

C.P.NO. 2/2021 in O.A.NO. 984/2018
(Jaiprakash L. Waghmare Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Smt. Anita A. Gadekar, learned Advocate for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent authorities and Shri S.D. Dhongde, learned Advocate for the respondent No.4, are present.

2. By consent of all the parties, S.O. to 17.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.02.2023.

ORIGINAL APPLICATION NO. 487 OF 2017
(Bhagwanrao J. Nagargoje Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 20.03.2023 for admission.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.02.2023.

ORIGINAL APPLICATION NO. 786 OF 2017
(Kailash A. Pardeshi Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 28 OF 2018
(Shashank B. Kamble Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri G.J. Kore, learned Advocate for the applicant and Shri Mahendra Kochar, learned Advocate for the respondent Nos. 3 to 5, are **absent**.

Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 24.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 800 OF 2018
(Dr. Kirankumar L. Bondar Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri Vithal M. Chate, learned Advocate for the applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 24.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.02.2023.

ORIGINAL APPLICATION NO. 31 OF 2019
(Vivek P. Bhamre Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri Kunal A. Kale, learned Advocate for the applicant and N.R. Dayama, learned Advocate for the respondent No.4, are **absent**. Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 24.03.2023 for hearing.

MEMBER (A)

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

DATE : 17.02.2023

ORAL ORDER :

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

2. S.O. to 17.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 93 OF 2020
(Jayshree S. Tusamkar Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri M.S. Choudhari, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 13.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 140 OF 2020
(Shrikant K. Bhale Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri H.A. Joshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 164 OF 2020
(Hemant M. Chhajed Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri A.A. Khande, learned Advocate holding for
Shri A.M. Hajare, learned Advocate for the applicant
and Smt. Deepali S. Deshpande, learned Presenting
Officer for the respondent authorities, are present.

2. S.O. to 17.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 312 OF 2020
(Amol D. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

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

2. S.O. to 17.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 383 OF 2020
(Sachin D. Maindale Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri O.Y. Kashid, learned Advocate for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 20.03.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 426 OF 2020
(Sunil S. Pagare Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri A.S. Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 16.03.2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 427 OF 2020
(Rahul B. Chaudhare Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri A.S. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 16.03.2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.02.2023.

ORIGINAL APPLICATION NO. 438 OF 2020
(Anil P. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

None present on behalf of the applicant.

Smt. M.S. Patni, learned Presenting Officer for
the respondent authorities, are present.

2. S.O. to 16.03.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 559 OF 2020
(Vishranti B. Giri Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

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

2. Hearing of this O.A. is expedited.
3. S.O. to 13.03.2023. **High on Board.**

MEMBER (A)

MEMBER (J)

O.A.NO. 165/2021 WITH O.A.NO. 680/2021
(Anil Y. Rokade & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri R.A. Joshi, learned Advocate for the applicants in both the O.As., Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in both the O.A. and Shri S.B. Patil, learned Advocate for the respondent Nos. 2 & 3 in both the O.As., are present.

2. Learned C.P.O. submits that he would file affidavit in reply on behalf of the respondent No.1 in O.A.No. 680/2021 during the course of the day.

3. Hearing of this O.A. is expedited.

4. S.O. to 16.03.2023. **High on Board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.02.2023.

ORIGINAL APPLICATION NO. 397 OF 2021
(Abhijit M. Bhise & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri A.S. Deshmukh, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 20.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 485 OF 2021
(Amol J. Kale Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri S.D. Tambat-Dhumal, learned Advocate for the applicant and Shri Sanjay Wakure, learned Advocate for the respondent No.5, are **absent**.

Smt. M.S. Patni, learned Presenting Officer for the respondent authorities and Shri A.S. Khedkar, learned Advocate holding for Shri A.B. Chalak, learned Advocate for the respondent No.6, are present.

2. S.O.to 24.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 511 OF 2021
(Dr. Sujitkumar S. Randive Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri A.D. Sugdare, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

Shri Vinod M. Vibhute, learned Advocate for the respondent No.5, is **absent**.

2. S.O. to 27.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.02.2023.

ORIGINAL APPLICATION NO. 598 OF 2021
(Bramhdev M. Latpate Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri S.D. Dhongde, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Affidavit in reply filed on behalf of the respondent Nos. 1,3, 4 & 5 is taken on record and copy thereof has been served on the other sides.

3. S.O. to 01.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 636 OF 2021
(Vitthal S. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 21.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 107 OF 2022
(Mohan S. Desale Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri S.B. Jadhav, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 28.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 167 OF 2022
(Pravin K. Kokande Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri Onkar Joshi, learned Advocate holding for Shri Jiwan J. Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 171 OF 2022
(Madansing S. Gusinge Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri Onkar Joshi, learned Advocate holding for Shri Jiwan J. Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 172 OF 2022
(Suresh S. Bobade Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri Onkar Joshi, learned Advocate holding for Shri Jiwan J. Patil, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 390 OF 2022
(Rajdeepsingh G. Sardar Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri K.G. Gaikwad, learned Advocate holding
Shri Rahul R. Karpe, learned Advocate for the
applicant and Smt. Sanjivani K. Deshmukh-Ghate,
learned Presenting Officer for the respondent
authorities, are present.

2. S.O. to 24.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 606 OF 2022
(Rajesh S. Parhe & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri S.G. Kulkarni, learned Advocate holding for Shri Prateek Sabde/Krishna Rodge, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 29.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.02.2023.

ORIGINAL APPLICATION NO. 177 OF 2017
(Anand V. Ganjewar Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 13.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 191 OF 2017
(Adikrao S. Mane Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Heard Smt. Archana Therokar, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant on instructions seeks permission to withdraw the present O.A.

3. We have no reasons to refuse permission to withdraw the present Original Application when the withdrawal is sought unconditionally.

4. In view of the same, the Original Application stands disposed of as withdrawn. No order as to costs.

MEMBER (A)

MEMBER (J)

O.A.Nos. 829/2017, 830/2017 And 831/2017
(Dattatraya D. Jaybhay & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri Vinod D. Godbharle, learned Advocate for the applicants in all these matters (**Absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities in all these matters, is present.

2. S.O. to 14.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.02.2023.

ORIGINAL APPLICATION NO. 962 OF 2017
(Bhausahab B. Rayate Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri A.S. Bayas, learned Advocate for the applicant (**Absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. As per the Circular No. MAT / MUM/ JUD/ 1340/2022, dated 22.12.2022 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding voluntary retirement, counting of service for initial modified assured progress scheme by G.R. dated 01.07.2011, service benefit, pensionary other than pay scale, time bound promotion, ACPS and lien are to be dealt with by the Single Bench. The Original Application is pertaining to Time Bound Promotion/A.C.P.S.

3. In view of the same, the present matter be placed before the Single Bench.

4. S.O. to 15.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

T.A.NO. 5/2018 (W.P.NO. 9261/2018)
(Pravin C. Janjal Vs. State of Maharashtra & Ors.)

With

T.A.NO. 6/2018 (W.P.NO. 9314/2018)
(Prasanna R. Raut & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri Nitin S. Kadarale, learned Advocate for the applicant in T.A.5/2018 and Shri Abhay R. Rathod, learned Advocate for the applicants in T.A.6/20218 (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in both the matters, is present.

2. S.O. to 21.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.02.2023.

**O.A.NOS. 179, 180, 279, 280 & 346 ALL OF 2019
(Dr. Suryakant D. Sonkhedkar & Ors. Vs. State of
Maharashtra & Ors.)**

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

DATE : 17.02.2023

ORAL ORDER :

Shri J.S. Deshmukh, learned Advocate for the applicants in all these O.As. and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities in all these O.As., are present.

Shri C.D. Biradar, learned Advocate for the respondent Nos.3 & 4 in O.A.No. 279/2019, is **absent**.

2. S.O. to 27.03.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 57 OF 2018
(Uttam T. Dabhade & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri S.D. Dhongde, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 08.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 74 OF 2018
(Bhagwan B. Chemate Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri S.S. Kulkarni, learned Advocate for the applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 21.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 903 OF 2018
(Dr. Jalindar S. Ambhore Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri Abhishek C. Deshpande, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 21.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 141 OF 2019
(Dr. Pandharinath S. Gawali & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri S.G. Kulkarni, learned Advocate holding for Shri A.S. Deshpande, learned Advocate for the applicants and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 13.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 117 OF 2019
(Sainath K. Matkar Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri Prasad D. Jarare, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 20.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.02.2023.

ORIGINAL APPLICATION NO. 398 OF 2019
(Dr. Anilkumar B. Momale Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 27.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.02.2023.

ORIGINAL APPLICATION NO. 721 OF 2019
(Bhagwan W. Londge Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri S.D. Dhongde, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 08.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 800 OF 2019
(Maheshkumar P. Sathe Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

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

2. S.O. to 20.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1065 OF 2019
(Dr. Jahagirdar D. Nizam Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 27.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.02.2023.

ORIGINAL APPLICATION NO. 28 OF 2020
(Anil P. Salve Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023

ORAL ORDER :

Shri K.G. Salunke, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 20.03.2023 for final hearing.

MEMBER (A)

MEMBER (J)

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

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

DATE : 17.02.2023.

ORAL ORDER :

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

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

3. S.O. to 28.03.2023.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 17.02.2023

**C.P. No. 17/2022 in O.A. No. 06/2021
(Dattu Ra. Raut Vs. State of Maharashtra & Ors.)**

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

DATE : 17.02.2023.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 20.03.2023 for filing rejoinder affidavit, if any.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 17.02.2023

**C.P. No. 41/2022 in O.A. No. 260/2021
(Ramrao K. Yadav Vs. State of Maharashtra & Ors.)**

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

DATE : 17.02.2023.

ORAL ORDER :

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

2. Learned Presenting Officer submits that the name of of respondent No. 3 is required to be corrected.

3. Learned Presenting Officer filed affidavit filed separate affidavits in reply on behalf of respondent Nos. 4 and 6 respectively. Same are taken on record.

4. S.O. to 21.03.2023 for filing rejoinder affidavit, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 274 OF 2019
(Prakash S. Sapkale Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

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

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 and 2. Same is taken on record and copy thereof has been served on the other side.
3. S.O. to 16.03.2023 for filing rejoinder affidavit, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 448 OF 2019
(Anil T. Patil & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

Shri S.D. Kotkar, learned Advocate for the applicants (**Absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 16.03.2023 as one more last chance for filing rejoinder affidavit, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 45 OF 2020
(Shila A. Mule Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

Shri P.D. Bachate, learned Advocate for the applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. Await service of notice upon the respondents.
3. S.O. to 17.03.2023.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 500 OF 2021
(Swapnil S. Jagtap Vs. State of Maharashtra & Ors.)**

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

DATE : 17.02.2023.

ORAL ORDER :

Smt. Vinaya Muley-Dharurkar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present. Shri A.K. Shejwal, learned Advocate for respondent No. 4, **absent**. None present on behalf of respondent No. 5, though duly served.

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit to the affidavit in reply filed on behalf of respondent Nos. 1 and 2.

3. S.O. to 16.03.2023 as one more last chance for filing affidavit in reply on behalf of respondent No. 4.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 264 OF 2022
(Ganesh P. Jagtap Vs. State of Maharashtra & Ors.)**

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

DATE : 17.02.2023.

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Advocate for the applicant, S.O. to 21.03.2023 for filing rejoinder affidavit, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 367 OF 2022
(Ikramoddin K. Khatib Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

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

2. At the request of learned Presenting Officer, time is granted as a last chance for filing affidavit in reply on behalf of respondent Nos. 1 & 2.

3. S.O. to 17.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 825 OF 2022
(Pallavi V. Alaspure & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

Shri A.R. Borulkar, learned Advocate for the applicants (**Absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

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

3. S.O. to 28.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 840 OF 2022
(Vikarm V. Mhaske & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

Shri A.R. Borulkar, learned Advocate for the applicants (**Absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

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

3. S.O. to 28.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 849 OF 2022
(Ramesh B. Gawali Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

Shri D.T. Devane, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Advocate for the applicant, S.O. to 28.03.2023 for filing rejoinder affidavit, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 854 OF 2022
(Vaishali R. Andhale & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.
3. S.O. to 24.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 938 OF 2022
(Chandrao U. Kadam Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

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

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

3 S.O. to 28.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1026 OF 2022
(Dr. Pradeep V. Kendre Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Await service of notice upon the respondents.
3. S.O. to 29.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1027 OF 2022
(Dr. Sachin O. Khakare Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

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

2. Await service of notice upon the respondents.
3. S.O. to 29.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1096 OF 2022
(Aruna A. Mugutrao Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

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

2. Notices not collected by the applicant.
3. S.O. to 29.03.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 69 OF 2023
(Maharashtra Rajya Janarogya Karmachari Mahasangh
through his Secretary Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

Shri P.D. Jarare, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Await service of notice upon the respondents.
3. At the request of learned Advocate for the applicant S.O. to 09.03.2023 for taking necessary steps.

MEMBER (A)

MEMBER (J)

**M.A. No. 422/2022 in O.A. ST. No. 1440/2022
(Harichandra D. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 17.02.2023.

ORAL ORDER :

Shri S.R. Patil, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 20.03.2023.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 17.02.2023

ORIGINAL APPLICATION NO. 50 OF 2023
(Bhagwan A. Vighne Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

Shri A.D. Aghav, learned Advocate for the applicant
(Absent).

Heard Shri M.S. Mahajan, learned Chief Presenting
Officer for the respondent authorities.

2. Record shows that nobody is appearing on behalf of the applicant since last two dates i.e. on 16.01.2023 & 07.02.2023. In view of the same, it appears that the applicant is not interested in prosecuting the matter. Hence, the O.A. stands dismissed in default.

MEMBER (A)

MEMBER (J)

M.A. St. No. 219/2023 in O.A. St. No. 220/2023
(Shailendra M. Valvi & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of learned Advocate for the applicants, S.O. to 13.03.2023.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 17.02.2023

M.A. No. 380/2019 in O.A. No. 290/2019
(Rajesh L. Tangade Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

Heard Shri Avinash Deshmukh, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities. Shri A.D. Aghav, learned Advocate for respondent No. 2, **absent.**

2. The present Misc. Application is filed by the applicant seeking amendment in the O.A. challenging the impugned final show cause notice of dismissal dated 25.03.2019 (Annexure A-5 in O.A.) issued by the respondent No. 2 i.e. the Chief Executive Officer, Zilla Parishad, Jalna to the applicant. By farad sheet order dated 16.04.2019, the following interim relief was granted:-

“The present show-cause is hereby stayed and the respondents may proceed with their case by the competent authority as per the provisions prescribed in the G.Rs. dated 11.10.2018 and 09.01.2018.”

3. It is contended by the applicant that thereafter during pendency of the said O.A., the respondent No. 2

//2// MA 380/2019 in
OA 290/2019

issued order of dismissal of the applicant dated 16.04.2019 (part of Annexure A-2 collectively in M.A.) subject to decision in this Original Application. But the respondent No. 2 by subsequent order dated 20.04.2019 (part of Annexure A-2 collectively in M.A.) stayed the said order dated 16.04.2019. The applicant seeks to bring on record the subsequent events. The subsequent events are relating to and connected with the contentions raised in the O.A. The proposed amendment if allowed, the same is not going to change the nature of original proceedings. In fact, the proposed amendment would be just and necessary to determine the real question of controversy between the parties. Hence, the following order :-

ORDER

- (i) The M.A. No. 380/2019 is allowed.
- (ii) The applicant shall carry out the necessary amendment in the O.A. within a period of one week and to serve the amended copy of the O.A. on the other side.
- (iii) Accordingly, M.A. No. 380/2019 stands disposed of with no order as to costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 290 OF 2019
(Rajesh L. Tangade Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

Heard Shri Avinash Deshmukh, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities. Shri A.D. Aghav, learned Advocate for respondent No. 2, **absent.**

2. One of the Member of this Bench Shri Bijay Kumar, Member (Administrative) retired from Agriculture Department in the month of August 2018. The present matter is pertaining to Agriculture Department. Hence, from the next date of hearing learned Member (A) recuses for hearing of this O.A.

3. In view of the same, the Registrar of this Tribunal is directed to take necessary steps in the matter.

4. S.O. to 10.03.2023.

MEMBER (A)

MEMBER (J)

M.A. 200/20 in MA 506/18 in OA St. 1951/2018
(Sajed Khan Ajiz Khan Pathan Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

Shri R.N. Bharaswadkar, learned Advocate for the applicant and Shri C.B. Gore, learned Advocate for respondent No. 5, are **absent**.

Heard Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri V.G. Pingle, learned Advocate for respondent No. 7.

2. As none present for the applicant, S.O. to 16.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

M.A. No. 93/2022 in O.A. No. 297/2013
(Prakash B. Joshi Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

Shri M.R. Kulkarni, learned Advocate for the applicant (**Absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. As none present for the applicant, S.O. to 27.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 17.02.2023

**M.A. 43/23 in O.A. 671/21 with C.P. St. 05/23
(Nitin S. Bedse Vs. State of Maharashtra & Ors.)**

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

DATE : 17.02.2023.

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. At the request of learned Advocate for the applicant, S.O. to 01.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 17.02.2023

**M.A. No. 498/2019 in O.A. St. No. 1959/2019
(Ramrao D. Rathod Vs. State of Maharashtra & Ors.)**

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

DATE : 17.02.2023.

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. By consent of both the sides, S.O. to 03.03.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 17.02.2023

ORIGINAL APPLICATION NO. 768 OF 2019
(Balasaheb T. Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

Heard Shri Avinash Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

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

3. Learned Presenting Officer placed on record bunch of documents being in compliance of the directions given by this Tribunal in its farad sheet order dated 06.02.2023. The said documents are taken on record and are annexed as last annexure to the affidavit in reply. It is made clear by the said documents that the earlier affidavit in reply filed on behalf of respondent Nos. 1 & 2 is to be treated as affidavit in reply on behalf of respondent Nos. 1, 1-A and 2.

4. S.O. to 01.03.2023. **High on board.**

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 702 OF 2021
(Vivekanand P. Dhongade Vs. State of Maharashtra & Ors.)**

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

DATE : 17.02.2023.

ORAL ORDER :

Heard Shri Avinash Deshmukh, learned ADvocate holding for Shri Avinash Khedkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. The present matter has already been treated as part heard.
3. S.O. to 09.03.2023. **High on board.**

MEMBER (A)

MEMBER (J)

T.A. 02/2021(W.P. No. 9902/2011)
(Radha N. Choure Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

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

2. S.O. to 08.03.2023 rehearing. **High on board.**

MEMBER (A)

MEMBER (J)

M.A. St. 664/2022 in O.A. St. No. 665/2022
(Reshma K. Kamble & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

Shri S.S. Jadhavar, learned Advocate for the applicants (**Absent**).

Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 16.03.2023 for rehearing. **High on board.**

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 17.02.2023

ORIGINAL APPLICATION NO. 443 OF 2018
(Jagannath W. Vispute Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

Heard Shri M.R. Wagh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. The present matter has already been treated as part heard.
3. S.O. to 13.03.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 402 OF 2019
(Sayed Salim Sayed Yaqub Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

Heard Shri S.P. Urgunde, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for respondent No. 4.

2. The present matter has already been treated as part heard.
3. S.O. to 02.03.2023. **High on board.**

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 491 OF 2013
(Devidas T. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 17.02.2023.

ORAL ORDER :

Heard Shri A.R. Lukhe, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of learned Advocate for the applicant, S.O. to 01.03.2023 as a last chance for final hearing peremptorily / dismissal.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 76 OF 2016
(Pramod S. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 17.02.2023.

ORAL ORDER :

Heard Smt. Kirti Deshapnde, learned Advocate holding for Shri M.M. Bhokarika, 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 02.03.2023 as a last chance for final hearing peremptorily / dismissal.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 185 OF 2016
(Lalu J. Pawara Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

Heard Shri A.R. Lukhe, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri K.B. Jadhav, learned Advocate for respondent No. 4. Shri C.V. Bhadane, learned Advocate for respondent No. 3, absent..

2. At the request of learned Advocate for the applicant, S.O. to 03.03.2023 as a last chance for final hearing peremptorily / dismissal.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 319 OF 2016
(Shivaji P. Kokate Vs. State of Maharashtra & Ors.)**

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

DATE : 17.02.2023.

ORAL ORDER :

Shri P.S. Dighe, learned Advocate for the applicant
(Absent).

Heard Shri M.S. Mahajan, learned Chief Presenting
Officer for the respondent authorities.

2. Record shows that nobody is appearing on behalf of the applicant since last four dates i.e. on 01.08.2022, 08.09.2022, 07.11.2022 and 17.01.2023. In view of the same, it appears that the applicant is not interested in prosecuting the matter. Hence, the O.A. stands dismissed in default.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 139 OF 2023
(Atmaram M. Pradhan Vs. State of Maharashtra & Ors.)

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

DATE : 17.02.2023.

ORAL ORDER :

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

2. The present Original Application is filed challenging the impugned transfer order of the applicant dated 13.02.2023 (Annexure A-4) issued by the respondent No. 1, whereby the applicant is transferred from the post of Dy. Superintendent of Police, Economic Offence Wing / Branch, Nandurbar to the post of Dy. Superintendent of Police, Scheduled Tribe Certificate Scrutiny Committee, Nashik.

3. It is the contention of the applicant that the impugned transfer order is not served upon him and he got the same from website. Learned Advocate for the applicant submitted that till yesterday morning when the O.A. was filed, the applicant was not relieved and further stated that as per the instructions, the applicant is not yet relieved today also and that the applicant has not

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handed over the charge of his post and that nobody is posted in his place.

4. According to the applicant, this is mid-term and mid-tenure transfer order passed in contravention of the provisions of Section 22N of the Maharashtra Police Act.

5. The applicant was promoted to the post of Dy. Superintendent of Police as per the Government order dated 02.12.2021 (Annexure A-1). His name is at Sr. No. 11 in the said list and was posted as Dy. Superintendent of Police at Economic Offence Wing / Branch, Nandurbar. He joined on the said post on 20.12.2021 as reflected in joining report dated 21.12.2021 (Annexure A-3) addressed to the respondent No. 4.

6. Learned Presenting Officer submitted that as per the instructions received to him from the concerned respondents, the applicant has been relieved from his present post on 16.02.2023.

7. From the above facts, it is evident that the applicant has been transferred within a period of about 1 year and one month. As per the provisions of Section 22N (1)(a) of the Maharashtra Police Act, the normal tenure for Police Personnel of and above the rank of Deputy Superintendent of Police or Assistant

Commissioner of Police shall be of two years at one place of posting. In view of the same, the impugned transfer order is mid-tenure transfer order. The impugned order is not issued either in the month of April or May and therefore, it is mid-term transfer order.

8. Perusal of the impugned order of transfer order dated 13.02.2023 (Annexure A-4) would show that the transfer order is issued in view of the provisions of Section 22N of the Maharashtra Police Act. In the said provisions, the reasons for mid-tenure transfer order are provided in proviso to sub-section (1) of Section 22N of the Maharashtra Police Act. The impugned transfer order is issued by the competent transferring authority i.e. the respondent No. 1. It also mentions that this order is based on the recommendation of the Police Establishment Board No. 1.

9. In the circumstances as above, in my considered opinion, prima-facie, it cannot be said that in any blatant disregard of requisite provisions of Section 22N of the Maharashtra Police Act the impugned transfer order is issued. Moreover, statement on behalf of the respondents is made that the applicant has already been relieved from his present post. In view of the same, I am not inclined to grant any interim relief in favour of the applicant.

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10. Issue notices to the respondents, returnable 02.03.2023.

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

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

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

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

15. S.O. to 02.03.2023.

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

MEMBER (J)