

**ORIGINAL APPLICATION NO. 1112/2022**  
**(Mohammad Raza Khan Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,**  
**Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Shri A.S.Deshmukh, learned Counsel for the applicant, Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities

2. Learned CPO has prayed for some time to file affidavit in reply in the present matter and has requested for hearing the matter finally on the said date. The request is opposed by the learned counsel appearing for the applicant. Learned counsel submitted that when there was a Caveat filed by the respondents and only on that ground the Tribunal instead of considering the request of the applicant for grant of interim relief in his favour on 13.12.2022 adjourned the matter till today to facilitate the respondents to file the affidavit in reply with the requisite documents in support thereof, the respondents must have filed the reply. Learned counsel submitted that the arguments be heard on prayer of interim relief.

::-2-:: **O.A. NO. 1112/2022**

3. In fact, time was granted to file affidavit in reply, respondents were expected to file the affidavit in reply, may be a short affidavit however, all relevant documents are placed on record by the learned CPO. Having regard to the objections as are raised by the applicant, I deem it appropriate to hear the arguments on the issue of interim relief. Parties are, therefore, to make their submissions on the request for interim relief.

**VICE CHAIRMAN**

YUK ARJ ORAL ORDER 16.12.2022

**ORIGINAL APPLICATION NO.843/2022**  
**(Krishna E. Ghuge Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,**  
**Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

Heard Shri A.S.Deshmukh, learned Counsel for the applicant, Shri M.P.Gude, learned Presenting Officer for the respondent authorities and Shri S.D.Joshi, learned Counsel for respondent no.4.

Shri S.B.Mene, learned Counsel for respondent nos.2 and 3 has filed **leave note** on record.

2. When the present matter is taken up for consideration, learned P.O. on instructions submits that within 4 days order of posting in respect of applicant will be issued by the Government.

3. In view of submission so made by the learned P.O., matter stands adjourned till 21-12-2022.

4. S.O. to 21-12-2022.

**VICE CHAIRMAN**

**M.A.NO.549/2022 IN O.A.NO.662/2022**  
**(Rajayya Makulwar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,**  
**Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

Heard Shri A.S.Deshmukh, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities.

2. Learned P.O. files affidavit in reply in O.A. on behalf of respondent no.2. It is taken on record. Copy thereof is provided to the learned Counsel for the applicant.

3. Applicant has filed the present M.A. seeking amendment in his O.A. As is revealing from the contents of the application, in the prayer clause, amount as is mentioned pertains to gratuity and prayer in respect of leave encashment is not made. Learned Counsel for the applicant pointed out that in the representation made by him, this amount has also been claimed by the applicant.

4. Learned P.O. has submitted for passing appropriate order.

=2= M.A.549/2022 IN O.A.662/2022

5. In view of the fact that amendment is sought well within the time and it is in consonance with the representation made by the applicant, copy of which is filed on record, I am inclined to allow the present M.A. Hence, the following order:

ORDER

- [i] M.A.No.549/2022 is allowed.
- [ii] Necessary amendment be carried out within one week.

6. It would be open for the respondents to file additional reply to the amended portion.

7. List the O.A. for further consideration on 03-02-2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.30/2021  
(Kedarnath Budhwant Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

Heard Shri V.B.Wagh, learned Counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities.

2. Heard for some time. For further consideration, S.O. to 19-12-2022.

**VICE CHAIRMAN**

YUK ORAL ORDER 16.12.2022

**ORIGINAL APPLICATION NO.638/2015  
(Harichandra D. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

Shri S.R.Patil, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 03-02-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 16.12.2022

**ORIGINAL APPLICATION NO.277/2017  
(Shaikh Mehboob Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

Shri S.S.Jadhavar, learned Counsel for the applicant is **absent**. Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities is present.

2. S.O. to 03-02-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 16.12.2022



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

**CORAM : Hon'ble Shri Justice P.R. Bora,**  
**Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

Shri M.A.Manjramkar, learned Counsel for the applicant, Shri I.S.Thorat, learned Presenting Officer for the respondent authorities, are present.

Shri S.S.Bhuse, learned Counsel for respondent no.3 is **absent**.

2. S.O. to 13-01-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 16.12.2022

**ORIGINAL APPLICATION NO.398/2018**  
**(Dnyaneshwar Sanap Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,**  
**Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

Shri V.G.Pingle, learned Counsel for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 09-02-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 16.12.2022

**ORIGINAL APPLICATION NO.879/2018  
(Balasaheb Kaldate Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

Shri Shamsundar B. Patil, learned Counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 24-01-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 16.12.2022

**ORIGINAL APPLICATION NO.265/2019  
(Taher Ali Sayed Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

Smt. Vidya Taksal, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 07-02-2023. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

YUK ORAL ORDER 16.12.2022

**ORIGINAL APPLICATION NO.557/2019**  
**(Venkat Namule & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,**  
**Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

Shri Shamsundar B. Patil, learned Counsel for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 07-02-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 16.12.2022

**ORIGINAL APPLICATION NO.288/2021  
(Shubham Shreebhate Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

Heard Shri P.V.Suryawanshi, learned Counsel  
for the applicant and Shri I.S.Thorat, learned  
Presenting Officer for the respondent authorities.

2. Matter be treated as part heard.
3. S.O. to 16-01-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 16.12.2022

**ORIGINAL APPLICATION NO.430/2021**  
**(Dr. Prema Bansode Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,**  
**Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

Shri S.N.Pagare, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 09-02-2023. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

YUK ORAL ORDER 16.12.2022

**ORIGINAL APPLICATION NO.537/2021  
(Balasaheb Khairnar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

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

2. S.O. to 10-02-2023. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

YUK ORAL ORDER 16.12.2022



**ORIGINAL APPLICATION NO.712/2021  
(Dr. Subhash Kabade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

Shri Shamsundar B. Patil, learned Counsel for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 22-12-2022.

**VICE CHAIRMAN**

YUK ORAL ORDER 16.12.2022

**ORIGINAL APPLICATION NO.732/2021  
(Dashrath Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

Shri Kakasaheb B. Jadhav, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 02-01-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 16.12.2022

**T.A.NO.08/2022 IN W.P.NO.3060/2022**  
**(Kailas Yarmurwad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,**  
**Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

Shri Dhananjay Mane, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 13-01-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 16.12.2022

**ORIGINAL APPLICATION NO.70/2022, 71/2022 &  
72/2022  
(Ramkisan Mante & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

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

2. S.O. to 04-01-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 16.12.2022

**ORIGINAL APPLICATION NO.331/2022**  
**(Mandabai Khambat Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,**  
**Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

Shri A.D.Gadekar, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 27-01-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 16.12.2022

**ORIGINAL APPLICATION NO.402/2022  
(Maroti Panchal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

Shri K.G.Salunke, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 04-01-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 16.12.2022

**ORIGINAL APPLICATION NO. 709 OF 2017**  
**(Ramesh M. Sonawane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri P.B. Rakhunde, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. At the request of the learned C.P.O., one more last chance is granted for filing affidavit in reply to the amended O.A.

3. S.O. to 12.01.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 209 OF 2019**  
**(Ramesh L. Verule Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri R.P. Bhumkar, learned Advocate for the applicant and Shri S.B. Mene, learned Advocate for the respondent Nos.2 & 4 have filed a **leave note**. Shri M.P. Gude, learned Presenting Officer for the respondents, is present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 20.01.2023 for filing affidavit in rejoinder.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 505 OF 2020**  
**(Madan D. Dude Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Avinash S. Deshmukh, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities and Shri S.B. Patil, learned Advocate for the respondent No.3, are present.

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

3. S.O. to 21.01.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 561 OF 2021  
(Toliram P. Rathod Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

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

2. Await service.
3. S.O. to 23.01.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 562 OF 2021**  
**(Alka B. Naigaonkar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri S.D. Joshi, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Learned Advocate for the applicant submits that the applicant does not wish to file affidavit in rejoinder.

3. S.O. to 06.01.2023 for admission.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 594 OF 2021**  
**(Dr. Meena R. Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Kalyan V. Patil, learned Advocate for the applicant, is **absent**. Shri I.S. Thorat, learned Presenting Officer for the respondents, is present.

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

3. S.O. to 23.01.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 721 OF 2021**  
**(Ashok B. Pagare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

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

2. Short affidavit filed by the applicant is taken on record and copy thereof has been served on the other side.

3. At the request of the learned P.O., most last chance is granted for filing affidavit in reply on behalf of the respondents.

4. S.O. to 19.01.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 67 OF 2022**  
**(Gopinath J. Dhanwade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Amol S. Gandhi, learned Advocate for the applicant, is **absent**. Shri M.P. Gude, learned Presenting Officer for the respondents, is present.

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

3. S.O. to 24.01.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION ST.NO. 376 OF 2022  
(Abhilash V. Gore Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri V.T. Patil, learned Advocate holding for Shri O.Y. Kashid, learned Advocate for the applicant and Shri D.R. Patil learned Presenting Officer for the respondents, are present.

2. Record shows that affidavit in reply is only filed on behalf of the respondent No.3.
3. Record further shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondent Nos.1,2 & 4. Hence, the matter will proceed further without affidavit in reply of the respondent Nos.1,2 & 4.
4. Learned Advocate for the applicant submits that the applicant does not wish to file affidavit in rejoinder to the affidavit in reply filed on behalf of the respondent No.3.
5. S.O. to 27.01.2023 for admission. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 441 OF 2022**  
**(Gajanan A. Taralkar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri P.S. Anerao, learned Advocate for the applicant, is **absent**. Shri M.P. Gude, learned Presenting Officer for the respondents, is present.

2. In view of absence of learned Advocate for the applicant, S.O. to 25.01.2023 for filing affidavit in rejoinder.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 504 OF 2022**  
**(Kiran S. Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri A.S. Deshpande, learned Advocate for the applicant has filed a **leave note**. Shri M.P. Gude, learned Presenting Officer for the respondents, is present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 25.01.2023 for filing affidavit in rejoinder.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 515 OF 2022**  
**(Sachin V. Hingole & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri M.R. Kulkarni, learned Advocate holding for Shri J.S. Deshmukh, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Affidavit in reply filed on behalf of the respondent Nos.2 & 3 is taken on record and copy thereof has been served on the other side.

3. S.O. to 25.01.2023 for filing affidavit in rejoinder, if any.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 568 OF 2022**  
**(Shivkanta J. Honwadajkar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single Bench due to non-availability of Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri B.G. Deshmukh, learned Advocate for the applicant, is **absent**. Smt. Sanjivani K. Deshmukh-Gahte, learned Presenting Officer for the respondents, is present.

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

3. S.O. to 27.01.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 569 OF 2022**  
**(Aniruddha N. Jondhale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri B.G. Deshmukh, learned Advocate for the applicant, is **absent**. Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents, is present.

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

3. S.O. to 27.01.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 607 OF 2022**  
**(Surekha E. Phupate Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Suresh Dhongde, learned Advocate holding for Smt. Suchita Dhongde, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 27.01.2023 for admission.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 609 OF 2022**  
**(Amol S. Kadam Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Ms. P.R. Wankhade, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 27.01.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 619 OF 2022**  
**(Archana T. Tribhuvan Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri S.B. Patil, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 27.01.203.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 621 OF 2022**  
**(Dattatraya A. Kakade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri P.C. Kale, learned Advocate for the applicant, is **absent**. Shri M.P. Gude, learned Presenting Officer for the respondents, is present.

2. In view of absence of learned Advocate for the applicant, S.O. to 30.01.2023 for filing affidavit in rejoinder.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 628 OF 2022**  
**(Sunil C. Ahire Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri A.G. Ambetkar, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, Presenting Officer for the respondent authorities and Shri Pradeep Tapse, learned Advocate for the respondent No.5, are present.

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

3. S.O. to 24.01.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 700 OF 2022**  
**(Sujay S. Gaydhane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri R.R. Karpe/S.D. Munde, learned Advocate for the applicant, is **absent**. Shri D.R. Patil, learned Presenting Officer for the respondents, is present.

2. In view of absence of learned Advocate for the applicant, S.O. to 30.01.2023 for filing affidavit in rejoinder.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 735 OF 2022**  
**(Vinodkumar B. Ambhore Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Suresh Dhongde, learned Advocate holding for Smt. Suchita Dhongde, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 30.01.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 765 OF 2022**  
**(Vasant B. Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

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

2. Affidavit in reply filed on behalf of the respondent Nos.1 to 3 is taken on record and copy thereof has been served on the other side.

3. S.O. to 30.01.2023 for filing affidavit in rejoinder, if any.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 768 OF 2022**  
**(Satish D. Narwade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri V.T. Patil, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 27.01.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 820 OF 2022**  
**(Navnath U. Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri V.T. Patil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

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

3. S.O. to 27.01.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1015 OF 2022**  
**(Vilas D. Jagtap Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri V.T. Patil, learned Advocate holding for  
Shri O.Y. Kashid, learned Advocate for the applicant  
and Shri N.U. Yadav, learned Presenting Officer for  
the respondents, are present.

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

3. S.O. to 27.01.2023.

**MEMBER (J)**

**M.A.NO. 93 OF 2017 IN O.A.NO. 801 OF 2022  
(Manjushree B. Deshpande Vs. State of Maharashtra &  
Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

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

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

3. S.O. to 20.01.2023.

**MEMBER (J)**

SAS ORAL ORDERS 16.12.2022



**M.A.NO. 499/2019 WITH M.A.NO. 500/2019 IN  
O.A.NO. 667 OF 2019  
(Sanjay R. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Sudhir Patil, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. At the request of the learned P.O., time is granted as a last chance for filing affidavit in reply on behalf of the respondent Nos.1 & 3 in M.A.

3. S.O. to 24.01.2023.

**MEMBER (J)**

**M.A.NO. 96 OF 2022 IN O.A.ST.NO. 96 OF 2022  
(Panjabrao D. Bhosale & Ors. Vs. State of Maharashtra &  
Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri V.B. Sarse, learned Advocate holding for  
Shri Vikram Kadam, learned Advocate for the  
applicant and Shri N.U. Yadav, learned Presenting  
Officer for the respondents, are present.

2. At the request of the learned P.O., time is  
granted as a last for filing affidavit in reply on behalf  
of the respondents in M.A.

3. S.O. to 20.01.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1115 OF 2022**  
**(Dattatray M. Kawade Vs. State of Maharashtra & Ors.)**

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

(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri J.M. Murkute, learned Advocate for the  
applicant (**Absent**). Heard Shri M.S. Mahajan, learned  
Chief Presenting Officer for the respondent authorities.

2. As none present for the applicant, S.O. to  
13.01.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1114 OF 2022**  
**(Prmod N. Kusneniwar Vs. State of Maharashtra & Ors.)**

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

(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

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

2. Issue notices to the respondents in M.A., returnable on 24.01.2023.

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

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

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

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

7. S.O. to 24.01.2023.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1718 OF 2022**  
**(Dinkara R. Bhosarikar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate holding for Shri A.D. Gadekar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. At the request of learned Advocate for the applicant, S.O. to 13.01.2023.

**MEMBER (J)**

**C.P. No. 50/2019 in O.A. NO. 242/2017**  
**With**  
**C.P. No. 51/2019 in O.A. No. 648/2017**  
**With**  
**C.P. No. 52/2019 in O.A. No. 876/2016**  
**(Mohan R. Chaudhari & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri A.D. Sugdare, learned Advocate for the applicants in all these cases (**Leave Note**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities in all these cases. Smt. S.D. Shelke, learned Advocate for respondent nos. 2 & 3 in C.P. 50/2019 and for respondent Nos. 3 & 4 in other C.Ps.

2. S.O. to 13.01.2023 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 109 OF 2019**  
**(Dr. Sonali B. Sayamber Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

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

2. S.O. to 23.01.2023 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 554 OF 2019**  
**(Ashok V. Gade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Shri A.B. Rajkar, learned Advocate holding for Shri S.B. Pawar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities. Shri S.B. Mene, learned Advocate for respondent Nos. 2 & 3, **leave note**.

2. S.O. to 23.01.2023 for hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 430 OF 2020**  
**(Ashok D. Talde & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1 to 4, Shri R.O. Awasarmol, learned Advocate for respondent Nos. 13, 14, 19, 21, 24, 28, 42 & 61 and Shri D.S. Pagare, learned Advocate for respondent Nos. 26,30,32,37,56 & 59, are present.

2. S.O. to 24.01.2023 for hearing.

**MEMBER (J)**

**O.A. 463/2021 with M.A. 242/2021 in O.A. 299/2019  
(Payal P. Tathe & Ors. Vs. State of Maharashtra & Ors.)**

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

(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Ms. Preeti Wankhade, learned Advocate  
for the applicants in both the cases and Shri M.S.  
Mahajan, learned Chief Presenting Officer for the  
respondent authorities.

2. S.O. to 12.01.2023 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 747 OF 2021**  
**(Dr. Deepak V. Vasave Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Shri M.R. Kulkarni, learned Advocate holding for Shri J.S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 25.01.2023 for hearing.

**MEMBER (J)**

**O.A. Nos. 759/2021, 21/2022 & 639/2022**  
**(Ashwini A. Wavhal & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate for the applicants in all these O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these O.As.

2. S.O. to 06.01.2023 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 197 OF 2022**  
**(Abhijeet V. Bharane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Shri G.K. Muneshwar, learned Advocate  
for the applicant and Shri I.S. Thorat, learned  
Presenting Officer for the respondent authorities.

2. S.O. to 23.01.2023 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 201 OF 2022**  
**(Dr. Raman S. Dalvi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Shri H.P. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. S.O. to 25.01.2023 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 203 OF 2022**  
**(Dr. Amol B. Bansode Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Shri H.P. Jadhav, learned Advocate for the  
applicant and Shri M.P. Gude, learned Presenting  
Officer for the respondent authorities.

2. S.O. to 25.01.2023 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 202 OF 2022**  
**(Dr. Rohit R. Zarkar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Shri H.P. Jadhav, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. S.O. to 25.01.2023 for hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 461 OF 2022**  
**(Sunil P. Vispute Vs. State of Maharashtra & Ors.)**

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

(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the  
applicant and Shri D.R. Patil, learned Presenting  
Officer for the respondent authorities.

2. S.O. to 27.01.2023 for hearing. Interim relief  
granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 526 OF 2022**  
**(Sachin D. Dahihande Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri S.D. Munde, learned Advocate for the applicant (**Absent**). Heard Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. S.O. to 17.01.2023 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 761 OF 2022**  
**(Balu N. Bhosale & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Shri S.S. Dambe, learned Advocate for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, Shri D.B. Gaikwad, learned Advocate for respondent No. 2 and Shri Sayyed Tauseef Yaseen, learned Advocate for intervenors/respondent Nos. 4 to 10.

2. S.O. to 22.12.2022 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**M.A.No. 609/2019 in O.A. St. No. 2372/2019  
(Radhabai K. Kedare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

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

2. S.O. to 20.01.2023 for hearing.

**MEMBER (J)**

**M.A. No. 550/2022 in O.A. No. 764/2022**  
**(Muzaffar Abdul Sayyed Shaikh Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Shri M.R. Kulkarni, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer filed separate affidavits in reply on behalf of respondent Nos. 4 and 5 respectively in O.A.. Same are taken on record and copy thereof has been served on the other side.

3. S.O. to 05.01.2023 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 361 OF 2022**  
**(Bhausahab D. Aghav Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. On instructions of the applicant learned Advocate for the applicant seeks permission to withdraw the present Original Application.

3. I have no reason to refuse the permission, when the withdrawal is unconditional. Hence, permission for withdrawal of the present Original Application is granted. The O.A. stands disposed of as withdrawn with no order as to costs.

**MEMBER (J)**

**O.A. Nos. 56, 57, 58, 59, 60, 61, 62, 63, 64, 64,  
65, 66 & 67 all of 2019**

**(Dr. Balaji M. Mirkute & Ors. Vs. State of Maharashtra & Ors.)**

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

(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Shri M.R. Kulkarni, learned Advocate for the applicants in all these O.As., Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 3 in all these O.As. and Smt. Yogita Thorat, learned Advocate for respondent Nos. 4 & 5 in all these O.As..

2. Record shows that the affidavit in reply on behalf of respondent Nos. 1 to 3 is already filed in all these O.As.

3. Learned Advocate for the applicants submits that during the course of the day rejoinder affidavit in all these O.As. would be filed.

4. At the request of learned Advocate for respondent Nos. 4 & 5, time is granted for filing affidavit in reply in all these O.As.

5. S.O. to 24.01.2022. Status quo granted earlier in all these O.As. to continue till then.

**MEMBER (J)**

**O.A. Nos. 463, 464, 465, 466 & 467 all of 2022  
(Ramdas S. Bhalke & Ors. Vs. State of Maharashtra & Ors.)**

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

(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Shri Swapnil Deshmukh, learned Advocate for the applicants in all these O.As. and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities in all these O.As.

2. Record shows that in spite of grant of opportunities, the affidavit in reply is not filed on behalf of respondents.

3. Since the Division Bench is not available, S.O. to 12.01.2023 for passing necessary order regarding hearing of the matters without affidavit in reply of the respondents.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 556 OF 2014**  
**(Sanjay R. Patange Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Ajay Deshpande, learned Advocate for the applicant (**Leave Note**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 10.01.2023 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 517 OF 2015**  
**(Pathan Wajiskhan Yunuskhan Vs. State of Maharashtra & Ors.)**

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

(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

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

2. S.O. to 11.01.2023 for final hearing. Second set  
not filed.

**MEMBER (J)**

**T.A. No. 7/2016 (W.P. No. 1533/2015)**  
**(Chandrakala K. Navgire Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Nasim R. Shaikh, learned Advocate for the  
applicant and Shri I.S. Thorat, learned Presenting  
Officer for the respondent authorities, are present.

2. S.O. to 12.01.2023 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 146 OF 2016**  
**(Rakesh A. Thakre Vs. State of Maharashtra & Ors.)**

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

(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri S.D. Kotkar, learned Advocate for the  
applicant (**Absent**). Shri N.U. Yadav, learned  
Presenting Officer for the respondent authorities, is  
present.

2. S.O. to 13.01.2023 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 708 OF 2016**  
**(Vivek S. Harale Vs. State of Maharashtra & Ors.)**

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

(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri S.S. Deshmukh, learned Advocate for the  
applicant (**Absent**). Shri M.P. Gude, learned  
Presenting Officer for the respondent authorities, is  
present.

2. S.O. to 16.01.2023 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 168 OF 2017**  
**(Annarao V. Hivrale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Ajay Deshpande, learned Advocate for the applicant (**Leave Note**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 17.01.2023 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 496 OF 2017**  
**(Varsharani S. Chavhan Vs. State of Maharashtra & Ors.)**

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

(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri S.S. Chakurkar, learned Advocate for the applicant (**Leave Note**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 18.01.2023 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 804 OF 2017  
(Prakash D. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri S.D. Joshi, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 19.01.2023 for final hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 939 OF 2017**  
**(Dattatraya S. Bargaje Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri S.D. Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 19.01.2023 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 08 OF 2018**  
**(Devendra S. Jade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Smt. U.N. Jadhav, learned Advocate holding for  
Smt. Pratibha Bharad, learned Advocate for the  
applicant and Shri M.P. Gude, learned Presenting  
Officer for the respondent authorities, are present.

2. S.O. to 11.01.2023 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 285 OF 2018**  
**(Meera J. Dolas Vs. State of Maharashtra & Ors.)**

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

(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

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

2. S.O. to 20.01.2023 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 461 OF 2018**  
**(Pravin M. Honule Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri S.D. Joshi, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 23.01.2023 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 667 OF 2018**  
**(Gajanan P. Khot & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri S.D. Joshi, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 23.01.2023 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 12 OF 2019**  
**(Dr. Deepak K. Shejwal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Shamsunder B. Patil, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for respondent No. 4, are present.

2. S.O. to 24.01.2023 for final hearing.

**MEMBER (J)**

**O.A. Nos. 212/2019, 213/2019 & 214/2019**  
**(Sunder S. Waghmare & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri D.R. Irale Patil, learned Advocate for the applicants in all these O.As. and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. S.O. to 06.01.2023 for final hearing.

**MEMBER (J)**

**O.A. Nos. 355/2019, 439/2019 & M.A. 17/2020 in  
O.A. No. 1072/2019  
(Nangesh N. Unche & Ors. Vs. State of Maharashtra & Ors.)**

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

(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri D.R. Irale Patil, learned Advocate for the applicants in all these O.As. and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities in all these O.As. and Shri S.D. Dhongde, learned Advocate for respondent Nos. 1 and 2 in O.A. No. 1072/2019, are present. Shri Ajay Deshpande, learned Advocate for respondent Nos. 3 to 5 in O.A. 355/2019, for respondent Nos. 4 to 7 in O.A. 439/2019 & for applicants in M.A. 17/2020 and Shri S.B. Mene, learned Advocate for respondent No. 2 in O.A. No. 439/2019, **Leave Note.**

2. S.O. to 12.01.2023 for final hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 659 OF 2019**  
**(Vijay M. Suralkar Vs. State of Maharashtra & Ors.)**

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

(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Smt. M.N. Kalyan, learned Advocate holding Shri Ram Shinde (Borolkar), learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 24.01.2023 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 788 OF 2019**  
**(Santoshkumar A. Kaul Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri S.B. Bhosale, learned Advocate for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri S.D. Dhongde, learned Advocate for respondent No. 2, are present.

2. S.O. to 24.01.2023 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 435 OF 2020**  
**(Ratikant R. Sonwane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri V.G. Pingle, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 24.01.2023 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 515 OF 2020**  
**(Aniket D. Rakh Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri B.R. Kedar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 25.01.2023 for final hearing. Second set not filed.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 220 OF 2021**  
**(Sayyed Shoukatali Sabirali Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter has been placed before the  
Single Bench due to non-availability of  
Division Bench)

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri H.M. Shaikh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.01.2023 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 939 OF 2019**  
**(Dr. Yashwant S. Chavan Vs. State of Maharashtra & Ors.)**

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

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Shri P.D. Bodade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. The present matter is to be treated as depart heard and it be placed before the regular Single Bench.

3. S.O. to 07.02.2023.

**MEMBER (J)**

**DATE : 16.12.2022**

**ORIGINAL APPLICATION NO. 1131 OF 2022**

**(Nagesh G. Patil Vs. The State of Maha.& Ors.)**

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

1. Shri Sanesh Patil, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Circulation is granted. Issue notices to the respondents, returnable on **19.01.2023**. The case be listed for admission hearing on **19.01.2023**.

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 : 16.12.2022**

**M.A. No. 560/2022 in O.A. St. No. 3026/2022  
(Indubai J. Mali Vs. The State of Maha.& Ors.)**

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

1. Shri Y.H. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. Circulation is granted. Issue notices to the respondents in M.A., returnable on **18.01.2023**. The case be listed for admission hearing on **18.01.2023**.

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 : 16.12.2022**

**M.A. No. 559/2022 in O.A. St. No. 3024/2022  
(Pooja D. Pawar Vs. The State of Maha.& Ors.)**

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

1. Shri Y.H. Jadhav, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents in M.A., returnable on **18.01.2023**. The case be listed for admission hearing on **18.01.2023**.
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**

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

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Vinod D. Godbharle, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicant is not intending to file any rejoinder affidavit. List the matter for hearing on 25.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 255 OF 2022**  
**(Namdeo V. Agashe & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,**  
**Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Vivek G. Pingle, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted by way of last chance.

3. S.O. to 24.1.2023. It is made clear that if the affidavit in reply is not filed on the next date, the matter will be heard without affidavit in reply.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 251 OF 2022  
(Vikas D. Wagh Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri S.U. Choudhari, learned counsel for the applicant and M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

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

3. List the matter for further consideration on 06.02.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 486 OF 2022  
(Mukesh H. Mahajan Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Dhananjay Mane, learned counsel holding for Shri A.M. Hajare, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicant is not intending to file any rejoinder affidavit. List the matter for hearing on 3.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 858 OF 2022  
(Asif Abdul Rauf Mulla Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

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

2. In the present matter though the matter is shown in 'Await Category', the respondents are served. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 20.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 701 OF 2022  
(Raosaheb A Pallewad Vs. State of Maha. & Ors.)**

**CORAM :** Hon'ble Shri Justice P.R. Bora,  
Vice Chairman

**DATE :** 16.12.2022

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicant, issue fresh notice to respondent No. 5, returnable on 25.1.2023.

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 25.1.2023.

8. Steno copy and hamdust is allowed to both the parties.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 377 OF 2022  
(Ratnadip M. Athwale Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Vijay C. Suradkar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 6.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD



**ORIGINAL APPLICATION NO. 378 OF 2022**  
**(Kiran K. Waghule Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,**  
**Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Vijay C. Suradkar, 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 6.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 879 OF 2022  
(Janabai B. Gadade Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri R.J. Nirmal, learned counsel for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 6.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 1106 OF 2022  
(Pandurang A. Joshi Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Shri R.A. Joshi, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Issue notices to the respondents, returnable on 20.1.2023.

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. The respondents shall specify and confirm the date of retirement of the applicant and whether he retired on attaining the age of superannuation or otherwise.**

8. S.O. to 20.1.2023.

9. Steno copy and hamdust is allowed to both the parties.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 613 OF 2021**  
**(Digambar Ramrao Deshpande Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,**  
**Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri S.S. Jadhavar, learned counsel for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 7.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 74 OF 2022  
(Siddiqui Mohd. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Sandeep D. Munde, learned counsel for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 7.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 539 OF 2022  
(Bhimraj S. Sonkamble Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri M.M. Parghane, learned counsel for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 8.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 487 OF 2020  
(Usha d/o Ranoji Bahirat Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Shirish M. Kamble, learned counsel for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 7.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD



**ORIGINAL APPLICATION NO. 407 OF 2019  
(Sadhana Umesh Borse Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Smt. Amruta Paranjape, learned counsel for the applicant and M.P. Gude, learned Presenting Officer for the respondent authorities.

Shri Hemant P. Deshmukh, learned counsel for respondent No. 4 (**absent**).

2. Arguments are partly heard.
3. S.O. to 21.12.2022.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 448 OF 2022  
(Laxmikant S. Gojre Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Heard Shri Kakasaheb B. Jadhav, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. When the present matter is taken up for consideration, learned Presenting Officer has tendered across the bar copies of show cause notices issued to the applicant from time to time and copy of minutes of meeting of Civil Services Board dated 29.4.2022. The copies of the same are taken on record and served on the other side.

3. List the matter for further consideration on 3.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 114 OF 2020  
(Dagdu G. Patil Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Ms. Preeti R. Wankhade, learned counsel for the applicant and Shri. M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.
3. S.O. to 23.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 563 OF 2020  
(Rajendra V. Marale Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Ms. Preeti R. Wankhade, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has tendered across the bar affidavit rejoinder and the same is taken on record and copy of the same has been served on the other side.

3. List the matter for hearing on 3.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 571 OF 2020  
(Madhukar R. Mapari Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Avinash S. Deshmukh, 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 has tendered across the bar rejoinder affidavit and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 3.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 593 OF 2020  
(Yuvraj R. Giri Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

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

Shri Yashwant P. Jadhav, learned counsel for respondent No. 3 (**absent**).

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.

3. S.O. to 30.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

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

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri S.N. Suryawanshi, learned counsel for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.
3. S.O. to 24.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 381 OF 2021  
(Swapnil S. Shimpi Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Pramod S. Gaikwad, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Await service.
3. S.O. to 23.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD



**ORIGINAL APPLICATION NO. 516 OF 2021  
(Vishwasrao V. Kulkari Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Ajay S. Deshpande, learned counsel for the applicant has filed leave note. Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is 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. He undertook to serve the copy of the same on the other side.

3. S.O. to 24.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 611 OF 2021**  
**(Sayyed Salim Sayyed Yaqub Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,**  
**Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Indranil Godsay, learned counsel for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 24.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 626 OF 2022  
(Darshan D Kale Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri M.B. Kolpe, learned counsel for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 25.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 846 OF 2022**  
**(Sadashiv M. Sawai Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,**  
**Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri A.D. Gadekar, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 27.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 847 OF 2022  
(Keshav G. Lohar Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri A.D. Gadekar, learned counsel for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present.

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

3. S.O. to 27.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 913 OF 2022  
(Varsha V. Gaikwad Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**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. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 27.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 972 OF 2022**  
**(Saurabh J. Tribhuvan Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,**  
**Vice Chairman**

**DATE : 16.12.2022**

**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. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 30.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 973 OF 2022  
(Abijeet G. Kamble Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

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

Shri S.B. Mene, learned counsel for respondent Nos. 2 & 3 has filed leave note.

2. S.O. to 30.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD



**ORIGINAL APPLICATION NO. 977 OF 2022  
(Sheshrao K. Chabukswar Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

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

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

3. S.O. to 30.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 978 OF 2022  
(Ganesh J. Kharadkar Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

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

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

3. S.O. to 30.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 983 OF 2022  
(Pramod A. Gaikwad Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri Harish S. Bali, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 19.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

**ORIGINAL APPLICATION NO. 1010 OF 2022  
(Khurshid Begum Mohd. Moosa Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 16.12.2022**

**ORAL ORDER :**

Shri A.G. Dalal, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present.

2. Await service.
3. S.O. to 1.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 16.12.2022-HDD

***FARAD CONTINUATION SHEET***  
**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI BENCH**  
**AT AURANGABAD**  
**ORIGINAL APPLICATION NO.1112/2022 WITH CAVEAT**  
**NO.40/2022**

**CORAM : Hon'ble Shri Justice P.R. Bora,**  
**Vice Chairman**

**DATE : 16-12-2022**

**ORAL ORDER :**

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

2. The learned CPO has made available for my perusal the original record in respect of the transfer effected of the applicant. Vide the impugned order the applicant has been transferred from his present post i.e. of Deputy Director, Town Planning, Development Plan, Special Unit, Aurangabad Municipal Corporation to the vacant post of Deputy Director, Town Planning, Maitri Kaksha, Maharashtra State Small Development Corporation, Mumbai.

3. The applicant was appointed on the present post w.e.f. 9.8.2021. Before coming to Aurangabad the

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**O.A. NO.1112/2022**

applicant was working as Deputy Director, Town Planning Development Land, Special Unit, Nanded Waghala Municipal Corporation. Vide G.R. dated 2.8.2021 it was resolved to shift the entire said unit to Aurangabad to work on the development plan of the Aurangabad Municipal Corporation. As is revealing from the documents on record in the said special unit the applicant is head of the said unit and there are certain 8 officers and some more ministerial staff with him.

4. It is the grievance of the applicant that when most of the work assigned to the said special unit has been completed, he should not have been transferred before completing the said task. It is the further grievance of the applicant that while transferring him from the existing posting no other officer has been posted in his place. It is the further grievance of the applicant that before transferring the applicant to some other department than his parent department he must have been asked for his willingness for such

transfer. It is the further grievance of the applicant that his wife is also in the Government services and is presently working as a Executive Engineer at Aurangabad in Public Works Department. It is further contended that son of the applicant is in 10<sup>th</sup> standard and his education is likely to be adversely affected because of such midterm transfer of the applicant.

5. Shri Avinash Deshmukh, learned counsel appearing for the applicant submitted that apart from grounds as are mentioned hereinabove it is the main grievance of the applicant that without any cogent reason he has been transferred at the midst of his term at the behest of the political pressure and with only object to bring some person in good books of the political person at whose behest applicant has been transferred. The applicant, in the circumstances, at the time of filing the present application had also prayed for an interim relief thereby temporarily staying the effect and operation of the impugned order of transfer, as well as, relieving order.

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6. The record shows that the Government has filed Caveat in the present matter and having regard to the Caveat so filed, the then learned Member (J) find it appropriate to give an opportunity to the respondents to file on record their affidavit in reply and the matter was thereafter kept for further consideration today i.e. 16.12.2022. Today, when the matter is taken up for further consideration the learned C.P.O. has placed on record relevant documents. The learned C.P.O. has also placed on record order dated 9.12.2022 whereby one Shri Kharwadkar S.S. has been given posting in place of the applicant. The respondents have also placed on record the document evidencing that Shri Kharwadkar had taken over the charge of the subject post on 13.12.2022.

7. The request so made by the applicant seeking interim relief as noted hereinabove has been strongly opposed by the respondents. Learned C.P.O. pointed out that transfer is an incident of service in the service career of any Government employee and if transfer is made by following prescribed procedure the only option



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with the Government servant is to obey the said order. The learned P.O. pointed out that Hon'ble Minister Shri Sandipanrao Bhumare, Minister for Employment Guarantee Scheme and Horticulture had made a written request for the transfer of the applicant and the said request was considered and the Civil Services Board recommended the transfer of the applicant and accordingly the impugned order has been passed. The learned P.O. pointed out that the highest competent authority i.e. Hon'ble the Chief Minister has also accorded approval for the transfer of the present applicant. It is submitted that when the Civil Services Board, which is the competent body to recommend the transfers, has recommended the transfer of the applicant and the highest competent authority has accorded approval for such transfer, there cannot be any prima facie case in favour of the applicant as has been claimed by him and in the circumstances, request has been made for rejection of the prayer for interim relief.

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8. As has been submitted by Shri Deshmukh, learned counsel appearing for the applicant, the midterm transfer of the applicant is politically motivated and has been passed only at the instance of the Hon'ble Minister. Learned counsel submitted that without having just and sufficient reason to transfer the applicant amounts to his victimization. Additionally, it has also been contended that the task which was assigned to the applicant and his team is in the process of finalization and as such, in no sense a transfer of the applicant can be said to be for bona-fide reasons or for any just administrative ground. Some personal difficulties are also put-forth by the applicant, first that, his wife is also posted at Aurangabad and that his son is in the 10<sup>th</sup> standard.

9. Learned counsel for the applicant further submitted that with the only intention that the prayer for interim relief gets frustrated, the posting is shown to have been made of one Shri S.S. Kharwadkar on 9.12.2022 itself giving him additional charge of the post, which the applicant was holding. Learned counsel pointed out that

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when the matter was heard by the Tribunal on 13.12.2022, as recorded by this Tribunal in paragraph 7 of the said order, learned CPO could not provide any concrete information to the Tribunal about handing over of the charge of the post held by the applicant to any other officer. Learned counsel pointed out that on that day no information was provided to the Tribunal by the learned CPO that some officer by name Shri Kharwadkar has been given additional charge of the post of the present applicant. Learned counsel submitted that this fact clearly demonstrates that the appointment issued in the name of Shri Kharwadkar is subsequently issued showing the date of issuance of said order as 9.12.2022, though the said order does not seem to have been issued on the said date. Learned counsel submitted that in the impugned order there is absolutely no reference of posting of any other person on the post of applicant and in the circumstances, prayer was made to grant temporary stay to the effect and operation of the order of transfer and the order of relieving the applicant from the existing post.

10. Learned counsel further submitted that till this date charge has not been handed over by the applicant to any other officer, in the manner, the same has to be handed over. Learned counsel further submitted that today, though the information is given to the Tribunal as about the appointment of Shri Kharwadkar and further that said Shri Kharwadkar has taken the charge on 13.12.2022, there was no communication from the side of Shri Kharwadkar to the present applicant that on which day he will be resuming the charge. Learned counsel pointed out that respondents have failed in establishing that the procedure as prescribed under the rules for taking and handing over the charge has been followed in the present matter and, as such, the applicant has to be held to be in-charge of the subject post. Learned counsel in the circumstances has insisted for grant of interim relief in favour of the applicant.

11. Learned CPO taking me through the documents placed on record by the respondents submitted that the transfer of the applicant has been ordered after having complied with all necessary requirements as prescribed

under Transfer Act, 2005. Learned CPO pointed out that the Civil Services Board (for short CSB) which is the competent body, recommended for the transfer of the applicant and the proposal of transfer has been ultimately approved by the highest authority i.e. the Hon'ble Chief Minister of the State. Learned CPO pointed out that on 9.12.2022 itself further order was passed by the State Government thereby giving additional charge of the post held by the applicant to one Shri Kharwadkar. Learned CPO further submitted that Shri Kharwadkar has already taken over the charge of the subject post on 13.12.2022 and as such, the prayers made by the applicant seeking stay to the order of his transfer and the order whereby he has been relieved, both have become infructuous. Learned CPO, in the circumstances, has prayed for rejection of the prayer of interim relief and to fix the matter for final hearing by giving due opportunity to the respondents to file their affidavit in reply.

12. I have duly considered the submissions advanced by Shri Deshmukh, learned counsel appearing for the applicant and Shri M.S. Mahajan, learned CPO appearing

for the respondents. I have also gone through the documents which are made available for perusal of the Tribunal. It is the case of the applicant that his alleged transfer is under the political pressure and he has been victimized by transferring from the existing post in the midst of his term without there being any just and sufficient reason therefor. It is also assertive contention of the applicant in his OA that he has not handed over the charge of his post to anybody and he is still holding the charge.

13. As against it, according to the respondents, the applicant has been transferred by strictly following the procedure laid down for such transfer. It has also been contended that in view of the fact the transfer has been recommended by the CSB and approved by the highest competent authority of the State i.e. the Hon'ble Chief Minister, there is no scope for considering the request of the applicant for grant of interim relief as has been prayed by him and more particularly when one Shri Kharwadkar has already taken over the charge of his post.

14. Though the respondents have placed on record copy of the order whereby Shri Kharwadkar has been directed to take additional charge of the subject post, and the said order is shown to have been issued on 9.12.2022, the objection as has been raised on behalf of the applicant that the order concerned was subsequently issued cannot be outrightly rejected. The Tribunal had heard learned counsel for the applicant, as well as, learned CPO for the respondents on 13.12.2022. On the said date, as has been recorded in the order passed by this Tribunal on that day, no such information was provided that Shri Kharwadkar has been given additional charge of the said post and that he has taken over additional charge of the said post before office hours of 13.12.2022. Had it been the fact that Shri Kharwadkar was given additional charge vide order dated 9.12.2022 and had it been further true that said Shri Kharwadkar took over the additional charge of the said post on 13.12.2022 that too before office hours, it is most unlikely that learned CPO would submit that there was no information with him.

15. Insofar as the transfer order of the applicant is concerned, the documents on record clearly reveal that it has been ordered on request/complaint made by Hon'ble Minister for Employment Guarantee and Horticulture, namely, Shri Sandipan Bhumre. In the recommendations of the CSB also there is clear reference of the letter given by Hon'ble Minister. In the proposal which was placed before the Hon'ble Chief Minister for his approval also there is reference of letter of Shri Sandipan Bhumre dated 2.11.2022. When the CSB, which is the competent body for recommending the transfer/midterm transfer of the Government employee, and when there appears approval to such transfer by the highest competent authority in the State i.e. the Hon'ble Chief Minister, *prima-facie*, it may appear that appropriate procedure has been followed in ordering the transfer of the applicant. However, after having gone through the contents of the letter dated 2.11.2022, written by Hon'ble Minister to the Hon'ble Chief Minister, as well as, the contents of recommendations made by CSB and the contents of the proposal which was put-forth before the Hon'ble Chief Minister for his



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**O.A. NO.1112/2022**

approval, it is apparently revealed that, in none of the aforesaid documents any reason much less any specific reason has been assigned which may justify the order of transfer issued on 9.12.2022, which has been impugned in the present OA.

16. I deem it appropriate to reproduce hereinbelow the entire contents of the letter written by the Hon'ble Minister to the Hon'ble Chief Minister, which reads thus :-

“दिनांक :- ०२.११.२०२२

प्रति,

मा.ना.श्री. एकनाथजी शिंदे साहेब  
मुख्यमंत्री,  
महाराष्ट्र राज्य

आदरणीय महोदय,

छ. संभाजी नगर महापालिकेचा विकास आराखडा प्रलंबित आहे. सदर आराखडा प्रलंबित असल्यामुळे संभाजीनगर शहराचा विकास खुंटला आहे. पुर्वी शहर विकास आराखडा तयार करताना प्रशासनाने मोठ्या प्रमाणात चुका केल्या. ही बाब विचारात घेऊन माननीय सर्वोच्च न्यायालयाने प्रस्तावित आराखडा रद्द केला आहे. यामुळे प्रशासनाची नाचक्की झालेली आहे. नव्याने हा आराखडा होणे प्रस्तावित आहे. उप संचालक, नगर रचना विकास योजना, छ. संभाजीनगर महानगर पालिका यांच्या अंतर्गत शहर विकास आराखडा बनवण्याचे काम चालू आहे.

श्री. मोहम्मदरजा खान, उप संचालक, नगर रचना विकास योजना, महानगर पालिका छ. संभाजी नगर यांची या पदावरून तातडीने बदली करणे आवश्यक आहे. तसेच पदाचा अतिरिक्त कार्यभार श्री. सु.सु. खरवडकर, सहाय्यक संचालक, नगर रचना विकास योजना, छ. संभाजीनगर यांच्याकडे देण्या बाबत उचित कार्यवाही व्हावी विनंती.

सही/-

(संदिपान भुमरे)”

17. The CSB's recommendations as are recorded while effecting transfer of the applicant are reproduced separately in the end of the order as

**Appendix-A:**

18. The proposal which was put before the Hon'ble Chief Minister and which has been approved by Hon'ble Chief Minister is the repetition of the contents which are in the recommendations of the CSB. The contents as aforesaid would reveal that without assigning any reason, the applicant has been shifted from his existing post and is transferred to a Corporation under the control of the State Government. Had there been any whisper about any specific complaint against the applicant in respect of the work assigned to him or had there been such allegation that he is delaying the preparation of Development Plan it could have been said that there was some reason to consider the request made by the Hon'ble Minister. On the contrary, as has been submitted on behalf of the applicant, the task assigned to the team under his headship has been substantially completed and it is at the stage of its finalization. In the letter of Hon'ble Minister and the

proposal placed before the Hon'ble Chief Minister, there is certainly a reference of the previous development plan which was canceled by the Hon'ble Supreme Court, but there is nothing as about the work being presently carried out by the applicant and his team.

19. Documents on record do not reveal any fault on the part of the applicant or any short comings in the work being performed by the applicant. In the circumstances, it appears that, the only reason for transfer of the present applicant is the insistence of the Hon'ble Minister, namely Shri Sandipan Bhumre. The Hon'ble Bombay High Court in the judgment delivered in the case of **Balasaheb Vitthalrao Tidke Vs. State of Maharashtra & Anr., W.P. No. 8987/2018** decided on 12.12.2018 has specifically dealt with the issue as about the transfers effected on the recommendations of the political leaders under pressure of political parties or any Hon'ble Minister, who is not part of the process of such transfer. In the said matter, affidavit was filed by the then Chief Secretary of the State on behalf of the State, which is reproduced in the order passed in the said WP, which reads thus :-

"1. I submit that I am filing the present Affidavit for the limited purpose of stating that the process of transfer at the level of the Government will not be influenced by any recommendations made by any political leaders, members of political parties or any Hon'ble Ministers who are not part of the process of transfers.

2. I submit that all authorities who are competent to effect the transfers will be advised to strictly follow the provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 while issuing transfer order."

On the basis of undertaking so given following order was passed by the

Division Bench of Hon'ble High Court :-

*"4. Hence, we pass the following order :*

*(i) The writ petition is disposed of as withdrawn;*

*(ii) The statements made in paras-1 and 2 of Affidavit of Mr. Dinesh Kumar Jain, Chief Secretary of the State Rane 6/6 WP-8987-2018 (SR.4) 12.12.2018 Government dated 12th December, 2018 are accepted as statements made on behalf of the State Government and the undertakings given by the State Government;*

*(iii) We hope and trust that the statements made in the Affidavit of Mr. Dinesh Kumar Jain are made known to all concerned authorities exercising powers under the said Act of 2005 to avoid any attempt of political influence in the process of transfer;*

*(iv) Though the Petition is disposed of, the protection granted to Shri. ShripatShinde under Clause-11 of the order dated 2nd November, 2018 stands;*

*(v) There shall be no order as to costs.”*

20. From the documents on record, *prima facie*, it appears that the applicant has been transferred only at the instance of the Employment Guarantee and Horticulture Minister and except that there is no other reason. Perusal of letter dated 2.11.2022 written by Hon'ble Minister to the Hon'ble Chief Minister reveals that Hon'ble Minister has recommended the name of Shri Kharwadkar for giving him additional charge of the subject post. It is, thus, evident that the transfer has not been made on administrative exigency, but to adjust and accommodate the officer whose name has been recommended by the Hon'ble Minister. In his letter though the Hon'ble Minister has stated that the applicant needs to be, "urgently" transferred, none of the documents placed on record today reveal any such reason which would justify the need of urgent transfer of the applicant from the subject post. To find out

whether the transfer is made for real administrative exigency, many times Courts/Tribunals are required to pierce the veil of the transfer order. If the findings reveal a nexus with the administrative necessity, the exercise of power has to be upheld. If however, operative reasons have no such nexus as is appearing in the present case, such order of transfer has to be held a mala fide use of power. Such decision can certainly be interfered with, when *prima facie* it appears that the impugned order of transfer is an arbitrary exercise of power. Despite a statement made on affidavit in the aforesaid matter that an attempt of political influence in the process of transfer would be avoided, in the present matter such political influence is apparently visible. The applicant has, therefore, certainly made out a *prima facie* case for grant of interim relief in his favour.

21. The next question falls for my consideration is whether the order of transfer can be stayed may be temporarily when Shri Kharwadkar is reported to have resumed the additional charge of the post held by the

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**O.A. NO.1112/2022**

applicant ? I see no difficulty in passing such order when the impugned order is prima-facie noticed to be an arbitrary and mala fide exercise of power. Since there is no complaint or allegation in regard to the competence and/or efficiency of the applicant, in fact it would be in the interest of people of Aurangabad that the applicant is permitted to continue the work specially assigned to him and complete the task given to him. Shri Kharwadkar has been otherwise also given additional charge of this post. His said order can be kept in abeyance or may be for the time being withdrawn by the Government.

22. In the result, the following order is passed :-

**ORDER**

(i) The order of transfer of the applicant dated 9.12.2022 issued by respondent No. 1 and the order dated 9.12.2022 issued by respondent No. 3, relieving the applicant from the post of Deputy Director, Town Planning Development Plan, Special Unit, are temporarily stayed until further orders. Consequently,

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**O.A. NO.1112/2022**

the respondents are directed to allow the applicant to perform his duties on the subject post till then by passing further necessary orders thereby withdrawing the additional charge given of the said post to Shri S.S. Kharwadkar.

(ii) The respondents shall file the affidavit in reply on the next date without fail.

(iii) The matter may be finally heard at the stage of admission itself.

(iv) S.O. to 10.01.2023.

**VICE CHAIRMAN**

**Place : Aurangabad**

**Date : 16.12.202.**



## “APPENDIX-A”

उप संचालक, नगर रचना (गट-अ) संवर्गातील अधिका-यांच्या सन २०२२-२०२३ मधील मध्यावधी बदल्यांबाबत.

संवर्ग पदनाम :- उप संचालक, नगर रचना (गट-अ/राजपत्रित) वेतनश्रेणी :- सातवा वेतन आयोग :- (एस-२५) रु.  
७८८००-२०९२००/-

अ. क्र.	अधिका-याचे नाव व सेवानिवृत्तीचा दिनांक	सध्याची पदस्थापना (पदस्थापनेचा दिनांक व कालावधी)	बदलीसाठी विनंतीचे कारण व ठिकाण	बदलीसाठी शिफारस/ तक्रार	मा. मंत्री/ मा. मुख्यमंत्री महोदयांचा शेर (असल्यास)	विभागाचे अभिप्राय	नगरी सेवा मंडळ-१ ची शिफारस
१	२	३	४	५	६	७	८
१	श्री. मो.र.खान (दि.३१.०१.२०२६)	उप संचालक, नागरी रचना वि. यो.वि.घ, औरंगाबाद महानगर पालिका, औरंगाबाद (०२.०८.२०२१) (१ वर्ष ४ महिणे)	..	श्री. संदिपान भुमरे, मा. मंत्री (रोजगार हमी व फलोत्पादन) यांचे पत्र दि. ०२.११.२०२२ (तक्रार पत्र)	अ.मु.स. (नवि-१)- तपासुन सादर करावे. मा. मुख्यमंत्री महोदय. पृ.१७-१९/प.	श्री. खान यांना कार्यरत पदावर १ वर्ष ४ महिणे इतका कालावधी पूर्ण झाला आहे. श्री. संदिपान भुमरे, मा. मंत्री (रोजगार हमी व फलोत्पादन) यांनी दि. ०२.११.२०२२ रोजीच्या पत्रान्वये श्री. खान यांची बदली करण्याबाबत विनंती केली आहे. उदयोग उर्जा व कामगार विभागाच्या दि. १८.६.२०१६ च्या शासन निर्णयानुसार राज्यात उदयोग स्थापन करण्याकरीता सर्वांना हरकती / पखाने / मंजु-या एकाच ठिकाणी उदयोजकांना तातडीने व सुलभरित्या प्राप्त होण्याकरीता “एक	बदली अधिनियम २००५ मधील नियम क्र. ४ (४)(दोन) व ४ (५) नुसार उपसंचालक, नगर रचना, मैत्री कक्ष, महाराष्ट्र राज्य लघुउदयोग विकास महामंडळ, मुंबई या रिक्त पदावर बदली करण्याचे शिफारस करण्यांत येत आहे.

					<p>रिडकी योजना”  राबविण्याचा निर्णय  घेतला असुन “मैत्री”  कक्ष स्थापन करुन सदर  कक्षाकरीता शासन  निर्णयासोबतच्या  परीशिष्टानुसार ४१ पदे  निर्माण करण्यात आली  आहेत. सदर पदांमध्ये  नगर विकास विभागाच्या  अंतर्गत असलेले  सहसंचालक, नगर रचना  दर्जाच्या एक पदाचा  समावेश असुन, शासन  निर्णय दि. १.११.२०१६  मधे नमुद केल्यानुसार  नगर विकास  विभागामार्फत जमीन  वापर बदला संदर्भात  परवानगी, इमारत  आराखडा मंजूरी,  उदयोग घटकांना वाढीव  चटई क्षेत्र निर्देशांक  मंजूरी जोत्यापर्यंत  बांधकाम प्रमाणपत्र देणे,  बांधकाम पुर्णत्व व  रहिवास प्रमाणपत्र, वृक्ष  तोडणी परवानगी व  मालमत्ता कर व अन्य  स्थानिक करांमध्ये सुट  देणे इत्यादी सेवा पुरविणे  निश्चित केले आहे. मैत्री  कक्षातील सहसंचालक,  नगर रचना हे पद  सद्यःस्थितीत रिक्त  आहेत. मान्यवरांनी  केलेल्या विनंती व मैत्री  कक्षातील सहसंचालक,  नगर रचना हे पद  भरण्याची आवश्यकता  विचारात घेता,  सहसंचालक, नगर  रचना, मैत्री कक्ष,</p>	
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						महाराष्ट्र राज्य लघुउद्योग विकास महामंडळ, मुंबई हे पद उपसंचालक, नगर रचना दर्जाच्या पदावर श्रेणी अवनत करून, श्री. खान यांची बदली अधिनियम २००५ मधील नियम क्र. ४ (४)(दोन) व ४ (५) नुसार उपसंचालक, नगर रचना, मैत्री कक्ष, महाराष्ट्र राज्य लघुउद्योग विकास महामंडळ, मुंबई या रिक्त पदावर बदली करण्याचे प्रस्तावित करण्यांत येत आहे.	
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सही/-  
सही/-

(अविनाश पाटील)  
(भूषण गगराणी)

संचालक, नगर रचना, पुणे तथा  
अपर मुख्य सचिव (नवि-९) तथा अध्यक्ष

नगरी सेवा मंडळ क्र. ९  
सेवा मंडळ क्र. ९”

सही/-

(डॉ. सोनिया सेठी)

प्रधान सचिव (नवि-२) तथा सदस्या,

नगरी सेवा मंडळ क्र. ९

नागरी