

ORIGINAL APPLICATION NO. 382 OF 2021
(Shaikh Hafijoddin Haniffodin Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

Shri J.M. Murkute, learned Advocate for the applicant (**Absent**). Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 and 2 and Shri A.C. Deshpande, learned Advocate for respondent Nos. 3 & 4.

2. The service affidavit is not filed by the applicant.
3. Learned Advocate for the respondent Nos. 3 & 4 submits that during the course of the day affidavit in reply would be filed on behalf of respondent Nos. 3 and 4.
4. S.O. to 03.02.2022.

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)

DATE : 17.12.2021

ORAL ORDER :

Heard Shri K.C. Sonone, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1 & 3. Shri S.B. Mene, learned Advocate for respondent Nos. 2 and 4, **absent**.

2. As per the Circular No. MAT/MUM/ESTT/732/2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Division Bench. The present matter is pertaining to benefit of time bound promotion/ACPS.

3. In view of the same, the present matter be placed before the Division Bench for further hearing.

4. S.O. to 14.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 362 OF 2019
(Neelabai A. Done & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit.
3. S.O. to 01.02.2022.

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)

DATE : 17.12.2021

ORAL ORDER :

Shri S.B. Pawar, learned Advocate for the applicant (**Absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent No. 1 and Shri S.B. Mene, learned Advocate for respondent Nos. 2 and 3.

2. As per the Circular No. MAT/MUM/ESTT/732/2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Division Bench. The present matter is pertaining to benefit of ACPS.

3. In view of the same, the present matter be placed before the Division Bench for further hearing.

4. S.O. to 14.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 701 OF 2019
(Bapusaheb V. Patare Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

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

2. Learned Advocate for the applicant filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.
3. S.O. to 04.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 874 OF 2019
(Sahedabegum Shaikh Younus Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

Shri Sanjay Kolhare, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Record shows that the affidavit in reply is filed on behalf of respondent No. 2.
3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1 and 3.
4. S.O. to 10.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 895 OF 2019
(Dinkar K. Shelar Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

Shri P.B. Patil, learned Advocate for the applicant (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Record shows that the affidavit in reply is filed on behalf of respondent Nos. 1 to 4.
3. S.O. to 10.02.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 897 OF 2019
(Dr. Uttam K. Ambre Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

Shri M.V. Dhongade, learned Advocate for the applicant (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 4 & 7. None present on behalf of respondent Nos. 5 & 6.

2. Record shows that the affidavit in reply is filed on behalf of respondent Nos. 1 to 4, to which the applicant has also filed rejoinder affidavit.

3. As none present for the applicant, S.O. to 11.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 907 OF 2019
(Dr. Namdeo V. Korde Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri A.S. Mirajgaonkar, learned Advocate holding for Shri C.V. Dharurkar, learned Advocate for respondent No. 6. None present on behalf of respondent No. 5, though duly served.

2. Learned Presenting Officer placed on record a copy of communication dated 15.11.2021 and seeks time for filing affidavit in reply on behalf of respondent Nos. 1 to 4. Time granted as one more last chance.

3. S.O. to 04.02.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1096 OF 2019
(Vikas D. Wagh Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

Shri D.K. Dagadkhair, learned Advocate for the applicant (**Leave Note**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Record shows that the affidavit in reply is filed only on behalf of respondent No. 3.
3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1 and 2.
4. S.O. to 11.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 167 OF 2020
(Premanand A. Dongre Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply.
3. S.O. to 17.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 168 OF 2020
(Babnrao P. Zod Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply.
3. S.O. to 17.01.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 411 OF 2020
(Ashfaq S. Quraishi Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

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

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

3. S.O. to 25.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 545 OF 2020
(Dayanand U. Rajgire Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Record shows that the affidavit in reply is filed on behalf of respondent Nos. 1 to 3.
3. Learned Presenting Officer seeks time for filing short affidavit as per the directions given by this Tribunal on 12.10.2021. Time granted.
4. S.O. to 02.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 566 OF 2020
(Nathu N. Khadtare and Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that during the course of the day affidavit in rejoinder would be filed.

3. S.O. to 20.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 67 OF 2021
(Prabhakar R. Chincholkar Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent No. 1 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 & 3.

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

3. S.O. to 24.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 109 OF 2021
(Ashok D. Shirakar and Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

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

2. Learned Advocate for the applicants submits that he would file the rejoinder affidavit during the course of the day.
3. S.O. to 28.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 129 OF 2021
(Dr. Sheshrao P. Lohgave Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply.
3. S.O. to 02.02.2022.

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, time is granted as one more last chance for filing affidavit in reply.
3. S.O. to 21.01.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 406 OF 2021
(Sajed M. Siddiqui Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit.
3. S.O. to 24.01.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 411 OF 2021
(Bharat L. Bhillare Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

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

2. Record shows that affidavit in reply is filed on behalf of respondent Nos. 1 to 3.
3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 4 and 5.
4. S.O. to 21.01.2022. Interim relief granted earlier to continue till then.

MEMBER (J)

**ORIGINAL APPLICATION NO. 413 OF 2021
(Pandhari S. Ahankar Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

Shri J.M. Murkute, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Await service of notices on the respondents.
3. S.O. to 07.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 414 OF 2021

(Shaikh Gulab Sher Muhammad Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate holding for Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, issue fresh notice to the respondent No. 3, returnable on 02.02.2022.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal

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O.A. No. 414/2021

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

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

7. S.O. to 02.02.2022.

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

MEMBER (J)

**ORIGINAL APPLICATION NO. 438 OF 2021
(Sambhaji K. Mali Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent No. 1 and Shri A.S. Mirajgaonkar, learned Advocate holding for Shri C.V. Dharurkar, learned Advocate for respondent No. 2.

2. Learned Advocate for respondent No. 2 filed affidavit in reply. Same is taken on record and copy thereof has been served on the other sides.

2. Record shows that affidavit in reply is filed on behalf of respondent No. 1, to which the applicant has filed rejoinder affidavit.

3. Learned Advocate for the applicant submits that he does not wish to file rejoinder affidavit to the affidavit in reply filed by the respondent No. 2.

4. S.O. to 18.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 534 OF 2021
(Shaikh Mohammed Shoeb Sarfaraz Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply.
3. S.O. to 28.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 589 OF 2021
(Prfull A. Suryawanshi Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

Heard Ms. Rakhi V. Sundale, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

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

3. At the request of learned Advocate for the applicant, S.O. to 02.02.2022 for filing rejoinder affidavit.

MEMBER (J)

**ORIGINAL APPLICATION NO. 621 OF 2021
(Shivaji S. Kawade Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply.
3. S.O. to 25.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 705 OF 2021
(Balwant S. Mukhade Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

Heard Shri D.T. Devane, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply.
3. S.O. to 28.01.2022.

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)

DATE : 17.12.2021

ORAL ORDER :

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

2. Learned Presenting Officer submits that during the course of the day affidavit in reply would be filed.

3. As per the Circular No. MAT/MUM/ESTT/732/2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Division Bench. The present matter is pertaining to benefit of ACPS.

4. In view of the same, the present matter be placed before the Division Bench for further hearing.

5. S.O. to 14.01.2022.

MEMBER (J)

**M.A. No. 218/2020 in O.A. St. No. 456/2020
(Ashok B. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit.
3. S.O. to 01.02.2022.

MEMBER (J)

KPB ORAL ORDERS 17.12.2021

**M.A. No. 10/2021 in O.A. St. No. 03/2021
(Motiram D. Nahide Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

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

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

3. S.O. to 01.02.2022.

MEMBER (J)

KPB ORAL ORDERS 17.12.2021

M.A. No. 43/2021 in O.A. St. No. 72/2021

(Khan Mohammad Arbaz Mohammad Kazim Khan Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate holding for Shri Shaikh Wajeed Ahmed, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 01.02.2022.

MEMBER (J)

KPB ORAL ORDERS 17.12.2021

**M.A. No. 335/2020 in O.A. St. No. 1475/2020
(Prabhakar S. Jagtap Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, time is granted for filing service affidavit.
3. S.O. to 01.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 667 OF 2021
(Netendrasingh Eknath Rajput Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

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

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

3. I have no difficulty in granting permission to the applicant to withdraw the present Original Application. Hence, the O.A. stands disposed of as withdrawn. There shall be no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 538 OF 2021
(Manohar K. Suryawanshi Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

Heard Shri U.P. Giri, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 to 4. Shri S.B. Jadhav, learned Advocate for respondent No. 5, **absent.**

2. At this stage, none present on behalf of respondent No. 5. In the morning session, Shri S.B. Jadhav, learned Advocate for respondent No. 5 had mentioned the matter and sought adjournment for filing affidavit in reply stating that he would inform to the learned Advocate for the applicant in respect of adjournment.

3. Learned Advocate for the applicant submits that he has not received any call from the learned Advocate for respondent No. 5. He seeks interim relief for keeping one post vacant of Group Instructor at I.T.I. College, Latur, wherefrom one employee has taken voluntary retirement. The applicant is transferred from Latur to Devani as per the impugned order of transfer dated 12.08.2021 (Exhibit-B). The applicant

//2// O.A. No. 538/2021

has been relieved from his present post at Latur and he joined at Devani and the same is recorded by this Tribunal in the order dated 14.09.2021 at the time of issuance of the notices.

4. In view of the same, it is not desirable to attend the matter on the point of interim relief.
5. Short time is granted for filing affidavit in reply to the respondent No. 5.
6. S.O. to 17.01.2022.

MEMBER (J)

**M.A.NO.454 OF 2019 IN O.A.ST.NO.1892 OF 2019
(Dnyaneshwar B. Sanap Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant produced on record the document showing that the applicant is working in Tahsil Office, Jintur, District-Parbhani since 2000. The same is taken on record.

3. The present matter is closed for order.

MEMBER (J)

KPB ORAL ORDERS 17.12.2021

**M.A.ST. 597/2021 IN M.A. 217 OF 2021 IN
O.A. ST. 598 OF 2021
(Vitthal S. Lokhande & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

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

2. By this application, the applicants are seeking to sue the respondents jointly.
3. The Original Application is filed seeking to release two advanced increments which were granted by the respondent authorities and further to fix the pay scale of both the applicants by revision of pay and pension papers forthwith.
4. The applicant No.1 retired on superannuation on 30.04.2013 while on the post of Office Superintendent in the office of respondent No.3 i.e. the Civil Surgeon, District Civil Hospital, Beed.
5. The applicant No.2 retired on superannuation on 31.05.2016 while on the post of Assistant Matron

//2// M.A. No. 597/2021
in M.A.217/2021 In
O.A.St.No.598/2021

6. Both the applicants were granted advanced increments for their best work by respondent No.2 by two separate orders dated 05.01.2007.

7. However, both the applicants did not get monetary relief till their respective dates of retirement.

8. In the circumstances as above, it is contended that the applicants are having common cause of action and having same type of grievance against the respondents.

9. In the circumstances, in order to avoid the multiplicity of litigation, it would be just and proper to grant permission to the applicant to sue the respondents jointly, subject to payment of court fee stamps, if not paid. Hence, following order:-

ORDER

- (a) The Misc. Application No. St. 597/2021 is allowed.
- (b) Permission is granted to the applicants to sue the respondents jointly.

//3// M.A. 597/2021 in
M.A.217/2021 In
O.A.St.598/2021

(c) The present M.A. stands disposed of
accordingly without any order as to costs.

MEMBER (J)

SAS ORAL ORDERS 17.12.2021

**M.A. No. 217/2021 IN O.A. St. No. 598/2021
(Vitthal S. Lokhande & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

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

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

3. S.O. to 02.02.2022.

MEMBER (J)

SAS ORAL ORDERS 17.12.2021

**ORIGINAL APPLICATION NO.799 OF 2016
(Bhura R. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

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

2. Learned P.O. for the respondents seeks time for producing on record the seniority list as directed by this Tribunal pursuant to order dated 08.10.2021.
3. S.O. to 02.02.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.417 OF 2018
(Chhagan B. Chavan & Ors Vs. State of Maharashtra &
Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

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

2. By consent of both the parties, S.O. to 03.02.2022.

MEMBER (J)

SAS ORAL ORDERS 17.12.2021

**ORIGINAL APPLICATION NO.718 OF 2018
(Balasaheb N. Kadam Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. As per the Circular No. MAT/MUM/ESTT/732/2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Division Bench. The Original Application is pertaining to A.C.P.S.

3. In view of the same, the present matter be placed before the Division Bench for further hearing.

4. S.O. to 10.02.2022

MEMBER (J)

**ORIGINAL APPLICATION NO.866 OF 2018
(Venkat M. Methe Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. As per the Circular No. MAT/MUM/ESTT/732/2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Division Bench. The Original Application is pertaining to time bound promotion.

3. In view of the same, the present matter be placed before the Division Bench for further hearing.

4. S.O. to 10.02.2022

MEMBER (J)

ORIGINAL APPLICATION NO.823 OF 2018
(Shubham H. Myadarward Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

Shri G.J. Karne, learned Advocate for the applicant is **absent**. Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. As none present on behalf of the applicant, S.O. to 07.02.2022.

MEMBER (J)

SAS ORAL ORDERS 17.12.2021

**ORIGINAL APPLICATION NO.1062 OF 2019
(Bhau M. Khade Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

Heard Smt. Priya R. Bharaswadkar, learned Advocate holding for Shri R.N. Bharaswadkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The present matter is closed for order.

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 06.01.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.433 OF 2020
(Ajay R. Lahot Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

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

2. The present matter be treated as part heard.

3. By consent of both the parties, S.O. to 23.12.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO.761 OF 2021
(Pradeep Babulal Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos.1 & 2 and Shri N.N. Desale, learned Advocate for the respondent No.3.

2. Affidavit-in-reply filed on behalf of respondent No.3 is taken on record and copy thereof has been served on the other side.

3. Considering the exigency in the matter, time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 & 2.

4. S.O. to 05.01.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.805 OF 2019
(Dr. Hitendra A. Patil & Ors.Vs. State of Maharashtra & Ors.)**

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

DATE : 17.12.2021

ORAL ORDER :

Heard Shri Gajendra D. Jain, learned Advocate holding for Shri D.S. Bagul, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. This Original Application is filed seeking direction against the respondent authorities to decide the application dated 06.08.2019 (Annex. 'F', page Nos.59 to 61 collectively) submitted by the original applicant No.1 seeking modification in order of transfer of the applicant whereby in the sitting of counselling which took place on 18.07.2019, the applicant was transferred and posted at Aayurvedic Hospital, Shevde, Tal. Sindhkheda, Dist. Dhule.

3. By the said application dated 06.08.2019 (Annex. 'F'), the applicant had given options as Medical Officer at District Prison, Dhule or Aayurvedic Hospital, Shirdhane, Tq. & Dist. Dhule.

4. In the affidavit-in-reply filed on behalf of the respondents it is contended that the said application of the applicant dated 06.08.2019 (Annex. 'F') has been decided by the respondent authorities and thereby the same is rejected and the said decision has been communicated to the applicant vide letter dated 14.03.2020 (Annex. 'R-1', page no.69 of P.B.).

5. In view of same, nothing remains to be decided in the Original Application. The Original Application has become infructuous.

6. In view above, learned Advocate for the applicant seeks disposal of the Original Application by giving liberty to the applicant to seek suitable remedy in respect of said decision vide letter dated 14.03.2020 as permissible in accordance with law.

7. Learned P.O. for the respondents submits that the Original Application can be disposed of accordingly.

8. In the circumstances as above, in my opinion, the Original Application can be disposed of by giving suitable liberty to the applicant. Hence, I proceed to pass following order:-

//3//

O.A.805/2019

ORDER

- (a) The Original Application stands disposed of as nothing remains to be decided in the matter with liberty to the applicant to seek legal remedy, if any available to him in respect of communication dated 14.03.2020 (Annex. 'R-1') received by the applicant from the respondent No.1 as permissible in accordance with law.

- (b) No order as to costs.

MEMBER (J)