

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

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

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

2. The applicant was inflicted with major penalty including that of compulsory retirement. Being aggrieved by the order of the Disciplinary Authority, O.A.No.1005/2014 with M.A.No.601/2014 was filed before this Tribunal. Operative part of the order of the Tribunal passed in O.A.No.1005/2014 with M.A.No.601/2014 on 20-02-2015 is reproduced below from paper book page 96-99:

“11. It must, therefore, follow that the matter will have to be remitted back to the disciplinary authority to act in accordance herewith. An outer time limit will be laid down. Technically therefore the impugned orders will have to be quashed and set aside. But then as far as the issue of reinstatement of the Applicant and the consequent service benefits are concerned we have given our

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O.A.NO.804/2017

anxious consideration to that aspect. The Applicant was placed under suspension on 3.8.2002 pending enquiry. He was then punished with compulsory retirement. He is in fact out of work from 03-08-2002 till date. Reinstatement post quashing should generally follow but yet there can be exceptions. One aspect undoubtedly it the safeguards to a public servant inter-alia under the protective umbrella of Art, 311. But at the same time the interest of general populace that comes in contact with the one that mans the post in question also has to be taken due notice of. The gravity of charge even in the realm of allegations does not vanish in thin air because of the horrendous way in which the authorities below acted. If we have not pronounced the Applicant guilty we have no occasion to hold him not guilty either. In fact the impugned orders are such that they did not give us an opportunity to even put the main issues on anvil. We therefore hold that this is one of the exceptional cases where after balancing the equity on both sides and considering rival interest we should not be ordering reinstatement. In any case laying down of an outer time limit will go a

long way to take care of the interest of the Applicant.

12. Before parting we may also mention that whatever evidence could have been adduced in view of the facts at issue was adduced by the enquiry officer. Quantity of evidence was not an issue. Its total non-evaluation by the two authorities was an issue. We do not therefore think any additional evidence will be necessary to be adduced. This is required to be observed because we have perused the evidence in the light of the charges. The evidence for the period from 1998-2004 was relevant. That was adduced. Those who supposedly were victims were examined. Therefore we would commend to the disciplinary authority not to mechanically allow adducing of additional evidence. He may do so only if he feels really compelled to, bearing the need for expeditions disposal in mind. Similarly the Disciplinary Authority shall simply ignore the recommendation of the enquiry officer about the punishment. The disciplinary authority shall be governed by the provisions of the relevant rules in that behalf and also with regard to every other aspect.

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13. *The order passed by the disciplinary authority being the Respondent No.3 – Additional Commissioner Tribal Development, Nashik Division, Nashik, dated 18.6.2004 (Page 20 of the Paper Book) inter-alia ordering compulsory retirement of the Applicant and the order in appeal therefrom dated 26.5.2005, the Respondent No.2 commissioner – Tribal Development, Maharashtra State, Nashik (Page 18 of the paper book) confirming the order of the disciplinary authority are quashed and set aside. For the reasons herein set out the matter is remitted to the disciplinary authority to re-admit it from the stage of its receipt from the enquiry officer and hear it afresh after giving to the Applicant an opportunity of being heard bearing in mind the directions in Para 12 above. He must decide the matter as herein mandated by 31st May, 2015. This time limit must be adhered to strictly. In view of the reasons set out in Para 11 above there will be no directions to reinstate the Applicant pending decision by the disciplinary authority. If the officers that rendered the orders herein impugned are still in service copies hereof be forwarded to them through official channel for information and guidance.*

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14. This O.A. is disposed of in these terms with no order as to costs. The M.A. gets concluded with the O.A.”

3. On the face of record, it appears that an Enquiry Officer (EO) was appointed and fresh enquiry was conducted and entire process was carried out mechanically and that does not amount to compliance with the order of the Tribunal dated 20-02-2015. The applicant has filed appeal before the Hon'ble Minister for Tribal Development, Government of Maharashtra, which was dismissed. In the present O.A. the applicant has sought following relief:

“(A) Original Application may kindly be allowed.

(B) By issue of an appropriate order or direction, the impugned order dated 18-11-2017 passed by Respondent No.1 in appeal/Revision thereby confirming the punishment order dated 7-12-2015, (issued by respondent No.3), thereby imposing the punishment of compulsory retirement upon the applicant from service as was awarded to him under order dated 23-06-2004 may kindly be quashed and set aside.

(C) By issue of an appropriate order or direction, the respondent No.3 may kindly be

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directed to treat the applicant in service w.e.f.23-6-2004, grant him all the consequential benefits such as salary, seniority, fixation of pay, regular annual increments and promotions as would have occurred to him in normal course had he been in service till the date of his retirement on superannuation.

9.(a) Any other relief to which the applicant is deemed entitled in the interest of justice may kindly be granted.”

4. After hearing the contesting parties, respondent nos.2 and 3 are hereby, directed to comply with the order of the Tribunal, dated 20-02-2015 by re-assessing the evidence available on record and pass order afresh. This exercise should be completed within 8 weeks from the date of receipt of this order and submit the report to the Tribunal.

5. It is clarified that the matter is not to be relegated to the enquiry officer but the disciplinary authority has to reassess the evidence already brought on record during the course of the enquiry and considering the said evidence shall form his opinion about the misconduct as alleged against the applicant. In case of failure of respondent

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nos.2 and 3, the Tribunal may decide the case on merit of the matter.

6. S.O. to 23-02-2022.

MEMBER (A)

MEMBER (J)

YUK ORAL ORDERS 17.12.2021

**O.A.NOS.769/2019, 770/2019, 771/2019, 772/2019
AND 311/2021
(Shaikh Imran & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Heard Smt. Suchita Dhongde learned Advocate holding for Shri Amit Dhongde, learned Advocate for the applicants and Shri N.U.Yadav, learned Presenting Officer for the respondents in respective cases.

2. At the request of learned Presenting Officer, S.O. to 23-12-2021.

3. These cases be placed **High On Board**.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.198/2021
WITH
ORIGINAL APPLICATION NO.204/2021
(Umesh Bavare & Ors. Vs. State of Maharashtra & Ors.
Ganesh Jaybhaye & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **17.12.2021**

ORAL ORDER :

Heard Shri S.D.Munde, learned Advocate for the applicants, Shri V.R.Bhumkar, learned Presenting Officer for the respondent nos.1 to 8 and Shri S.R.Shirsat learned Advocate for respondent nos.9 to 15 in O.A.No.198/2021.

Heard Shri S.D.Dhongde, learned Advocate for the applicants and Shri N.U.Yadav, learned Presenting Officer for the respondents in O.A.No.204/2021.

2. Learned P.O. has placed on record copy of advertisement published by Tahsildar, Kaij. Copy is served on the other side.

3. Arguments of both sides are heard at length. Both the cases are reserved for order.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.1071/2019
(Virbhadra Idage Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Heard Smt. Suchita Dhondge, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authority and Shri N.U.Yadav learned Advocate for respondent nos.2 and 3.

2. Arguments are concluded. Reserved for order.

MEMBER (A)

MEMBER (J)

C.P.NO.06/2021 IN O.A.NO.165/2019
(Supriya Deshpande & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

Shri Vivekanand V. Ingle, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Chief Presenting Officer, S.O. to 21-12-2021.

MEMBER (A)

MEMBER (J)

**C.P.NO.18/2021 IN O.A.NO.229/2017 WITH 508/2017
(Syed Azam Syed Lal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

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

2. Today when the present matter is taken up for consideration, learned P.O. has placed on record copy of the order passed by the Hon'ble Supreme Court on 10-10-2017 in SLP (Diary) No.28069/2017. Letter received to the learned P.O. dated 15-12-2021 and the order of the Hon'ble Supreme Court annexed herewith is taken on record.

3. Learned Advocate for the applicant seeks time to take instructions whether the said order still subsists or otherwise.

4. S.O. to 07-01-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.1020/2019
(Deepak Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Heard Shri S.G.Kulkarni learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents.

2. Learned P.O. has sought time to file affidavit in reply on behalf of respondent nos.1 and 2. Time is granted.

3. S.O. to 20-01-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.355/2020
(Chandana Kokani Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **17.12.2021**

ORAL ORDER :

Heard Shri S.G.Kulkarni learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents.

2. Reply is filed. Copy is supplied to the learned Advocate for the other side. Applicant seeks time to file rejoinder.

3. S.O. to 21-01-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.368/2017 WITH 369/2017
(Bapu Lad & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri S.A.Deshmukh, learned Advocate for the applicants and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents in respective cases, are present.

2. At the request and consent of both the parties, S.O. to 11-01-2022.

MEMBER (A)

MEMBER (J)

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

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri S.G.Kulkarni learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents, are present.

2. At the request of learned Advocate for the applicant, S.O. to 20-01-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.50/2015
(Rajendra Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri K.G.Salunke, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. Learned P.O. has sought time by way of last chance, on the ground that brief could not become available to her within time.

3. Matter be kept **High on Board**.

4. S.O. to 10-01-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.66/2018
(Dnyaneshwar Kadam Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

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

2. At the request and consent of both the parties, S.O. to 04-01-2022.

MEMBER (A)

MEMBER (J)

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

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri M.M.Bhokarikar, learned Advocate for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 12-01-2022.

MEMBER (A)

MEMBER (J)

**REVIEW APPLICATION NO.08/2017 IN O.A.NO.498/2013
(Shivraj Hawanna Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

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

2. On request of learned Advocate appearing for the applicant S.O. to 06-01-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.190/2017
(Dattatraya Zombade Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **17.12.2021**

ORAL ORDER :

Shri Shamsundar B. Patil, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 24-01-2022.

MEMBER (A)

MEMBER (J)

**O.A.NO.436/2017 WITH T.A.NO.03/2021 IN
W.P.NO.3742/2021
(Shreya Momode Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Heard Ku. Anagha Pandit learned Advocate holding for Shri S.B.Talekar, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Chief Presenting Officer, S.O. to 14-01-2022.

MEMBER (A)

MEMBER (J)

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

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri S.D.Joshi, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 06-01-2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.657/2018
(Ayesha Khan Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri M.K.Deshpande, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 27-01-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.248/2019
(Vikram Mate Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri V.G.Pingle, learned Advocate for the applicant, Smt. Sanjivani Ghate, learned Presenting Officer for the respondent nos.1 and 2 and Shri S.D.Dhongde learned Advocate for respondent nos.3 and 4, are present.

2. At the request and consent of both the parties, S.O. to 28-01-2022.

MEMBER (A)

MEMBER (J)

**M.A.NO.443/2019 IN O.A.NO.335/2019
(H.V.Patil & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Heard Shri R.N.Bharaswadkar, learned Advocate for the applicant in M.A., Shri M.P.Gude, learned Presenting Officer for the respondents and Shri S.V.Bhopi learned Advocate holding for Shri V.R.Dhorde learned Advocate for the applicant in O.A.

2. When the matter is taken up for hearing, learned P.O. tendered across the bar a communication received dated 08-12-2021, the same is taken on record. The communication reveals that one post is vacant in Nashik Division and two posts are vacant in Pune Division.

3. At the request of learned Advocate for the applicant, S.O. to 19-01-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.715/2019
(Sushma Choudhary Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri P.G.Tambde learned Advocate holding for Shri S.S.Jadhavar, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 11-01-2022.

MEMBER (A)

MEMBER (J)

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

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

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

2. At the request and consent of both the parties, S.O. to 05-01-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.79/2020
(Dr. Naser Ahmed Razvi Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **17.12.2021**

ORAL ORDER :

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

2. At the request and consent of both the parties, S.O. to 31-01-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 192 OF 2016
(Maroti S. Koli Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

Shri M.A. Golegaonkar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. Reply already filed.
3. List the matter for hearing on 19.01.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 17.12.2021-KPB

ORIGINAL APPLICATION NO. 392 OF 2018
(Chandrakant R. Kapse Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

Shri J.S. Gangawane, learned Advocate for the applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 to 4, is present. Shri U.S. Dambale, learned Advocate for respondent Nos. 5 to 7 & 9, **absent**. None present on behalf of respondent No. 8.

2. Reply already filed.
3. List the matter for hearing on 19.01.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 17.12.2021-KPB

ORIGINAL APPLICATION NO. 474 OF 2018
(Prashant P. Vaidya Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

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

2. Learned Counsel for the applicant submits that during the course of the day rejoinder would be filed. It be taken on record.
3. List the matter for hearing on 20.01.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 17.12.2021-KPB

ORIGINAL APPLICATION NO. 575 OF 2014
(Deepak B. Patil Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

Shri A.D. Gadekar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. By the consent of both the sides, S.O. to 20.01.2022 for final hearing.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 17.12.2021-KPB

ORIGINAL APPLICATION NO. 300 OF 2015
(Santosh P. Namdas Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

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

2. By the consent of both the sides, S.O. to 21.01.2022 for final hearing.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 17.12.2021-KPB

ORIGINAL APPLICATION NO. 43 OF 2015
(Ramchandra G. Pardeshi Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

Shri T.G. Gaikwad, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. By the consent of both the sides, S.O. to 20.01.2022 for final hearing.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 17.12.2021-KPB

ORIGINAL APPLICATION NO. 583 OF 2014
(Bhausahab S. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri A.C. Deshpande, learned Advocate for respondent Nos. 5 & 6, are present.

2. By the consent of both the sides, S.O. to 20.01.2022 for final hearing.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 17.12.2021-KPB

ORIGINAL APPLICATION NO. 245 OF 2015
(Jagannath H. Mhaske Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. By the consent of both the sides, S.O. to 24.01.2022 for final hearing.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 17.12.2021-KPB

ORIGINAL APPLICATION NO. 689 OF 2015
(Dr. Shrikant B. Tambe Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 4, Shri P.R. Patil, learned Advocate for respondent No. 5 and Shri V.B. Wagh, learned Advocate for respondent No. 6, are present.

2. By the consent of both the sides, S.O. to 24.01.2022 for final hearing.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 17.12.2021-KPB

ORIGINAL APPLICATION NO. 946 OF 2017
(Namdeo L. More Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

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

2. By the consent of both the sides, S.O. to 25.01.2022 for final hearing.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 17.12.2021-KPB

ORIGINAL APPLICATION NO. 26 OF 2020
(Sanjay D. Salunke Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

Shri Y.H. Jadhav, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri D.A. Madke, learned Advocate for respondent No. 19, are present. None present for respondent Nos. 4 to 18, though duly served.

2. By the consent of both the sides, S.O. to 11.01.2022 for final hearing.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 17.12.2021-KPB

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

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

4. S.O. to 14.01.2022.

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

3. S.O. to 01.02.2022.

MEMBER (J)

KPB ORAL ORDERS 17.12.2021

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

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

4. S.O. to 14.02.2022.

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

3. S.O. to 04.02.2022.

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that during the course of the day affidavit in rejoinder would be filed.
3. S.O. to 20.01.2022.

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

3. S.O. to 24.01.2022.

MEMBER (J)

KPB ORAL ORDERS 17.12.2021

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

KPB ORAL ORDERS 17.12.2021

ORIGINAL APPLICATION NO. 414 OF 2021
(Shaikh Gulab Sher Muhammad Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

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

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

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

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

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

//2//

O.A. No. 414/2021

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

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

7. S.O. to 02.02.2022.

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

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

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

4. S.O. to 18.01.2022.

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

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

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

5. S.O. to 14.01.2022.

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply in M.A.
3. S.O. to 01.02.2022.

MEMBER (J)

M.A. No. 43/2021 in O.A. St. No. 72/2021
(Khan Mohammad Arbaz Mohammad Kazim Khan Vs. State of Maharashtra & Ors.)

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

DATE : 17.12.2021

ORAL ORDER :

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

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

3. S.O. to 01.02.2022.

MEMBER (J)

KPB ORAL ORDERS 17.12.2021

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

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

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

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

4. In view of the same, it is not desirable to attend the matter on the point of interim relief.

5. Short time is granted for filing affidavit in reply to the respondent No. 5.

6. S.O. to 17.01.2022.

MEMBER (J)

KPB ORAL ORDERS 17.12.2021

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

3. The present matter is closed for order.

MEMBER (J)

KPB ORAL ORDERS 17.12.2021

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

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

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

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

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

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

ORDER

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

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

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

MEMBER (J)

SAS ORAL ORDERS 17.12.2021

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

3. S.O. to 02.02.2022.

MEMBER (J)

SAS ORAL ORDERS 17.12.2021

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

3. S.O. to 02.02.2022.

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

SAS ORAL ORDERS 17.12.2021

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

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

4. S.O. to 10.02.2022

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

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

4. S.O. to 10.02.2022

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

2. The present matter is closed for order.

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

2. The present matter be treated as part heard.

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

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

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

4. S.O. to 05.01.2022.

MEMBER (J)

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

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

DATE : 17.12.2021

ORAL ORDER :

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

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

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

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

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

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

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

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

//3//

O.A.805/2019

ORDER

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

- (b) No order as to costs.

MEMBER (J)

**M.A. 325/2019 IN O.A. ST. 1389/2019
(Sukhdeo R. Solanker Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri R.K. Khandelwal, learned Counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 20.1.2022.

MEMBER (A)

MEMBER (J)

AR ORAL ORDERS 17.12.2021

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

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

Shri A.D. Sugdare, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. At the request of learned P.O., S.O. to 20.1.2022 for filing reply.

MEMBER (A)

MEMBER (J)

AR ORAL ORDERS 17.12.202

**ORIGINAL APPLICATION NO. 424/2021
(Dr. Vaibhav G. Wakade Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

Shri J.S. Deshmukh, learned Counsel for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 1 to 3 and Shri V.D. Patnoorkar, learned Counsel for respondent no. 4, are present. None appears for respondent no. 5, though duly served.

2. At the request of learned P.O. as well as learned counsel for res. no. 4, S.O. to 20.1.2022 for filing replies of the respective respondents.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 334/2021
(Madhuri P. Panzade Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri M.K. Hundekar, learned Counsel holding for Shri Jagdish K. Bansode, learned Counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent nos. 1 & 2 and Shri S.B. Solanke, learned Counsel for respondent no. 3, are present.

2. At the request of learned P.O. as well as learned Counsel for res. no. 3, S.O. to 20.1.2022 for filing replies of respective respondents.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 392/2021
(Pravin R. Hivrale & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri Ajay Deshpande, learned Counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. At the request of learned C.P.O., S.O. to 7.1.2022 for filing additional reply.

MEMBER (A)

MEMBER (J)

AR ORAL ORDERS 17.12.202

**ORIGINAL APPLICATION NO. 271/2021
(Shivaji S. Kawade Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. At the request of learned P.O., S.O. to 7.1.2022 for filing reply as a last chance.

MEMBER (A)

MEMBER (J)

AR ORAL ORDERS 17.12.202

ORIGINAL APPLICATION NO. 259/2021
(Megharani P. Tarkase & Ors. Vs. State of Maha. & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **17.12.2021**

ORAL ORDER :

Shri C.V. Dharurkar, learned Counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. At the request of learned P.O., S.O. to 18.1.2022 for filing reply. The interim relief granted earlier to continue till the next then.

MEMBER (A)

MEMBER (J)

AR ORAL ORDERS 17.12.202

**ORIGINAL APPLICATION NO. 188/2021
(Jayshree R. Dixit Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri J.S. Deshmukh, learned Counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. Rejoinder not filed by the applicant. Place the matter for hearing on 19.1.2022.

MEMBER (A)

MEMBER (J)

AR ORAL ORDERS 17.12.202

**ORIGINAL APPLICATION NO. 152/2021
(Avinash B. Londhe Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

None appears for the applicant. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. Rejoinder not filed by the applicant. List the matter for hearing on 24.1.2022.

MEMBER (A)

MEMBER (J)

AR ORAL ORDERS 17.12.202

**ORIGINAL APPLICATION NO. 81/2020
(Sudarshan N. Shinde Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri M.B. Bharaswadkar, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. List the matter for hearing on 6.1.2022. Respondents to file their reply by the next date.

MEMBER (A)

MEMBER (J)

AR ORAL ORDERS 17.12.202

**ORIGINAL APPLICATION NO. 1025/2019
(Dr. Sangeeta S. Patil Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri Shamsunder B. Patil, learned Counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. Rejoinder not filed. List the matter for hearing on 24.1.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 959/2019
(Rahul D. Sathe Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri R.D. Khadap, learned Counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. List the matter for hearing on 20.12.2021.

MEMBER (A)

MEMBER (J)

AR ORAL ORDERS 17.12.2021

ORIGINAL APPLICATION NO. 925/2018
(Kisan D. Pawar & Ors. Vs. State of Maha. & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **17.12.2021**

ORAL ORDER :

Shri A.C. Deshpande, learned Counsel for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. Rejoinder not filed. List the matter for hearing on 21.1.2022.

MEMBER (A)

MEMBER (J)

AR ORAL ORDERS 17.12.202

**ORIGINAL APPLICATION NO. 891/2018
(Dr. Uddhav S. Khaire Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. List the matter for hearing on 24.1.2022.

MEMBER (A)

MEMBER (J)

AR ORAL ORDERS 17.12.202

**ORIGINAL APPLICATION NO. 863/2018
(Ajay I. Jarwal Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri A.D. Gadekar, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. List the matter for hearing on 24.1.2022.

MEMBER (A)

MEMBER (J)

AR ORAL ORDERS 17.12.202

ORIGINAL APPLICATION NO. 768/2018
(Vijaykumar V. Giri & Ors. Vs. State of Maha. & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **17.12.2021**

ORAL ORDER :

Shri R.D. Khadap, learned Counsel holding for Shri S.S. Thombre, learned Counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. List the matter for hearing on 21.1.2022. Applicant is at liberty to file rejoinder affidavit by the next date with advance copy to other side.

MEMBER (A)

MEMBER (J)

AR ORAL ORDERS 17.12.202

ORIGINAL APPLICATION NO. 641/2018
(Balam A. Pathan Vs. State of Maha. & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **17.12.2021**

ORAL ORDER :

None appears for the applicant. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. Rejoinder not filed. List the matter for hearing on 21.1.2022.

MEMBER (A)

MEMBER (J)

AR ORAL ORDERS 17.12.202

**ORIGINAL APPLICATION NOS. 596 & 597/2018
(Dr. Sunil P. Bhandare & Anr. Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

Shri Gajanan S. Shembole, learned Counsel for the applicants in both the matters and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in both the matters, are present.

2. In both the matters the respondents have filed their replies. Applicants have not filed rejoinder.
3. List the matters for hearing on 20.1.2022.

MEMBER (A)

MEMBER (J)

**M.A.NO.310/2021 IN T.A. 2/2021 (W.P.NO.2612/2021)
(Samiksha R. Chandrakar & Anr. Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

M.A.NO.310/2021 IN T.A. 2/2021

Heard Shri V.D. Sapkal, learned Sr. Counsel on behalf of Shri Ujjwal Patil with Shri Bhalchandra Shinde, with Shri Pandurang Gaikwad, learned Counsels for the applicants in M.A. No. 310/2021 / (respondent Nos.5 to 10 in T.A.), Shri M.S. Mahajan, learned Chief Presenting Officer for applicants in M.A. (respondent Nos.1 to 4 in T.A.) and Shri Ajay S. Deshpande, learned Advocate for the respondent Nos.5 & 6 in M.A.

2. M.A. No. 310/2021 has been filed by the applicants for vacation of the ex-parte status quo order passed in T.A. no. 2/2021.

3. Today by passing the separate order in M.A. No. 305/2021, we have modified the Status quo order dated 10.2.2021 passed in T.A. No. 2/2021 (W.P.no. 2612/2021).

::-2-::

4. In view of the observations made in the order dated 17.12.2021 passed in M.A. No. 305/2021, the present M.A. 310/2021 stands disposed of with no order as to costs.

MEMBER (A)

MEMBER (J)

AR ORAL ORDERS 16.12.202

**M.A.NO.305/2021 IN T.A. 2/2021 (W.P.NO. 2612/2021)
(The State of Maharashtra & Ors. Vs. Samiksha R.
Chandrakant & Anr.)**

AND

**T.A. 1/2021 (W.P. 4908/2021)
(Shivaji T. Shinde & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

M.A.NO. 305/2021 T.A. 2/2021 (W.P. 2612/2021)

Heard Shri P.R. Katneshwarkar / M.S. Mahajan, learned Special Counsel / Chief Presenting Officer for applicants in M.A.No. 305/2021 & Shri Ajay Deshpande, learned Advocate for the respondents in present M.As./applicants in T.A. 2/2021 (W.P. No. 2612/2021).

AND

**T.A. 1/2021 (W.P. 4908/2021)
(Shivaji T. Shinde & Ors. Vs. State of Maha. & Ors.)**

Shri A.S. Deshmukh, learned Counsel for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 & 2, Shri Ujjwal Patil, learned Counsel for res. nos. 3 to 5 and Shri Mayur Subhedar, learned Counsel holding for Shri C.V. Dharurkar, learned counsel for res. nos. 6 to 8, are present.

//2// M.A. 305/2021 in
T.A. 02/2021 & Ors.

2. Vide the present M.A. No. 305/2021 the State has prayed for vacating the order of Status quo operating in T.A. 2/2021 (W.P. No. 2612/2021).

3. The applicants in T.A. 2/2021 had initially preferred Writ Petition No. 2612/2021 before the Hon'ble High Court of Judicature at Bombay, Bench at Aurangabad because of the non availability of the Presiding Officer in the Aurangabad Bench of M.A.T. In the said Writ Petition No. 2612/2021 the Division Bench of the Hon'ble High Court passed an order on 10.2.2021 and thereby directed to maintain the Status quo as on the said date. Subsequently the said Writ Petition came to be transferred to this Tribunal after Presiding Officer became available and the said Writ Petition was renumbered as T.A. No. 2/2021. Similar other Writ Petition bearing No. 4908/2021 was also transferred to the Tribunal and was renumbered as T.A. No. 1/2021.

4. In the present M.A., the State has prayed for vacating the order of Status quo mainly on 2 grounds, first that in the matter filed before the Principal Bench of M.A.T. at Mumbai filed on the similar set of

//3// M.A. 305/2021 in
T.A. 02/2021 & Ors.

circumstances with similar prayers, the Principal Bench has refused to grant any interim relief by passing elaborate order.

5. It is the contention of Shri Katneshwarkar, learned Special Counsel appearing for the State that in view of the observations made and conclusions recorded by the coordinate Bench of M.A.T. while passing the order in O.As. filed before it, the Status quo granted in the instant matter deserves to be vacated. The another ground raised in the M.A. is that because of the order of Status quo granted in the present matter, the State cannot fill up approximately 87 vacant posts of Additional Collectors all over the State. The learned Special Counsel further submitted that the said vacant posts need to be filled in to cope up with the administrative work and more particularly to face the COVID-19 pandemic situation. It is further contended that the entire chain of Revenue Officers' promotion has been affected.

6. The State in its application has made a statement that the State would not pass any adverse order against the applicants in T.A. no. 2/2021 even in the

//4// M.A. 305/2021 in
T.A. 02/2021 & Ors.

event of vacation of Stay till decision of the T.A. During the course of the arguments, the learned Special Counsel appearing for the State has also made a statement that the applicants in T.A. No. 1/2021 (Writ Petition No.4908/2021) will be promoted to the post of Additional Collectors along with the other eligible candidates immediately after vacation of the order of Status quo.

7. Initially though the prayer made by the State was seriously opposed by Shri Ajay Deshpande, learned Counsel appearing for the applicants in T.A. no. 2/2021, during the course of the arguments he showed favour for passing the further appropriate order in the matter taking care of the concern expressed by the State as about 87 vacant posts of the Additional Collectors by adequately protecting the rights of the applicants in T.A. No. 2/2021. Similar view was expressed by Shri Avinash S. Deshmukh, learned Counsel appearing for the applicants in T.A. No. 1/2021 (Writ Petition No. 4908/2021).

8. In view of the consensus arrived at between the parties recorded as above, we deem it appropriate to pass the following order :-

//5// M.A. 305/2021 in
T.A. 02/2021 & Ors.

ORDER

The order of Status quo passed by the Hon'ble High Court on 10.2.2021 in W.P. No. 2612/2021 (T.A. No. 2/2021) and which has been time to time continued by this Tribunal is modified as under :-

(i) It would be open for the State to fill up 87 promotional posts of Additional Collectors, subject to the final decision in T.A. No. 2/2021 (Writ Petition No. 2612/2021).

(ii) As informed by the learned Special Counsel for the State, the State would not take any adverse action against the applicants in T.A. No. 2/2021 (Writ Petition No. 2612/2021) during its pendency.

(iii) As has been further informed by the learned Special Counsel appearing for the State, the State would promote the applicants in T.A. No. 1/2021 (Writ Petition No. 4908/2021) to the post of Additional Collectors immediately after passing of the present order.

//6// M.A. 305/2021 in
T.A. 02/2021 & Ors.

(iv) It is clarified that there shall not be any impediment for the State for effecting the promotions up to the post of Deputy Collectors (Selection Grade).

(v) Accordingly, M.A. No. 305/2021 stands disposed of with no order as to costs.

(vi) Both the T.As. & M.As. therein be listed for hearing on 21.01.2022.

MEMBER (A)

MEMBER (J)

AR ORAL ORDERS 17.12.202

M.A. 63/2021 IN O.A. 1065/2019
(Dr. Jahagirdar D. Nizam Vs. State of Maha. & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **17.12.2021**

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Perused the application for amendment and the reply filed to the said application by the respondents. It is noticed that the prayer, which has sought to be added in the O.A. is in consonance with the prayer already made in the O.A. and the contentions as sought to be added in the O.A. are regarding the events occurred after filing the O.A. In view of the same, we are inclined to allow the present M.A. Hence, the following order :-

ORDER

(i) The present M.A. is allowed in terms of prayer clause (B) thereof.

:-2-:: M.A. 63/2021 IN O.A. 1065/2019

(ii) The applicant to carry out the proposed amendment in O.A. within a period of one week from the date of this order. Needless to state that, if the respondents intend to file reply after amendment, it would be open for them to file the same on or before the next date.

(iii) O.A. to come on board on 21.1.2022.

MEMBER (A)

MEMBER (J)

AR ORAL ORDERS 17.12.202

M.A. 63/2021 IN O.A. 1065/2019
(Dr. Jahagirdar D. Nizam Vs. State of Maha. & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **17.12.2021**

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Perused the application for amendment and the reply filed to the said application by the respondents. It is noticed that the prayer, which has sought to be added in the O.A. is in consonance with the prayer already made in the O.A. and the contentions as sought to be added in the O.A. are regarding the events occurred after filing the O.A. In view of the same, we are inclined to allow the present M.A. Hence, the following order :-

ORDER

(i) The present M.A. is allowed in terms of prayer clause (B) thereof.

:-2-:: M.A. 63/2021 IN O.A. 1065/2019

(ii) The applicant to carry out the proposed amendment in O.A. within a period of one week from the date of this order. Needless to state that, if the respondents intend to file reply after amendment, it would be open for them to file the same on or before the next date.

(iii) O.A. to come on board on 21.1.2022.

MEMBER (A)

MEMBER (J)

AR ORAL ORDERS 17.12.202

**M.A. 364/2021 IN O.A. 1377/2021
(Kamlakar G. Kulkarni Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Smt. Megha Mali, learned Counsel holding for Shri S.K. Mathpati, learned Counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. Perused the application for condonation of delay occurred in filing O.A. Though the delay appears to be longer of 668 days, it is noticed that the reasons assigned are genuine. In view of the fact that the applicant needs to be given an opportunity to prosecute his matter on merits, we are inclined to allow the present M.A. Hence, the following order :-

ORDER

- (i) M.A. No. 364/2021 stands allowed and the delay of about 668 days occurred in filing O.A. is condoned.
- (ii) The Registry to register the O.A. according to law.
- (iii) There shall be no order as to costs.

MEMBER (A)

MEMBER (J)

O.A. 1377/2021

(Kamlakar G. Kulkarni Vs. State of Maha. & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Smt. Megha Mali, learned Counsel holding for Shri S.K. Mathpati, learned Counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. Issue notice to the respondents, returnable on 25.1.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 25.1.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

**M.A. 395/2021 IN O.A. ST. 1723/2021
(Annasaheb M. Shinde & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri Jiwan J. Patil, learned Counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. At the request of learned C.P.O., S.O. to 23.12.2021.

MEMBER (A)

MEMBER (J)

AR ORAL ORDERS 17.12.2021

**ORIGINAL APPLICATION NO. 318/2020
(Dnyaneshwar D. Gorade Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Shri J.M. Murkute, learned Counsel for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent no. 1, Shri B.G. Deshmukh, learned Counsel for respondent no. 2 and Shri Avinash S. Deshmukh, learned Counsel for respondent no. 3, are present.

2. Learned Counsel for the applicant, on instructions, submitted that the purpose of filing the present O.A. has been served. He, therefore, seeks permission to withdraw the O.A.

3. Accordingly, present O.A. stands disposed of as withdrawn with no order as to costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 264/2019
(Supadu V. Bhalerao Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

Heard Shri Swapnil Tandale, learned Advocate holding for Shri B.R. Kedar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has filed a copy of the judgment delivered by the Hon'ble Apex Court in Civil Appeal Nos. 65-67 of 2009 (S.L.P. (C) Nos. 12512-12514 of 2007 [Er. Gurcharan Singh Grewal & Anr. Vs. Punjab State Electricity Board & Ors.] and the same is taken on record. Neither parties is submitting separate brief notes of arguments.

3. The present case is heard at length and reserved for orders.

MEMBER (A)

**ORIGINAL APPLICATION NO. 583/2018
(Sahebrao A. Sormare Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has filed documents, which includes the joining report dated 20.4.2002, Medical Certificate dated 20.4.2002 and leave application dated 20.4.2002 and copy of complaint ULP No. 53/2002 before the Hon'ble Member Industrial Court, Jalna.

3. The present case is heard at length and reserved for orders.

MEMBER (A)

ORIGINAL APPLICATION NO. 108/2019
(Krushna R. Rathod Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

Shri Vinod N. Rathod, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. By consent of both the parties, S.O. to 11.1.2022.

High on board.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 17.12.2021 – HDD

ORIGINAL APPLICATION NO. 849/2018
(Dr. Vinod A. Kakade & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

Shri S.G. Chapalgaonkar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Heard the arguments advanced by both the parties finally. Reserved for orders.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 17.12.2021 – HDD

ORIGINAL APPLICATION NO. 657/2021
(Kailash V. Waghmare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 17.12.2021

ORAL ORDER :

Heard Shri Jivan J. Patil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Though the learned Advocate for the applicant has insisted for interim relief apprehending that the applicant is likely to be reverted. At this stage, we are not inclined to grant any such relief as has been sought for. If any such reversion order is passed, it would be open for the applicant to move the M.A. in that regard.

3. Issue notice to respondents, returnable on 7.1.2022.

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

5. 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.

6. 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.

7. 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.

8. S.O. to 7.1.2022.

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

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 799/2021
(Shirish R. Yadav Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 17.12.2021

ORAL ORDER :

Heard Shri Jivan J. Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The O.A. is filed challenging the action of the respondents initiating departmental enquiry against the present applicant. It is the contention of the applicant that the departmental enquiry has been initiated against him in context with the orders passed by him while discharging the quasi-judicial function. Learned Advocate relied upon the judgment of the Hon'ble Apex Court in the case of **UNION OF INDIA VS. R.K. DESAI (1993) 2 SCC Page-49**. He further submits that the applicant has raised the preliminary objection as about the tenability of the enquiry proceedings by filing a detailed application with the enquiry officer, however, without deciding the said application, the respondents are proceeding further with the departmental enquiry. In the circumstances an interim prayer has been made for preventing the respondents from conducting the enquiry proceeding till the decision of the present application.

3. Learned Chief Presenting Officer on hearing the submissions advanced by the learned Advocate for the applicant submits that the authorities will first decide the preliminary objection as about the tenability of the enquiry proceedings.

4. In view of the aforesaid submissions made on behalf the both the parties, the following order is passed: -

ORDER

5. Issue notice to respondents, returnable on 25.1.2022.

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

7. 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.

8. 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.

9. 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.

10. As submitted by the learned Chief Presenting Officer, the concerned authority shall decide the preliminary objection raised by the applicant within a period of 4 weeks from the date of this order.

11. Till the preliminary objection is decided the enquiry officer shall not proceed with the enquiry.

12. In case the applicant is aggrieved with the decision on the preliminary objection, it would be open for him to challenge the said order also by suitably amending the O.A.

13. S.O. to 25.1.2022.

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

MEMBER (A)

MEMBER (J)

Date : 17.12.2021
ORIGINAL APPLICATION NO. 789 OF 2021
(Ganesh Yuvraj Pawar V/s State of Maha. & Ors.)

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

1. Shri Ramesh I. Wakade, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 17.1.2022. The case be listed for admission hearing on **17.1.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date : 17.12.2021

**M.A. 411/2021 IN M.A. 126/2019 IN O.A.ST.NO. 534/2019
(Sachin B. Waghmare V/s State of Maha. & Ors.)**

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

1. Shri Aman Sayyad, learned Advocate holding for Shri Amol S. Gandhi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents, are present.
2. Circulation is granted. Issue notices to the respondents in M.A. No. 411/2021, returnable on 14.1.2022. The case be listed for admission hearing on **14.1.2022.**
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

