 1054/2022, 1076/2022,**  
**167/2023, 985/2022, 1077/2022, 1078/2022,**  
**63/2023, 705/2022, 707/2022, 658/2021,**  
**660/2021, 182/2022, 184/2022, 187/2022,**  
**391/2022, 428/2022, 429/2022,**  
**(Dattatray A. Galgate & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
(This matters are placed before the Single Bench  
due to non-availability of Division Bench)

**DATE : 16.01.2024**

**ORAL ORDER :**

Heard Shri M.S.Karad, learned Counsel for the applicants in all the cases and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities in all these cases.

2. Learned Chief Presenting Officer submits that in some of the matters in the present group the affidavit in reply on behalf of the respondents will be submitted during the course of the day. If the reply is filed it be taken on record and copy be given to the other side.

// 2 //

3. Ample opportunities are already availed by the respondents to file affidavit in reply. In the circumstances, list the matters for hearing on 25.01.2024.

4. O.A. No. 705/2022 be segregated from the present group of matters.

5. S.O. to 25.01.2024.

**VICE CHAIRMAN**

ORAL ORDER 16.1.2024-HDD

**M.A.NO. 580/2023 IN O.A.NO. 1007/2023**  
**(Priyanka P. Lagad & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE :** **16.1.2024**

**ORAL ORDER :**

Shri S.A. Mulla, learned counsel for the applicant in M.A.(**absent**). Shri L.V. Sangit, learned counsel for the applicant in O.A. and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned Chief 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 in O.A.

3. S.O. to 22.02.2024.

**VICE CHAIRMAN**

ORAL ORDER 16.1.2024-HDD

**ORIGINAL APPLICATION NO. 932 OF 2023**  
**(Kum. Saraswati K. Makne & Anr. Vs. State of Maharashtra**  
**& Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE :** **16.1.2024**

**ORAL ORDER :**

Shri (Dr.) S.G. Nandedkar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 08.02.2024. The interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

ORAL ORDER 16.1.2024-HDD

**ORIGINAL APPLICATION NO. 981 OF 2023**  
**(Swati S. Maknikar Vs. State of Maharashtra & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE :** **16.1.2024**

**ORAL ORDER :**

Smt. Swati S. Maknikar, party in person and Shri  
M.P. Gude, learned Presenting Officer for the  
respondents, are present.

2. S.O. to 13.02.2024.

**VICE CHAIRMAN**

ORAL ORDER 16.1.2024-HDD



**ORIGINAL APPLICATION NO. 46 OF 2024**  
**(Bhimcharan W. Magare Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Heard Shri Kiran G. Salunke, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that by transfer order dated 30.08.2021 the applicant came to be transferred from Nagar Parishad Hingoli to Nagar Parishad Wasmata Nagar and on 02.09.2021, the applicant had joined his place of transfer at Wasmata Nagar. Learned counsel submits that thereafter the applicant came to be transferred mid-term and mid-tenure by order dated 09.01.2024. It is stated in the said order that the employees mentioned in the said order came to be transferred as per their request and as such, they are not entitled for any T.A. and D.A. Learned counsel for the applicant submits that the applicant has never made any request for his transfer at any point of time. Further the post at Nagar Parishad Wasmata Nagar is still vacant even after transfer order of the applicant dated 09.01.2024. Learned counsel on instructions makes a statement that the applicant is still working at Nagar Parishad Wasmata Nagar and he has not joined the

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O.A. No. 46/2024

transferred place at Sillod Nagar Parishad, Dist. Aurangabad in terms of the transfer order dated 09.01.2024. Learned counsel submits that the transfer of the applicant is in violation of the provisions of Section 3 of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (for short “the Transfer Act 2005”).

3. Prima-facie, it appears that the applicant came to be transferred mid-term and mid-tenure. Learned counsel for the applicant has made categorical statement on instructions that the applicant has never given consent for his transfer. It is pertinent to note here that the place where the applicant was working is still vacant, since no one has been posted on the place of the applicant.

4. In view of the same, issue notices to the respondents, returnable on 26.02.2024. **Till the next date of hearing, interim relief in terms of prayer clause 8(A) to the extent of applicant is granted, which is as follows :-**

***“A. Pending hearing and final disposal of the original application the operation, execution, implementation of the impugned order dated 09.01.2024 to the extent of applicant may kindly be stayed.”***

//3//

O.A. No. 46/2024

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

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

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

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

9. S.O. to 26.02.2024.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 671 OF 2021  
(Kiran S. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Smt. Suchita Dhongde, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 08.03.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 985 OF 2019**  
**(Suresh S. Chate Vs. State of Maharashtra & Ors.)**  
**WITH**  
**ORIGINAL APPLICATION NO. 800 OF 2022**  
**(Sainath R. Thombre Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicants in both the O.As. and Shri I.S. Thorat, learned Presenting Officers for the respondent authorities in both the O.As., are present.

2. At the request of learned counsel for the applicants, S.O. to 21.02.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 585 OF 2020**  
**(Anand B. Datar Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Smt. Suchita Dhongde, learned counsel holding for Smt. Viday Taksal, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 08.03.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 103 OF 2021**  
**(Dr. Harishchandra T. Kokani Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present. Shri Rakesh Jain, learned counsel for respondent No. 3, **absent**.

2. At the request of learned counsel for the applicant, S.O. to 11.03.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 16.01.2024

**ORIGINAL APPLICATION NO. 492 OF 2023**  
**(Dr. Jagannath G. Kundkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Ms. Preeti Wankhade, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 12.02.2024 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (J)**



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

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

**DATE : 16.01.2024**

**ORAL ORDER :**

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

2. At the request of learned Presenting Officer, S.O. to 28.02.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1138 OF 2022  
(Nilesh B. Salve Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant submits that the applicant does not want to file any rejoinder affidavit.

3. List the matter for admission hearing on 05.03.2024.

**MEMBER (J)**

**M.A. No. 41/2023 in O.A. St. No. 346/2021  
(Suryankant S. Bhalerao Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Shri P.V. Suryawanshi, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Though the last chance is given, the affidavit in reply is not filed today.

3. Learned Presenting Officer submits that the draft reply has been sent for approval and the same will be received at the earliest.

4. In view of the same, list the matter for admission hearing on 26.02.2024 with liberty to the other side to file affidavit in reply, if any.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 905 OF 2023  
(Nafis Sultana Mohammed Yusuf Shaikh Vs. State of  
Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Smt. Almas Abdul Qadar, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that inadvertently the notices could not be collected from the office. In view of the same, time is extended by another four weeks to serve the notices on the respondents.

3. S.O. to 28.02.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 145 OF 2023**  
**(Shivaji R. Lagas & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Shri G.R. Bhumkar, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicants submits that the applicants do not want to file any rejoinder affidavit.

3. Pleadings completed. List the matter for admission hearing on 11.03.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1106 OF 2023  
(Motiram T. Nikam Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

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

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record and copy thereof is given to other side.

3. At the request of learned Presenting Officer, S.O. to 17.01.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1102 OF 2023**  
**(Paresh D. Khosre Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 2 and 3 and further submits that the respondent Nos. 1, 4 & 5 are adopting the affidavit in reply filed on behalf of respondent Nos. 2 & 3. Same is taken on record and copy thereof is given to learned counsel for the applicant.

3. List the matter for filing rejoinder affidavit, if any and admission hearing on 12.02.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 907 OF 2023**  
**(Satish S. More Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Shri V.P. Savant, learned counsel for the applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 2 and 3 and further submits that the respondent No. 1 is adopting the affidavit in reply filed on behalf of respondent Nos. 2 & 3. Same is taken on record along with spare copy for the applicant.

3. List the matter for filing rejoinder affidavit, if any and admission hearing on 07.03.2024.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 247 OF 2023**  
**(Samadhan B. Shirsath Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 29.02.2024 for filing rejoinder affidavit.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 748 OF 2023**  
**(Shrikant B. Kulkarni Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Smt. Rutuja Kulkarni, learned counsel holding for Shri V.G. Pingle, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 07.03.2024. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION ST. NO. 835 OF 2023  
(Suddhodan R. Sardar Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Shri Alkesh Jadhav, learned counsel holding for Shri R.B. Ade, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 21.02.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1021 OF 2023**  
**(Priyanka S. Sanap Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Heard Smt. Suchita Dhongde, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 05.03.2024.

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

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

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

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 05.03.2024.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1087 OF 2023  
(Pramod M. Kathane Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Shri Y.B. Pathan, learned counsel for the applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 05.03.2024.

**MEMBER (J)**

**M.A. No. 06/2024 in O.A. St. NO. 3133/2022  
(Girju D. Jagtap Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Heard Shri Azizoddin R. Syed, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents in M.A., returnable on 05.03.2024.

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

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

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

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 05.03.2024.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 361 OF 2019**  
**(Jijabai J. Sonwane & Anr. Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. It is a part heard matter. S.O. to 30.01.2024 for citations.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 753 OF 2022**  
**(Shravankumar P. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

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

2. The present matter is closed for orders.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 224 OF 2023**  
**(Bhumanna M. Achewad Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

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

2. It is a part heard matter. At the request of learned Presenting Officer, S.O. to 05.02.2024 for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 576 OF 2021**  
(Atmaram M. Raut Vs. State of Maharashtra & Ors.)

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

**DATE : 16.01.2024**

**ORAL ORDER :**

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

2. At the request of learned Presenting Officer, S.O. to 06.02.2024 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**M.A. No. 529/2019 in O.A. St. No. 1650/2019  
(Gurunath S. Purohit Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Shri S.S. Jadhavar, learned counsel for the applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 05.03.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 16.01.2024

**M.A. No. 250/2021 in O.A. St. No. 999/2021**  
**(Pramod P. Narkhede Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant is requested to file synopsis of events to explain the delay caused in filing the accompanying O.A.

3. S.O. to 12.02.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 16.01.2024

**M.A. No. 251/2021 in O.A. St. No. 1001/2021**  
**(Manohar J. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant is requested to file synopsis of events to explain the delay caused in filing the accompanying O.A.

3. S.O. to 12.02.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 16.01.2024

**ORIGINAL APPLICATION NO. 23 OF 2024**  
**(Sachin V. Ingalkar & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Heard Smt. Suchita Dhongde, learned counsel for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 05.03.2024.

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

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

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

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

7. S.O. to 05.03.2024.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 24 OF 2024**  
**(Vasundhara N. Wahtule & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Heard Smt. Suchita Dhongde, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 05.03.2024.

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

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

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

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

7. S.O. to 05.03.2024.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 491 OF 2021  
(Bhagwan S. Naik Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Shri Vijay Deshmukh, learned counsel for the applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. This is old matter of the year 2021. As none present for the applicant, S.O. to 18.03.2024 for hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 433 OF 2022  
(Prakash B. Kamble Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Shri V.G. Pingle, learned counsel for the applicant (**Leave Note**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note filed by the learned counsel for the applicant, S.O. to 18.03.2024 for hearing.

**MEMBER (J)**

**O.A. 473/2023, O.A. 475/2023 with Caveat 19/2023  
and O.A. No. 476/2023  
(Pragati R. Chondekar & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant in O.A. 475/2023, Shri S.G. Kulkarni, learned counsel holding for Shri Ajay Deshpande, learned Advocate for the applicant in O.A. No. 473/2023, Ms. Preeti Wankhade, learned counsel for the applicant in O.A. No. 476/2023, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities in all these O.As. and Shri G.R. Jadhav, learned counsel holding for Shri Avishkar Shelke, learned counsel for respondent No. 3 in O.A. No. 473/2023, are present. Shri I.K. Jadhav/P.L. Jadhav, learned counsel for Caveator in O.A. No. 475/2023, **absent**.

2. At the request made on behalf of respondents, time is granted for filing affidavit in reply in all these O.As.

3. S.O. to 27.02.2024. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**M.A. No. 312/2022 in O.A. St. No. 1121/2022**  
(Dr. Balasaheb M. Kalegore & Ors. Vs. State of Maharashtra & Ors.)

**WITH**

**M.A. No. 238/2023 in O.A. No. 438/2023**  
(Dr. Dilip C. Godse & Ors. & Ors. Vs. State of Maharashtra & Ors.)

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

**DATE : 16.01.2024**

**ORAL ORDER :**

Heard Shri P.R. Tandale, learned counsel for the applicants in both the cases and Smt. Sanjivani K. Deshmukh-Ghate & Shri I.S. Thorat, learned Presenting Officers for the respondent authorities in respective cases.

2. Learned counsel for the applicants seeks time to file synopsis of events to explain the delay. Time granted.

3. Learned counsel for the applicants submits that there is one another matter bearing MA No. 473/2023 in MA No. 474/2023 in OA St. 2140/2022 of the similarly situated persons of the same department wherein the respondents have not filed affidavit in reply. The said matter may be listed along with the present matters.

4. Learned Presenting Officer has assured this Tribunal that till next date of hearing affidavit in reply will be filed in the above said M.A. Learned P.O. however submits that the applicants in these M.As., who are seeking condonation of delay have got the different due

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date for non-consideration of their respective cases for grant of first time bound promotion. Learned P.O. however submits that the applicants have filed present M.As. jointly and their applications for sue jointly came to be allowed by the Principal Seat of this Tribunal at Mumbai and this Bench respectively and thereafter the M.A. No. 238/2023 came to be transferred to this Tribunal. Insofar as MA No. 473/2023 in OA St. 2140/2022 is concerned, sue jointly application bearing in MA No. 474/2023 is pending before this Tribunal.

5. In view of above submissions, it is for the learned counsel for the applicants to explain and inform to this Tribunal as to how the delay can be condoned, when the delay in case of each of the applicants differs substantially.

6. Learned counsel for the applicants in response to this query, submits that the applicants have filed the joint M.As. for condonation of delay for the period which falls within the certain range. It would be appropriate on the part of learned counsel for the applicants to explain it at the appropriate stage.

7. S.O. to 21.03.2024 for hearing.

**MEMBER (J)**

**DATE : 16.01.2024**  
**ORIGINAL APPLICATION NO. 62 OF 2024**  
**(Baburao C. Mahire Vs. The State of Maha. & Ors.)**

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

1. Shri Yogesh Jadhav, learned Advocate for the applicant and Shri I.S. Thorat, learned P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on **16.02.2024**. The case be listed for admission hearing on **16.02.2024**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**I/C REGISTRAR**