

ORIGINAL APPLICATION NO. 221 OF 2017
(Shri Hanuman Khokale Vs. State of Maharashtra & Ors.)

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

DATE : 17.1.2023

ORAL ORDER :

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

2. S.O. to 6.2.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ARJ ORAL ORDER 17.1.2023

ORIGINAL APPLICATION NO. 226 OF 2017
(Shri Baliram Kakade Vs. State of Maharashtra & Ors.)

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

DATE : 17.1.2023

ORAL ORDER :

Shri K.M. Nagarkar, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 7.2.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ARJ ORAL ORDER 17.1.2023

**ORIGINAL APPLICATION NO. 251 OF 2017
(Dr. Sham Toshniwal Vs. State of Maharashtra & Ors.)**

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

DATE : 17.1.2023

ORAL ORDER :

Shri J.G. Toshniwal, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 8.2.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 256 OF 2017
(Shri Rajendra Londhe Vs. State of Maharashtra & Ors.)

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

DATE : 17.1.2023

ORAL ORDER :

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

2. S.O. to 7.2.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ARJ ORAL ORDER 17.1.2023

ORIGINAL APPLICATION NO. 321 OF 2017
(Smt. Manisha Jagtap Vs. State of Maharashtra & Ors.)

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

DATE : 17.1.2023

ORAL ORDER :

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

2. S.O. to 9.2.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ARJ ORAL ORDER 17.1.2023

ORIGINAL APPLICATION NO. 664 OF 2017
(Shaikh Kalim Sk. Mannu Vs. State of Maharashtra & Ors.)

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

DATE : 17.1.2023

ORAL ORDER :

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

2. S.O. to 7.2.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ARJ ORAL ORDER 17.1.2023

ORIGINAL APPLICATION NO. 743 OF 2017
(Shri Subhash Dhokane Vs. State of Maharashtra & Ors.)

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

DATE : 17.1.2023

ORAL ORDER :

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

2. S.O. to 10.2.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ARJ ORAL ORDER 17.1.2023

ORIGINAL APPLICATION NO. 189 OF 2018
(Shri Dhiraj A. Salve Vs. State of Maharashtra & Ors.)

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

DATE : 17.1.2023

ORAL ORDER :

Shri Rahul Awsarmal, learned counsel for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri V.B. Wagh, learned counsel for respondent nos. 4 to 8, are present.

2. S.O. to 1.2.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ARJ ORAL ORDER 17.1.2023

ORIGINAL APPLICATION NO. 205 OF 2018
(Shri Santosh Trimanwar Vs. State of Maharashtra & Ors.)

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

DATE : 17.1.2023

ORAL ORDER :

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

2. S.O. to 9.2.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 631 OF 2018
(Shri Chudaman Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 17.1.2023

ORAL ORDER :

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

2. S.O. to 10.2.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 674 OF 2018
(Emam Najir Mirza Vs. State of Maharashtra & Ors.)

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

DATE : 17.1.2023

ORAL ORDER :

Shri I.D. Maniyar, learned counsel for the applicant (**absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 10.2.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 935 OF 2018
(Shri Chandrabhan Veer Vs. State of Maharashtra & Ors.)

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

DATE : 17.1.2023

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.

2. S.O. to 10.2.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 316 OF 2019
(Shri Shamlal Bhagure Vs. State of Maharashtra & Ors.)

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

DATE : 17.1.2023

ORAL ORDER :

S/shri M.K. Bhosale/M.B. Karande, learned counsel for the applicant (**absent**). Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 13.2.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 826 OF 2022
(Mujeebkhan Mehboobkhan Pathan Vs. State of Maharashtra & Ors.)

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

DATE : 17.1.2023

ORAL ORDER :

Miss. Anagha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent authorities, Shri Ajay Deshpande, learned counsel for respondent no. 5, Shri Avinash Deshmukh, learned counsel for respondent nos. 7 & 8 and Shri M.S. Deshmukh, learned counsel for respondent nos. 9 to 28, are present. Shri D.R. Shelke, learned counsel for respondent no. 6 (**absent**).

2. S.O. to 25.1.2023 for final hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.61/2023
(Madhav Shinde Vs. State of Maharashtra & Ors.)**

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

DATE : 17-01-2023

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. At the request of learned Counsel for the applicant as well as the learned P.O. for respondents, S.O. tomorrow i.e. on 18-01-2023.

MEMBER (J)

YUK ORAL ORDER 17.01.2023

DATE : 17.01.2023

M.A. No. 31/2023 in O.A. St. No. 89/2023

(Dr. Bhagwan V. Kendre Vs. The State of Maha. & Ors.)

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

1. Shri Shamsunder Patil, learned Advocate for the applicant and Shri I.S. Thorat, learned P.O. for the respondents, are present.

2. Circulation is granted. Issue notices to the respondents in M.A., returnable on **14.02.2023**. The case be listed for admission hearing on **14.02.2023**.

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

M.A. NO. 16/2023 IN O.A. NO. 201/2022
(Dr. Raman S. Dalvi Vs. State of Maharashtra & Ors.)

WITH

M.A. NO. 17/2023 IN O.A. NO. 202/2022
(Dr. Rohit R. Zarkar Vs. State of Maharashtra & Ors.)

WITH

M.A. NO. 18/2023 IN O.A. NO. 203/2022
(Dr. Amol B. Bansode Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri H.P. Jadhav, learned Advocate for the applicants in all these cases and Shri M.S. Mahajan, learned C.P.O., Smt. Deepali S. Deshpande and Smt. Sanjivani K. Deshmukh, learned Presenting Officers for the respective respondents in respective cases.

2. All the three Miscellaneous Applications in respective Original Applications are for seeking leave to be granted to amend their original applications and also for seeking interim relief in the common subject matter of recruitment on the vacant posts of Dental Surgeon, State Services (Group-B) for which advertisement dated, 18.02.2022 and bearing no. 14/2022 had been issued by MPSC.

3. The three applicants have applied for the said post in response to the said advertisement and they have prayed for similar interim relief therefore, the three

//2// MA 16/23 in OA
201/22 & 2 Ors.

matters have been heard today together and as such, a common order is being passed.

4. The three original applicants who are also the applicants in the current recruitment process have claimed their particulars to be as follows :-

M.A. No.	Name of the Original Applicant, also Candidate for recruitment	Date of 1st Contractual Appointment on post of Dental Surgeon-Group-B	Date up to which contractual appointments claimed to continue	Qualification of candidate
16/2022	Dr. Raman s/o Shankarrao Dalvi	26.02.2008	till date*	B.D.S.
17/2022	Dr. Rohit Ram Chandra Zarkar	21.02.2014	till date*	B.D.S.
18/2022	Dr. Amol Bhimrao Bansode	24.03.2017	till date*	B.D.S.

**Applicants also allege that his services have been illegally discontinued w.e.f. 01.04.2019.*

5. Now, the screening test for the post of Dental Surgeon, State Services, (Group-B) has been scheduled on 19.01.2023 from 04.30 A.N. to 05.30 A.N. In view of this, the applicants have filed their respective miscellaneous application.

//3// MA 16/23 in OA
201/22 & 2 Ors.

6. Applicants have proposed to amend the original application by introducing news paras no.'s XVIII and XIX in the original application, prayer clauses D-2 and D-3 as reproduced verbatim :-

“PROPOSED AMENDMENT

*XVIII) That, the exam schedule declared on 28.12.2022 is totally violation of rule of procedure framed by respondent No. 2 on 11.04.2022 and quash and set aside the letter dated 28.12.2022. Considering the advertisement itself is not as per the Recruitment Rules not provided any preference to candidates like applicant. The copies of communication dated 28.12.2022 and Rule of procedure dated 11.04.2022 are annexed herewith and marked as **“ANNEXURE “A-8”** collectively.*

*XIX) That the order passed in 1091/2015 filed by similarly situated applicants are challenged before Hon'ble High Court of Bombay and same is pending for adjudication. During pendency of this, the advertisement is issued and exam schedule is declared, same is totally violation of Article 14 of the Constitution of India and therefore, advertisement and exam schedule may kindly be quashed and set aside. The copy of order dated 08.05.2019 in O.A. No. 1091/2015 is annexed herewith and marked as **“ANNEXURE “A-9”**.*

PRAYERS

D2) That, the exam schedule declared on 28.12.2022 may kindly be quashed and set aside and declared that, the same is violation of Rule of

//4// MA 16/23 in OA
201/22 & 2 Ors.

Procedure dated 11.04.2022 issued by the respondent No. 2;

D3) Pending hearing and final disposal of this Original Application, respondents may kindly be directed to keep vacant one post subject to decision of this Original Application.”

7. Plain reading of new prayer Clauses D2 and D3 there is apparent contradiction in the sense that on one hand the applicant has prayed for quashing and setting aside the schedule for screening test which may halt the process of recruitment and, on the other hand the applicant has prayed for keeping one post for each of them vacant subject to decision of O.A. This aspect has been brought to the notice of the learned Advocate appearing for the applicants, who have agreed to re-look in to the proposed prayer clauses and do the needful in this regard, if needed.

8. The applicant has sought stay on screening test scheduled on 23.01.2023 mainly on following three grounds :-

(a) Screening test is being carried out in violation of Rules of Procedure framed by M.P.S.C. dated 11.04.2022.

(b) Appeal against the Order passed by this Tribunal in O.A. No. 1191/2015 has been challenged before Hon'ble High Court of Judicature at Bombay which is pending for adjudication. During pendency of the same the present

//5// MA 16/23 in OA
201/22 & 2 Ors.

advertisement has been issued which is ultra vires to Article 14 of the Constitution of India.

(c) It is the last chance for the applicants to appear in open recruitment process after which the one or more candidates may become over-age. However, if stay to screening test is granted they may pursue their cause of absorption in service.

9. Clause 10 of the advertisement for the posts stipulates the process of preliminary scrutiny/ screening test and interview. No concrete evidence has been adduced by the applicant to establish that the same is not in accordance with the Rules of Procedure, *framed by M.P.S.C. dated 11.04.2022.*

10. Considering the contingency in which MPSC completes the screening test and provisional list of candidates in descending order of marks secured by them in screening test is prepared and published, then, in our considered opinion, no prejudice is likely to be caused to the applicants as scrutiny of documents of short-listed candidates has already been provided for in accordance with the clause 10 of the advertisement for the ongoing recruitment process.

11. In view of above facts, in our considered opinion, the applicants have failed to establish that balance of convenience lies in their favour. Therefore, we infer that the present three Miscellaneous

//6// MA 16/23 in OA
201/22 & 2 Ors.

Applications are devoid of merit, hence the following order:-

ORDER

(A) Miscellaneous Application No. 16/2023 in O.A. No. 201/2022; M.A. No. 17/2023 in O.A. No. 202/2022 and M.A. No. 18/2023 in O.A. No. 203/2022 are hereby dismissed.

(B) In order to protect interest of the applicants, final hearing of the OA's will be expedited and next hearing has been scheduled on 25.01.2023. In addition, it is being ordered that the names of candidates shortlisted after screening test scheduled on 25.01.2023 and or, documents verification shall be subject to the outcome of the three O.As. before this Tribunal.

MEMBER (A)

MEMBER (J)

M.A. No. 26/2023 in O.A. No. 809/2021
(Dr. Imran Nizam Pathan Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri Ashish Rajkar, learned Advocate for respondent No. 4.

2. During the course of hearing, learned Presenting Officer placed on record documents regarding development in the matter by producing on record a copy of communication dated 06.01.2023 received by the office of C.P.O. from the respondent No. 3 i.e. the Dean, Government Medical College, Jalgaon, whereby documents are annexed showing that one Priya Raju Bhuje has joined as bonded candidate on the post of Assistant Professor, Dental Science in Government Medical College and Hospital, Jalgaon. It is taken on record and marked as document 'X' collectively for the purpose of identification. Copy of which is directed to be given to the learned Advocate for the applicant.

3. S.O. to 25.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 154 OF 2017
(Naseem Banu Nazir Patel Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri Avinash Deshmukh, 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 18.01.2023. **High on board.**

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 17.01.2023

ORIGINAL APPLICATION NO. 259 OF 2018
(Naseem Banu Nazir Patel Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

2. S.O. to 18.01.2023 for hearing. **High on board.**

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

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 : 17.01.2023

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 is to be treated as part heard.
3. S.O. to 24.01.2023. **High on board.**

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri S.S. Dambe, learned Advocate for the applicants, Shri V.R. Bhumkar, learned 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. The present matter is closed for orders.

MEMBER (A)

MEMBER (J)

C.P. 17/2021 in O.A. No. 127/2017
(Trimbak D. Tompe Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

2. S.O. to 08.02.2023 for further consideration. **High on board.**

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 17.01.2023

**O.A. No. 682/2021 with O.A. No. 683/2021
(Ashok K. Mehetre & Anr. Vs. State of Maharashtra & Ors.)**

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri Sudhir Patil, learned Advocate for the applicants in both the O.As. and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities in both the O.As.

2. S.O. to 06.02.2023 for further consideration. **High on board.**

MEMBER (A)

KPB ORAL ORDERS 17.01.2023

MEMBER (J)

C.P. No. 16/2020 in O.A. No. 886/2018
(Baliram D. Waghmare Vs. State of Maharashtra & Ors.)

WITH

C.P. No. 17/2020 in O.A. No. 883/2018
(Sawairam 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 : 17.01.2023

ORAL ORDER :

Shri G.N. Kulkarni, learned Advocate for the applicants in both the cases and S/shri V.R. Bhumkar & M.P. Gude, learned Presenting Officers for the respective respondent authorities in respective cases, are present.

2. S.O. to 16.02.2023 for hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

C.P. No. 02/2021 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 : 17.01.2023

ORAL ORDER :

Shri A.D. Gadekar, learned Advocate holding for Smt. Anita Gadekar, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities and Shri S.D. Dhongde, learned Advocate for respondent No. 4, are present.

2. S.O. to 17.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 17.01.2023

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 : 17.01.2023

ORAL ORDER :

Shri G.J. Kore, learned Advocate for the applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present. Shri Mahendra Kochar, learned Advocate for respondent Nos. 3 to 5, **absent**.

2. S.O. to 17.01.2023 for hearing.

MEMBER (A)

MEMBER (J)

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 : 17.01.2023

ORAL ORDER :

Shri K.A. Kale, learned Advocate for the applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present. Shri N.R. Dayama, learned Advocate for respondent No. 4, **absent**.

2. S.O. to 17.02.2023 for hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

ORIGINAL APPLICATION NO. 556 OF 2019
(Dr. Shamkant D. Gawande Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Shri J.S. Deshmukh, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Shri U.S. More, learned Advocate for respondent No. 4, are present.

2. S.O. to 20.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 17.01.2023

ORIGINAL APPLICATION NO. 934 OF 2019
(Madhukar K. Shingade Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

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 14.02.2023 for hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

**O.A. Nos. 39/2020, 477/2018, 982/2018 with
983/2018**

(Anil B. Nikam and Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Shri Avinash Deshmukh, learned Advocate for the applicant in O.A. 39/2020, Shri V.B. Wagh, learned Advocate for the applicants in O.A. Nos. 477, 982 & 983 all of 2018 and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 25.01.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 17.01.2023

**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 : 17.01.2023

ORAL ORDER :

Shri H.A. Joshi, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.02.2023 for hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

ORIGINAL APPLICATION NO. 480 OF 2020
(Prakash P. Nirmal and Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Shri R.D. Biradar, learned Advocate for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 20.02.2023 for hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

ORIGINAL APPLICATION NO. 504 OF 2020
(Dr. Anita A. Kadam Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

2. S.O. to 10.02.2023 for hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

ORIGINAL APPLICATION NO. 590 OF 2020
(Ankush B. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

2. S.O. to 15.02.2023 for hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

**O.A. No. 165/2021 with O.A. No. 680/2021
(Anil Y. Rokade Vs. State of Maharashtra & Ors.)**

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

DATE : 17.01.2023

ORAL ORDER :

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

2. S.O. to 17.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 17.01.2023

ORIGINAL APPLICATION NO. 569 OF 2021
(Jagannath M. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 14.03.2023 for hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

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 : 17.01.2023

ORAL ORDER :

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

2. S.O. to 17.02.2023 for hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

ORIGINAL APPLICATION NO. 14 OF 2022
(Baburao S. Mule & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 14.02.2023 for hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

ORIGINAL APPLICATION NO. 459 OF 2022
(Suresh C. Kapate & ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Shri Suchita Dhongde, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 20.02.2023 for hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

ORIGINAL APPLICATION NO. 685 OF 2022
(Nagesh G. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

2. S.O. to 20.02.2023 for hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

M.A. No. 100/2020 in O.A. No. 236/2018
(Krushnalal R. Shirshi Gule Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Shri N.S. Jadhav, learned Advocate holding for Shri M.R. Wagh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 08.02.2023 for hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

M.A. No. 103/2020 in O.A. St. No. 146/2020
(Ramchandra N. Palmate Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Shri V.P. Golewar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 08.02.2023 for hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

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

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

DATE : 17.01.2023

ORAL ORDER :

Shri S.G. Kulkarni, learned Advocate holding for Shri P.R. Tandale, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are 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 time bound promotion and ACPS are to be dealt with by the Single Bench. The present matter is pertaining to benefits of ACPS.

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

4. S.O. to 13.02.2023.

MEMBER (A)

MEMBER (J)

M.A. No. 474/2022 in O.A. No. 354/2022
(Riyaj M. Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

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 24.01.2023 for hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

M.A. No. 486/2022 in O.A. No. 397/2019
(Shilpa J. Ingale Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

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. S.O. to 15.02.2023 for hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

**M.A. No. 340/2022 in O.A. No. 588/2022
WITH
M.A. No. 341/2022 in O.A. No. 589/2022
WITH
M.A. No. 342/2022 in O.A. No. 590/2022
WITH
M.A. No. 343/2022 in O.A. No. 591/2022
WITH
M.A. No. 344/2022 in O.A. No. 592/2022
(Ramesh M. Chavan & ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri R.P. Raut, learned Advocate holding for Shri A.V. Lavte, learned Advocate for the applicants in all these cases and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities in all these cases, are present.

2. Hearing of the present matters is expedited.
3. S.O. to 01.02.2023 for hearing. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 476 OF 2016
(Ashvin P. Ganage Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri A.V. Patil (Indrale), learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. S.O. to 10.02.2023 for final hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

ORIGINAL APPLICATION NO. 920 OF 2016
(Sunita M. Gabale Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri A.V. Patil (Indrale), learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. S.O. to 10.02.2023 for final hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

O.A. No. 31/2017 with O.A. No. 159/2016
(Subhash R. Gutte & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri A.V. Patil (Indrale), learned Advocate for the applicants in both the O.As. and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities in both the O.As.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 6 in both the O.As. Same is taken on record and copy thereof has been served on the other side.

3. At the request of learned Advocate for the applicants, time is granted for filing rejoinder affidavit in both the O.As., if any.

4. S.O. to 10.02.2023 for final hearing.

MEMBER (A)

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

DATE : 17.01.2023

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 respondent authorities.

2. Learned Advocate for the applicant submitted that the applicant expired on 14.08.2020 during pendency of the present Original Application. To substantiate the same, he placed on record a copy of death certificate dated 22.02.2021, which shows that the applicant died on 14.08.2020. Same is taken on record & marked as document 'X' for identification.

3. The present Original Application is filed challenging the dismissal order of the applicant.

4. Learned Advocate for the applicant submits that the heirs and legal representatives of the applicant do not wish to proceed with the present O.A. further. Otherwise also the O.A. has stood abated, as the names and legal representatives of the deceased applicant have not been taken on record in prescribed period of limitation.

5. In view of above, the Original Application stands disposed of without any order as to costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 42 OF 2016
(Jalilal G. Kasliwal Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. S.O. to 28.02.2023 for final hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

ORIGINAL APPLICATION NO. 314 OF 2016
(Mohd. Majeed Modh. Faku Miyah Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. The present matter is closed for orders.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

ORIGINAL APPLICATION NO. 259 OF 2016
(Ravikiran M. Shete Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Shri S.T. Veer, learned Advocate for the applicant
(Absent). Shri B.S. Deokar, learned Presenting Officer for
the respondent authorities, is present.

2. As none present for the applicant, S.O. to
16.02.2023 for final hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

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 : 17.01.2023

ORAL ORDER :

Shri P.S. Dighe, learned Advocate for the applicant
(Absent). Shri V.R. Bhumkar, learned Presenting Officer
for the respondent authorities, is present.

2. As none present for the applicant, S.O. to
17.02.2023 for final hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

ORIGINAL APPLICATION NO. 355 OF 2016
(Shaikh Jamil Fakir Saheb Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Shri V.D. Gunale, learned Advocate for the applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present. Shri N.S. Kadam, learned Advocate for respondent Nos. 3 & 4, **absent**.

2. As none present for the applicant, S.O. to 20.02.2023 for final hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

ORIGINAL APPLICATION NO. 588 OF 2016
(Dnyaneshwar M. Barse Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Shri R.B. Narwade Patil, learned Advocate for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 20.02.2023 for final hearing.

MEMBER (A)
KPB ORAL ORDERS 17.01.2023

MEMBER (J)

ORIGINAL APPLICATION NO. 49 OF 2015
(Dattatray G. Zade Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Record shows that the applicant has challenged the impugned order dated 24.11.2011 (Annexure-H) issued by the respondent No. 2 rejecting the claim of the applicant for promotion to the post of Tax Recovery Officer (Non-Technical), which post was earlier nomenclatured as Motor Vehicle Inspector (Non-Technical). Perusal of the said impugned order dated 24.11.2011 would show that the said order was passed pursuant to the application dated 24.12.2010 made by the applicant. However, the applicant has not produced on record copy of the said application, which would be necessary to adjudicate the matter effectively.

3. Hence, the applicant is directed to place on record the copy of the said application dated 24.12.2010 or in alternative to produce the office copy of it by the respondents.

4. The present matter is to be treated as part heard.

5. S.O. to 15.02.2023.

MEMBER (A)

MEMBER (J)

Later on

2. Learned Advocate for the respondent No. 6 placed on record pursis stating that the respondent No. 6 expired on 15.12.2022 during pendency of the present O.A. Same is taken on record and marked as document 'X' for the purpose of identification.
3. The applicants to take note of it.
4. S.O. to 25.01.2023 for final hearing.

MEMBER (A)

KPB ORAL ORDERS 17.01.2023

MEMBER (J)

ORIGINAL APPLICATION NO. 774 OF 2022
(Angad R. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri R.P. Bhumkar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. S.O. to 25.01.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 814 OF 2018
(Chandrasen V. Gaysamudre Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

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 16.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

O.A.NO. 892/2018 WITH O.A.NO. 901/2018
(Dhananjay D. Chandodkar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri A.V. Thombre, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicants in both the O.As. and S/Shri N.U. Yadav and Shri M.P. Gude, respective learned Presenting Officers for the respondents in respective O.As.

2. At the request of the learned Advocate for the applicants, last chance is granted for filing affidavit in rejoinder in both the O.As.

3. S.O. to 15.02.2023. Interim relief granted earlier in O.A.No. 892/2018 to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 360 OF 2019
(Dr. Atul A. Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Record shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondents. Hence, the matter will proceed further without affidavit in reply of the respondents.

3. In view of above, fix the matter for hearing on 06.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 575 OF 2019
(Dr. Sachin D. Shekde & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Shri S.C. Bhosale, learned Advocate for the applicants (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Record shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondents. Hence, the matter will proceed further without affidavit in reply of the respondents.

3. In view of above, fix the matter for hearing on 08.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 866 OF 2019
(Santoshsing K. Rajput Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

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 13.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1021 OF 2019
(Dr. Prashant D. Warkari Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

2. Record shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondents. Hence, the matter will proceed further without affidavit in reply of the respondents.

3. S.O. to 14.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 366 OF 2020
(Bharat L. Dhonde Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri Amol A. Kokad, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

Shri M.B. Ubale, learned Advocate for the respondent No.3, is **absent**.

2. Record shows that affidavit in reply is filed on behalf of respondent Nos. 2 & 3 separately. Learned P.O. adopts the said reply for respondent No.1.

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

4. S.O. to 16.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 540 OF 2020
(Shaikh Akbar Shaikh Rasul Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. S.O. to 14.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 184 OF 2021
(Haridas S. Ingle Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, one more last chance is granted for filing affidavit in rejoinder.

3. S.O. to 10.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 78 OF 2022
(Vaishali B. Tote Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

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

3. S.O. to 15.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 254 OF 2022
(Sandip W. Khadse Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri R.J. Nirmal, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., one more last chance is granted for filing affidavit in reply on behalf of the respondents failing which the matter will proceed further without affidavit in reply of the respondents.

3. S.O. to 14.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 509 OF 2022
(Groundwater Engineers Association Maha. State Through It's
President BalasahebD. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Affidavit in reply filed on behalf of the respondent Nos. 2 & 3 is taken on record.

3. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of the respondent No.1.

4. The applicant is at liberty to file affidavit in rejoinder to the affidavit in reply filed on behalf of the respondent Nos. 2 & 3.

5. S.O. to 15.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 537 OF 2022
(Namdeo M. Wade Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

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

3. S.O. to 16.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 616 OF 2022
(Seema A. Shaikh & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri A.S. Khedkar, learned Advocate holding for Shri S.D. Munde, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

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 16.02.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 699 OF 2022
(Maharashtra Rajya Adarsh Shikshak Samiti, A'bad through its
State President, Gajanan N. Walke Vs. State of Maharashtra &
Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

2. Await service of notice on the respondents.
3. Record shows that the affidavit in reply is filed on behalf of the respondent No.1.
4. At the request of the learned Advocate for the applicant, time is granted for filing affidavit in rejoinder to the affidavit in reply filed on behalf of the respondent No.1.
5. S.O. to 16.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 824 OF 2022
(Pravin S. Jadhav & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

2. Affidavit in reply filed on behalf of the respondent Nos. 1 to 4 is taken on record and copy thereof has been served on the other side.

3. S.O. to 16.02.2023 for filing affidavit in rejoinder, if any.

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 : 17.01.2023

ORAL ORDER :

Heard Shri H.P. Jadhav, learned Advocate holding for Shri A.R. Borulkar, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.

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 17.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 840 OF 2022
(Vikram 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 : 17.01.2023

ORAL ORDER :

Heard Shri H.P. Jadhav, learned Advocate holding for Shri A.R. Borulkar, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents.

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 17.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 855 OF 2022
(Pravin R. Khedkar Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

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 16.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 861 OF 2022
(Shobha R. TakVs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

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

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

4. S.O. to 08.02.2023.

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 : 17.01.2023

ORAL ORDER :

Heard Shri H.P. Jadhav, learned Advocate holding for Shri A.R. Borulkar, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

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 17.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 941 OF 2022
(Ramesh D. Narwade Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

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

3. S.O. to 15.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 945 OF 2022
(Dr. Smita J. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Shri S.S. Londhe, learned Advocate for the applicant (**Absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Notices not collected by the applicant.
3. S.O. to 16.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 962 OF 2022
(Raju U. Hanuvate & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

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 16.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 981 OF 2022
(Dr. Imran Haroon Mohammad Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri Zahed Ali Syed, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

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 14.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1084 OF 2022
(Uddhav M. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri M.N. Kalyanne, learned Advocate holding for Shri R.S. Shinde-Borolkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

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 08.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1108 OF 2022
(Rajendra T. Dawange Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

2. Await service of notice on the respondents.
3. 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 A.C.P.S.
4. In view of the same, the present matter be placed before the Single Bench.
5. S.O. to 17.02.2023.

MEMBER (A)

MEMBER (J)

M.A.NO. 138/2019 IN O.A.NO. 805/2017
(Dr. Vanita N. Puri Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Shri Vishnu Dhoble, learned Advocate for the applicant (**Absent**). Heard Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri A.S. Deshmukh, learned Advocate for the respondent No.4.

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

3. S.O. to 10.02.2023.

MEMBER (A)

MEMBER (J)

**M.A.NO. 31/2020 WITH M.A.NO. 15/2020 IN
T.A.NO. 10/2018 (W.P.NO. 1439/2018)
(Nirmal T. Rakh & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 17.01.2023

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, one more last chance is granted for filing affidavit in rejoinder in M.A.

3. S.O. to 07.02.2023.

MEMBER (A)

MEMBER (J)

M.A.NO. 16/2022 IN O.A.ST.NO. 1505/2021
(Ramesh R. Kulthe Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

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 the learned Advocate for the applicant, last chance is granted for filing affidavit in rejoinder.

3. S.O. to 08.02.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.01.2023

M.A.NO. 86/2022 IN O.A.ST.NO. 1792/2021
(Sanjay P. Tarte Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

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 13.02.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.01.2023

M.A.NO. 95/2022 IN O.A.ST.NO. 109/2022
(Sanjay V. Mhaske Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Ms. M.A. Kulkarni, learned Advocate holding for Smt. Amruta Paranjape-Menezes, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. S.O. to 01.02.2023.

MEMBER (A)

MEMBER (J)

M.A.NO.. 275/2022 IN O.A.NO. 432/2020
(Sanjay R. Rajput & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri Suhas R. Shirsat, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, issue fresh notice to the respondent Nos. 4,19 and 41, returnable on 20.02.2023. Service of notice to respondent Nos. 4 & 41 through respondent No.3 and service of notice to respondent No.19 through respondent No.2 is allowed.

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

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

//2// M.A.275/2022 In
O.A.432/2020

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

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

7. S.O. to 20.02.2023.

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

MEMBER (A)

MEMBER (J)

M.A.NO. 375/2022 IN O.A.ST.NO. 1210/2022
(Abhiman G. Saindane Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri S.N. Suryawanshi, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 14.02.2023

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.01.2023

M.A.NO. 409/2022 IN O.A.ST.NO. 1053/2022
(Punjaji M. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

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 14.02.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.01.2023

M.A.NO. 410/2022 IN O.A.ST.NO. 1052/2022
(Uttam T. Padme Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

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 14.02.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.01.2023

M.A.NO. 547/2022 IN O.A.ST.NO. 1755/2022
(Ashok V. Kulkarni & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Shri V.S. Kadam, learned Advocate for the applicants (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned Advocate for the respondent Nos. 2 & 3.

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

3. S.O. to 16.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 2030 OF 2022
(Sheshrao S. Waghmare Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

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 07.02.2023.

MEMBER (A)

MEMBER (J)

M.A.NO. 22/2023 IN O.A.ST.NO. 66/2023
(Umakant D. Bhange & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri B.G. Deshmukh, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

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

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

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION ST.NO. 66 OF 2023
(Umakant D. Bhange & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri B.G. Deshmukh, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 20.02.2023.

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

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

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

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

7. S.O. to 20.02.2023.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 55 OF 2023
(Madhuri Bhagwan Panzade Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

2. Issue notice to the respondents, returnable on 09.02.2023.
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 09.02.2023.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 222 OF 2022
(Annasaheb M. Shinde & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri Jiwan J. Patil, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

Shri P.R. Katneshwar, leaned Special Counsel for the respondents, **absent**.

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

3. At the request of the learned P.O., S.O. to 23.01.2023. **High on Board**.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 367 OF 2021
(Ganpat M. Khokale Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. S.O. to 30.01.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 568 OF 2021
(Bhauasaheb S. Pansare Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri A.S. Khedkar, 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 Nos. 3 to 5.

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

3. 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 A.C.P.S.

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

5. S.O. to 09.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 62 OF 2022
(Sanjay N. Hange Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

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

2. S.O. to 20.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

O.A.NO. 300/2022 WITH O.A.NO. 397/2022
(Dr. Santosh R. Kote & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Smt. Premila Giri, learned Advocate holding for Smt. P.J. Bharad, learned Advocate for the applicants in both the O.As. and Shri D.R. Patil, learned Presenting Officer for the respondents in both the O.As.

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

3. S.O. to 20.02.2023 for filing affidavit in rejoinder, if any/ for hearing.

MEMBER (A)

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

DATE : 17.01.2023

ORAL ORDER :

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

2. S.O. to 03.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 633 OF 2017
(Dr. Shivshankar C. Harlayya Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri Amol S. Gandhi, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. S.O. to 15.02.2023 for final hearing.

MEMBER (A)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri H.M. Shaikh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh, learned Presenting Officer for the respondents.

2. S.O. to 16.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 826 OF 2022
(Mujeebkhan Mehboobkhan Pathan & Anr. Vs. State of
Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicants, Shri M.P. Gude, learned Presenting Officer for the respondent authorities, Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the respondent No.5, Shri Avinash S. Deshmukh, learned Advocate for the respondent Nos. 7 to 8 and Shri Mahesh S. Deshmukh, learned Advocate for the respondent Nos. 9 to 28.

Shri D.R. Shelke, learned Advocate for the respondent No.6, is **absent**.

2. Learned Advocate for the applicant submitted that the hearing of this Original Application is directed to be expedited by the Hon'ble High court. She however submits that her senior is going to argue this matter, however, she has some difficulty today and therefore, she seeks short date.

//2//

O.A.826/2022

3. In view of above, at the request of the learned Advocate for the applicant, S.O. to 25.01.2023 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.01.2023

Later On:-

Shri D.R. Shelke, learned Advocate for the respondent No.6 is present and he placed on record pursis stating that the respondent No.6 expired on 15.12.2022 during pendency of the present O.A. Same is taken on record and marked as document 'X' for the purpose of identification.

2. The applicants to take note of it.

3. S.O. to 25.01.2023 for final hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 17.01.2023

ORIGINAL APPLICATION NO. 774 OF 2022
(Angad R. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 17.01.2023

ORAL ORDER :

Heard Shri R.P. Bhumkar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. S.O. to 25.01.2023 for final hearing.

MEMBER (A)

MEMBER (J)