

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI BENCH
AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Divison Bench

Before: - THE HON'BLE SHRI. V.D. DONGRE, MEMBER (J)

And

THE HON'BLE SHRI. BIJAY KUMAR, MEMBER (A)

Date: -17/04/2023

33	CP41/19 In OA25/18	A'bad	Adv.S.D. Joshi (Sachin R Salve)	Contempt Petition	For Heraring Reply Filed by R-1 to R-3	09.06.2023
34	CP19/20 In OA704/17 with	A'bad	Adv.Jayant B Choudhary (Asman D Garje & Ors.)	Contempt Petition	Writ Pending Before Hon'ble High Court For Hearing	19.06.2023
35	CP27/20 In OA749/17	A'bad	Adv.Jayant B Choudhary (Mohammad Abdul Hai Mohammd Abdul Gani & Ors)	Contempt Petition	Writ Pending Before Hon'ble High Court For Hearing	19.06.2023
36	CP42/22 In OA801/12	Hingoli	Adv.S.D. Dhongde (Baliram B Rathod)	Contempt Petition	For Hearing Reply Filed by R-2 & R-3	13.06.2023
37	OA67/18	P'bhani	Adv.K.G. Salunke (Dr.Mohd. Feroz Iqbal)	Not to Terminate the Services	For Hearing Reply Filed by R-2 & R-3	19.06.2023
38	OA115/20	A'bad	Adv.C.V. Dharurkar (Pravin S Thakre)	Appointment	For Hearing	02.05.2023
39	OA126/21	A'nagar	Adv.V.B. Wagh (Dadabhau N Gawali)	Promotion	For Admission	15.06.2023
40	OA196/21	P'bhani	Adv.K.B. Jadhav (Sandip P More)	Termination	For Hearing Reply Filed by R-2, R-3 & R-5 to R-7	19.06.2023

41	OA401/21	Nanded	Adv.S.B. Patil (Ramreddy R Aitwar)	Major Punishment	For Hearing Reply Filed by R-1 to R-3	07.06.2023
42	OA747/21	N'bar	Adv.J.S. Deshmukh (Dr.Deepak V Vasave)	Challenging Clause (H) of Order	For Hearing Reply Filed By R-1 to R-4	13.06.2023
43	OA767/21	Hingoli	Adv.Suchita Dhongde (Baliram B Rathod)	Seniority List	For Hearing Reply Filed by R-2 & R-3	13.06.2023
Final Hearing Matters						
44	OA762/17	Beed	Adv.A.N. Nagargoje/ Adv.Prasad Jadhavar (Manoranjan R Dhas)	Cancellation of Nomination of Nominee of Freedom Fighter	Reply filed by R-2 & R-3	21.06.2023
45	OA961/17	A'bad	Adv.Suvidh S Kulkarni (Manoj J Agale)	Appointment	Reply Filed by R-2 & R-4	21.06.2023
46	OA68/18	Hingoli	Adv.P.B. Rakhunde (Kishan D Kadam)	Termination	Reply Filed by R-1 to R-3	22.06.2023
47	OA829/18 With	Mumbai	Adv.Talekar & Associates (Kiran P Prabhakar Kolte)	Selection Process	Reply Filed by R-2	23.06.2023
48	OA96/20	A'bad	Adv.Talekar & Associates (Kiran P Kolte)	Appointment		23.06.2023
49	OA927/18	Beed	Adv.Vilas P Savant (Shamrao N Kadam & Ors.)	Seniority/ Promotion	Reply Filed by R-2 & R-4	26.06.2023
50	OA281/19	P'bhani	Adv.D.T. Devane (Prasad B Deshmukh)	Revision Pay Scale/ Increment	Reply Filed by R-1	13.06.2023
51	OA28/20	Beed	Adv.K.G. Salunke (Anil P Salve)	Promotion	Reply Filed by R-1 & R-2	06.06.2023
52	OA759/22	O'bad	Adv.O.D. Mane/ Adv.A.O. Mane (Manisha A Rashinkar)	Departmental Enquiry	Reply Filed by R-1 to R-3	06.06.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Division Bench

Before: - THE HON'BLE SHRI. V.D. DONGRE, MEMBER (J)

And

THE HON'BLE SHRI. BIJAY KUMAR, MEMBER (A)

Date: -17/04/2023 For Reply Board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	CP37/22 In OA138/19	P'bhani	Adv D T Devane (Dnyanoba K Ovhal)	Contempt Petition	Reply Filed By R-1 & R-3	13.06.2023
2	CP39/22 In OA208/21	Latur	Adv S B Solanke (Dnyaneshwar B Biradar & Ors.)	Contempt Petition	Await Service R- 1 & R-3 in C.P	13.06.2023
3	TA7/21 WP10329/21 with	Beed	Adv Abhijeet C Darandale (Shilpa A. Chate)	Examination	Notices not collected	DID
4	TA8/21 WP10446/21 with	A'vati	Adv Abhijeet C Darandale (Sonali R Raghuvanshi)	Examination	Notices not collected	DID
5	TA9/21 WP11027/21	A'nagar	Adv Hemant U Dhage/ Adv V C Misal (Sahil Badshaha Shaikh & Ors.)	Examination	Notices not collected	DID
6	OA24/21	Beed	Adv.S.B. Patil (Dr.Vaishali S Garjewar)	Challengin Conditions of G.R.	For Filing Affidavit in Rejoinder	14.06.2023
7	OA240/22	O'bad	Adv.C.V. Dharurkar (Ankij P Sawai) <u>Adv S B Solanke For R- 4</u>	Qualification	For Filing Affidavit in Reply	05.06.2023

8	OA868/22	Nanded	Adv R P Bhumkar (Ramdas G Gangadhare)	Revised Pay Scale/ Pensionery Benefits	Await Service R- 2 & For Filing Affidavit in Rejoinder	08.06.2023
9	OA875/22	Hingoli	Adv S B Patil (Dr. Anup R Naik)	Eligibility	For Filing Affidavit in Reply	08.06.2023
10	OA1019/22	Beed	Adv.Swaraj S Tandale (Indrakant H Shendurkar)	Promotion/ Deemed Date	As One More Last Chance For Filing Affidavit in Reply	09.06.2023
11	OA1072/22	O'bad	Adv S D Joshi (Vishal G Waghmare)	Seniority List	For Filing Affidavit in Reply For R- 1	06.06.2023
12	OA3/23	O'bad	Adv S D Joshi (Dr. Sujata P Jadhav) <u>Adv Vijay V Deshmukh</u> <u>For R- 5,6,7, R-8</u>	Challenging G.R/ Seniority List	For Reply	06.06.2023
13	OA18/23	Jalna Etc.	Adv Vidya A Taksal (Prakash S Jadhav & Ors.)	Promotion	For Filing Affidavit in Reply	09.06.2023
14	OA23/23	Hingoli	Adv Syed Asif Ali (Manojkumar S Bhalerao)	Appointment (Freedom Fighter)	For Filing Affidavit in Reply	26.06.2023
15	OA103/23	A'bad	Adv S R Patil (Shrikrishna N Nakate)	Departmental Enquiry	For Reply	03.05.2023
16	OA115/23	Jalgaon	Adv S D Joshi (Satish S Kulkarni)	Promotion	For Reply	06.06.2023
17	OA227/23	A'bad	Adv N N Gore/ Av S R Sapkal (Digambar S Pawar & Ors.)	Challenging Recruitment Rules	For Reply	05.06.2023
18	OA298/23	Jalna Etc.	Adv A S Deshmukh (Pramod G Kharat & Ors.)	Promotion	For Reply	05.06.2023

Order Matters						
19	MA27/21 In OAS47/21	Jalna	Adv Sajitkhan M Pathan (Ramesh L Kamble)	M.A. For Condonation of Delay	Await Service of Notice Reply Filed By R- 1 & 2	15.06.2023
20	MA95/22 In OAS109/22	A'bad	Adv.Amruta Paranjape Menezes (Sanjay V Mhaske)	M.A. For Condonation of Delay	For Filing Affidavit in Rejoinder in M.A	15.06.2023
21	MA564/22 In OAS1951/22	A'bad	Adv.S.B. Solanke (Prmod G Ramdasi)	M.A. For Condonation of Delay	For Reply	13.06.2023
22	MA38/23 In OA861/22	A'bad	Adv.K.B. Jadhav (Shobha R Tak)	M.A. For I.R.	Await Service	06.06.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI BENCH AT
AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench

Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -17/04/2023

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Regular Admission Matters						
1	OA377/22	A'bad	Adv.Vijay C Suradkar (Ratnadip M Athwale)	Compassionate Appointemnt (Lad Page Samiti)		10-07-2023
2	OA378/22	A'bad	Adv.Vijay C Suradkar (Kiran K Waghule)	Compassionate Appointment (Lad Page Samiti)		10-07-2023
3	MA158/23	A'nagar		M.A. For		10-07-2023

	In OAS284/23		Adv.Joslyn A Menezes (Sandhya P Shinde)	Condonation of Delay		
4	OA276/23	Beed	Adv.Vishwas B Wagh (Dr. Shivaji G Mundhe)	Refixation of Pay/ Time Bound Promotion/ Pension		06-06-2023
5	OA299/23	Nanded	Adv.S.P. Urgunde/ Adv.Priya Bharaswadkar (Mayur M Mahajan)	Transfer		12-06-2023
High On Board Matter						

7	OA174/17	A'bad	Adv.A.S. Deshmukh (Dr.Madhav F Jadhav)	Time Bound Promotion/ ACPS/ Pension & Pensionery Benefits	Reply Filed by R-1 to R-6	07-06-2023
8	OA85/19	A'bad	Adv.H.A. Joshi (Mahadeo P Ghuge)	Recovery/ Refund of Recovered Amount	Reply Filed by R-1 & R-2	24-04-2023
Order Matters						
9	MA206/21 In OAS2608/21	J'gaon	Adv.V.B. Wagh (Nitin M Baviskar)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R-4	25-04-2023
10	MA82/23 In OA957/22	A'bad	Adv.Suchita Dhongde (Manik S Desale & Ors.)	M.A. For Adding Party to O.A. as Co App.		11-07-2023
Due Admission Matters						

13	OA835/21	A'bad	Adv.S.B. Solanke (Vadilal P Rathod) <u>Adv.S.B. Mene for R.Nos.3 & 4</u>	Compassionate Appointment		15-06-2023
14	TA07/22 WP6055/22	A'bad	Adv.S.S. Thombre (Dr. Sunita C Dalvi)	Carrier Assured Progress Benefit	Reply Filed by R-1 to R-3	23-06-2023
15	OA324/22	J'gaon	Adv.S.R. Sapkal (Govardhan B Dongre)	Recovery/ Pay Fixation as per G.R.	For Hearing Reply Filed by R-1 to R-3	19-06-2023

16	OA427/22	O'bad	Adv.M.B. Kolpe (Vijay M Kamble)	Date of Birth/ Retirement	Reply Filed by R-1 & R-2	14-06-2023
17	OA719/22	J'gaon	Adv.S.R. Sapkal (Datta L Sangvikar)	Recovery/ Pay Fixation As Per G.R.	For Hearing	19-06-2023
18	OA720/22	J'gaon	Adv.S.R. Sapkal (Sambhaji R Suryawanshi)	Recovery/ Pay Fixation As Per G.R.	For Hearing	19-06-2023
19	OA744/22	A'bad	Adv.Neha B Kamble (Kapil V Chavhan & Ors.)	Compassionate Appointment (Lad Page Samiti)		19-06-2023
20	OA934/22	O'bad	Adv.K.G. Salunke (Rahimatbi S Babulal & Ors.)	Arrears & Wages	For Hearing Reply Filed by R-4	26-04-2023

Final Hearing Matters

22	OA866/18	Nanded	Adv.Ajay S Deshpande (Venkat M Methé)	Time Bound Promotion/ ACPS/ Minor Punishment	Reply Filed by R-1 & R-2	18-07-2023
23	OA88/19	Beed	Adv.Preeti R Wankhade (Kashinath G Pawar)	Deemd Date of Promotion/	Reply filed by R-1 to R-3	10-07-2023

				Consequential Benefits		
24	OA253/19	Hingoli	Adv.R.N. Bharaswadkar (Laxmikant M Bhoskar)	Refund of Recovered Amount	Reply filed by R-1 to R-3	10-07-2023
25	OA408/19	A'bad	Adv.H.V. Tungar (Sandeep G Salve)	Direction	Reply Filed by R-1 to R-3	11-07-2023

26	OA567/20	Beed	Adv.Prashant M Nagargoje (Rajendra V Marale)	Pay Scale As per G.R.	Reply Filed by R-1 & R-2	11-07-2023
27	OA577/20	P'bhani	Adv.K.G. Salunke (Kalidas B Chaudhari)	Transfer	Reply filed by R-1 & R-2	03-05-2023
28	OA579/20	A'bad	Adv.Ajay Deshpande (Dr.Shaikh Ambreen Fatema Abdul Hafiz)	Regularization		18-07-2023
29	OA585/20	Hingoli	Adv.Vidya Taksal (Andan B Datar)	Suspension	Reply Filed by R-1 to R-5	12-07-2023
30	OA106/21	Latur	Adv.Umakant P Giri (Manoj C Salagar)	Compassionate Appointment	Reply Filed by R-2 & R-3	06-06-2023
31	OA138/21	Nanded	Adv.Sameer S Kurundkar (Anant R Pande)	Recovery/ Refund of Recovered Amount	Reply Filed by R-1 & R-2	03-07-2023
34	OA157/22	J'gaon	Adv.S.D. Joshi (Ravindra P Bahadare)	Regularization of Suspension Period	Reply Filed by R-2 to R-4	03-07-2023
35	OA273/22	Beed	Adv.H.P. Jadhav (Pradeep P Jadhav)	Compassionate Appointment	Reply Filed by R-1, R-4 & R-5	05-07-2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench

Before: - THE HON'BLE SHRI. P. R .BORA ,VICE CHAIRMAN

Date: -17/04/2023

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject		
Due Admission Matters						
1	OA781/21	Beed	Adv A R Tapse/ Adv S S Deogude (Afroz Khan Karim Khan)	Compassionate Appointment	For Filing Affidavit in Rejoinder	14-06-2023
2	OA330/22	O'bad	Adv Ganesh J Kore (Datta B Nannaware)	Regularization/ Directions	For Filing Affidavit in Reply	25-04-2023
3	OA322/22	A'bad	Adv V B Wagh (Dr. Datta M Dhanve) <u>Adv S B Ghute For R- 3</u>	Interest on Delayed Paymentss	One More Opportunity For Filing Affidavit in Reply	02-05-2023
4	OA420/22	A'bad	Adv S D Joshi (Dr. Rajashri B Sonwane)	Annual Grade Pay	For Filing Affidavit in Reply	20-06-2023
5	OA548/22	Jalgaon	Adv A S Deshmukh (Dilip R Bari)	Transfer	As a Last Chance For Filing Affidavit in Reply	02-05-2023
6	OA965/22 with	O'bad	Adv.Ganesh J Kore (Prabhakar M Kawathekar)	Annual Increments/ Other Monetary Benefits	One More Last Chance For Filing Affidavit in Reply	09-06-2023

7	OA966/22 with	O'bad	Adv.Ganesh J Kore (Bhalchandra P Dharurkar)	Annual Increments	One More Last Chance For Filing Affidavit in Reply	09-06-2023
8	OA967/22 with	O'bad	Adv.Ganesh J Kore (Pandhareenath B Dhorge)	Annual Increments/ Other Monetary Benefits	One More Last Chance For Filing Affidavit in Reply	09-06-2023
9	OA968/22 with	O'bad	Adv.Ganesh J Kore (Jilani Azimoddin Shaikh) <u>Adv S D Dhongde For R- No.2</u>	Annual Increments/ Other Monetary Benefits	One More Last Chance For Filing Affidavit in Reply	09-06-2023
10	OA969/22 with	O'bad	Adv Ganesh J Kore (Shaikh Rahim Shaikh Chand)	Annual Increments/ Other Monetary Benefits	One More Last Chance For Filing Affidavit in Reply	09-06-2023
11	OA880/22 with	O'bad	Adv.Ganesh J Kore (Ajgar Ali Mohiddin Shaikh)	Annual Increments	Reply Filed By R- 1 & R-2	09-06-2023
12	OA881/22 with	O'bad	Adv.Ganesh J Kore (Vilas V Sathe)	Annual Increments/ Other Monetary Benefits	One More Last Chance For Filing Affidavit in Reply	09-06-2023
13	OA1028/22	O'bad	Adv Ganesh J Kore (Dipak S Sherkhane)	Annual Increments/ Other Monetary Benefits	Reply Filed By R- 1 & R-2	09-06-2023
14	OA979/22	P'bhani	Adv.Yogesh P Deshmukh (Chagan Y Gaikwad) <u>Adv S B Mene For R-1</u>	Recovery (Govt. Quarter)	Await Service For R-4	04-05-2023

15	OA1055/22	A'nagar	Adv V B Wagh (Hemantkumar M Sonawani & Ors.) <u>Adv A S Dhongde For R-4 & R-6</u>	Absorption	For Reply	12-06-2023
16	OA1094/22 with	Nanded	Adv D K Dagadkhair (Madhav B Wangaje)	Transfer/ Posting	For Service Affidavit	04-05-2023
17	OA1095/22	Nanded	Adv D K Dagadkhair (Tukaram S Pohare)	Transfer/ Posting	For Service Affidavit	04-05-2023
18	OA31/23	Jalna	Adv.Vaibhav U Pawar (Dr. Vivek B Khatgaonkar)	Suspension	For Filing Affidavit in Reply	26-04-2023
19	OA138/23	P'rbn	Adv O D Mane Adv A O Mane (Vikas R Kharat)	Transfer	By Way of Last Chance For Filing Affidavit in Reply	26-04-2023
20	OA171/23 With	A'nagar	Adv K B Jadhav (Kishor M Jaybhaye)	Absorption/ Posting	For Reply	27-04-2023
21	OA172/23 With	A'nagar	Adv K B Jadhav (Prashant R Shekar)	Absorption/ Posting	For Reply	27-04-2023
22	OA173/23 With	Dhule	Adv K B Jadhav (Dinesh P Joshi)	Absorption/ Posting	For Reply	27-04-2023
23	OA174/23 With	Jalgaon	Adv K B Jadhav (Girish H Rane)	Absorption/ Posting	For Reply	27-04-2023
24	OA176/23 With	A'nagar	Adv K B Jadhav (Rajendranath V Karpe)	Absorption/ Posting	For Reply	27-04-2023

25	OA177/23 With	A'nagar	Adv K B Jadhav (Ravindra K Aher)	Absorption/ Posting	For Reply	27-04- 2023
26	OA178/23 With	N'bar	Adv K B Jadhav (Jitendra S Wagh)	Absorption/ Posting	For Reply	27-04- 2023
27	OA179/23	Jalgaon	Adv K B Jadhav (Vikas I Patil)	Absorption/ Posting	For Reply	27-04- 2023
28	OA175/23	Jalna	Adv D R Irале Patil (Ramesh B Tekale)	Compassionate Appointment	Await Service R- 3	04-05- 2023
29	OA185/23	A'bad	Adv A D Gadekar (Chandrakala W Gaikwad & Ors.)	Compassionate Appointment	Await Service	27-06- 2023
30	OA196/23	P'rbn	Adv V G Pingle (Ganesh U Chavan)	Recovery	Await Service	04-05- 2023
31	OA249/23	Dhule	Adv V P Narwade (Rajendra D Shinde)	Pension & Pensionery Benefits	Await Service	04-05- 2023
Order Matter						
32	MA98/23 In OAS175/23	A'bad	Adv L K Pradhan (Ashok A Keskar)	M.A For Delay Condonation	For Reply	30-06- 2023

M.A.NO. 62 OF 2021 IN O.A.NO. 461 OF 2020
(The Chief Engineer Water Resources Department A'bad Vs.
State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Heard Shri S.B. Patil, learned Advocate for the applicant in M.A./respondent Nos. 2 to 4 in O.A., Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri R.P. Bhumkar, learned Advocate for the respondent No.1 in the present M.A./applicant in O.A.

2. Record shows that affidavit in reply is already filed on behalf of respondent Nos. 2 to 4 in O.A. The said affidavit in reply is adopted by learned P.O. on behalf of respondent Nos. 1 & 5.

3. The Misc. Application is taken out by the respondent Nos. 2 to 4 seeking to vacate interim relief which was granted in O.A. as per order dated 16.12.2020.

4. The Original Application is ready for hearing. In view of the same, the Misc. Application is kept along with Original Application.

//2//

M.A.62/2021 In
O.A. 461/2020

5. 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 Bond Promotion.
6. In view of the same, the present matter be placed before the Single Bench.
7. S.O. to 12.06.2023.

MEMBER (A)

MEMBER (J)

M.A.NO. 103 OF 2023 IN O.A.NO. 751 OF 2021
(Ganesh A. Dhanwade Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicant/intervenor in M.A. and Shri M.P. Gude, learned Presenting Officer for the respondent authorities. Nobody is present on behalf of the applicant in O.A.

2. Considering the contentions raised in the intervening application, prima facie it appears that the intervenor stated that he is being affected by interim order dated 02.12.2021 passed in O.A.No. 751/2021.

3. In such circumstances, for the reasons stated in the Misc. Application, the intervenor is allowed to intervene in O.A. holding that he has a right of audience in the hearing of Original Application. The prayer for modification in interim relief order can be dealt with at the time of hearing of the Original Application No. 751/2021 itself.

//2// M.A. 103/2023 In
O.A. 751/2021

4. In view of the same, this Misc. Application No. 103/2023 for modification is kept along with hearing of Original Application No. 751/2021.

5. In the facts and circumstances, hearing of Original Application along with Misc. Application is expedited.

6. S.O. to 06.06.2023. **High on board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.04.2023

M.A.NO. 269 OF 2022 IN O.A.NO. 407 OF 2022
(Vijaykumar 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 : 17.04.2023

ORAL ORDER :

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

2. In view of absence of learned Advocate for the applicant, S.O. to 16.06.2023 for hearing.

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 : 17.04.2023

ORAL ORDER :

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

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

3. S.O. to 02.05.2023 for hearing.

MEMBER (A)

MEMBER (J)

M.A.NO. 172 OF 2023 IN O.A.NO. 677 OF 2022
(Ambrish K. Bhusane & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. For the reasons stated in the Misc. Application, hearing of the Original Application is expedited and the Original Application is kept for hearing as the pleadings are complete.

3. Accordingly, Misc. Application stands disposed of with no order as to costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 677 OF 2022
(Ambrish K. Bhusane & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. During the course of arguments, learned Advocate for the applicant submitted that the proposal dated 28.09.2021 (Exh. 'R-1') is placed on record along with affidavit in reply of the respondent No.2.

3. In the facts and circumstances, learned Advocate for the applicant seeks leave to add the alternate prayer of giving direction to the respondent No.1 to decide the said proposal in time frame manner. As the pendency of proposal is placed on record by the respondent No.2 alternate prayer would not change the nature of Original Application. Hence, leave granted to the applicant to add the alternate prayer on or before the next date and to serve amended copy on the other side.

4. S.O. to 27.04.2023. Hearing of Original Application is expedited. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 420 OF 2020
(Anish S. Patel Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

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

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

3. S.O. to 28.04.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 213 OF 2018
(Balaji N. Sontakke Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. S.O. to 07.06.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 759 OF 2021
(Ashwini A. Wavhal & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Heard Shri A.V. Thombre, learned Advocate for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. S.O. to 03.05.2023. **High on board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.04.2023

ORIGINAL APPLICATION NO. 21 OF 2022
(Ravita B. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

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

2. S.O. to 03.05.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 636 OF 2022
(Prashant S. Morale & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Heard Shri A.V. Thombre, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. S.O. to 03.05.2023. **High on board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.04.2023

ORIGINAL APPLICATION NO. 468 OF 2022
(Smita 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 : 17.04.2023

ORAL ORDER :

Heard Ms. 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 respondent authorities.

2. S.O. to 07.06.2023. **High on board.**
3. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 759 OF 2021
(Ashwini A. Wavhal & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Heard Shri A.V. Thombre, learned Advocate for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. S.O. to 03.05.2023. **High on board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 17.04.2023

**O.A.NO. 39/2020 WITH O.A.NO. 477/ 2018 WITH
O.A.NO. 982/2018 WITH O.A.NO. 983/2018
(Anil B. Nikam & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 17.04.2023

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicant in O.A.No.39/2020, Shri V.B. Wagh, learned Advocate for the applicants in O.A.Nos.477, 982 & 983 all of 2018 and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in all these O.As.

2. S.O. to 07.06.2023 for hearing. **High on Board.**

MEMBER (J)

MEMBER (A)

ORIGINAL APPLICATION NO. 1149 OF 2022
(Dileep M. Devkate Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Heard Shri P.P. Dama, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. S.O. to 06.06.2023. **High on board.**

MEMBER (A)

MEMBER (J)

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

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

DATE : 17.04.2023

ORAL ORDER :

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

2. S.O. to 07.06.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 76 OF 2018
(Purushottam S. Andhale & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicants, Shri D.R. Patil, learned Presenting Officer for the respondent authorities, Shri L.M. Kulkarni, learned Advocate for the respondent Nos. 3 to 6 and Shri S.R. Shirsath, learned Advocate for the respondent Nos. 7 to 9.

2. S.O. to 07.06.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 736 OF 2012
(Devidas R. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

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

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

3. In view of absence of learned Advocate for the applicant, S.O. to 02.05.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 439 OF 2013
(Sakharam G. Choughule Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. S.O. to 27.04.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 304 OF 2014
(Popat K. Bachkar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Heard Shri B.R. Borkar with Shri M.C. Syed, learned Advocates for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Additional written notes/arguments filed on behalf of the applicant is taken on record.
3. S.O. to 27.04.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 499 OF 2015
(Dr. Maroti D. Dake Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 02.05.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 636 OF 2015
(Dr. Mukaram Ahmed Khan Gulak Gauskhan Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Heard Ms. 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 respondent authorities.

2. S.O. to 02.05.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 723 OF 2018
(Arjun Nagorao Kolmare Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

Speaking to Minutes Order

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

2. The applicant made application for speaking to minutes in order dated 13.04.2023 passed in O.A.No. 723/2018.

3. In order dated 13.04.2023 passed in O.A.No. 723/2018, the name of the respondent No.3 i.e. the "Deputy Director of Society Forestry" is to be corrected as "Deputy Director of Social Forestry". In para No.2 (ii), the word "retired" is to be corrected as "relieved" and in para No. 2 (iv), the sentence "the said W.P. No. 122/1987 was allowed and order dated 28.02.1991 (part of Annexure A-2 collectively) was set aside is to be substituted as follow:-

"The said W.P. No. 122/1987 was allowed by order dated 28.02.1991 (part of Annexure A-2 collectively)".

4. The Registrar is directed to correct the same and issue corrected certified copies to the parties.

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 296 OF 2023
(Waseem Ayuz Baig Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Heard Shri Ajinkya Reddy, learned Advocate holding for Shri Syyed Tauseef Yaseen, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of learned Advocate for the applicant, S.O. to 26.04.2023.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION ST. NO. 559 OF 2023
(Yuvraj S. Bhosale Vs. State of Maharashtra & Ors.)**

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

DATE : 17.04.2023

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks permission to explain the limitation by amending the limitation clause.

3. Permission as prayed for by the applicant is granted. The applicant shall carry out the necessary amendment in the O.A. on or before the next date of hearing.

4. S.O. to 02.05.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 272 OF 2023
(Avinash G. Chonde Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Heard Shri Ajinkya Reddy, learned Advocate for the applicant and Shri Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 14.06.2023.

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. **If any progress is made in respect of prayer clause 10(E) regarding filling up the post of Craft Instructor (TDM) vacant in Pune region pursuant to advertisement dated 17.08.2022 Advertisement No. 01/2022 the same would be subject to outcome of the present O.A.**

8. S.O. to 14.06.2023.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 128 OF 2023
(Gajanan H. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 19.06.2023.

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 19.06.2023.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 24 OF 2021
(Dr. Vaishali S. Garjewar Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

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

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 14.06.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1072 OF 2022
(Vishaal G. Waghmare & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

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

2. At the request of learned Presenting Officer, time is granted as a last chance for filing affidavit in reply on behalf of respondent No. 1.

3. S.O. to 06.06.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 03 OF 2023
(Dr. Sujata P. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present. Shri V.V. Deshmukh, learned Advocate for respondent Nos. 5 to 8, **absent**. None present on behalf of respondent Nos. 9 to 12, though duly served.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1 to 4.

3. S.O. to 06.06.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 103 OF 2023
(Shrikrishna N. Nakate Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

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

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

3. S.O. to 03.05.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 227 OF 2023
(Digambar S. Pawar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Shri Ajit B. Chormal, learned Advocate holding for Shri N.N. Gore, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 05.06.2023.

MEMBER (A)

KPB ORAL ORDERS 17.04.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 298 OF 2023
(Pramod G. Kharat & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 05.06.2023.

MEMBER (A)

KPB ORAL ORDERS 17.04.2023.

MEMBER (J)

M.A. No. 351/2020 in O.A. No. 470/2018
(Mahadabai G. Dhulekar Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Shri V.P. Kadam, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri A.D. Gadekar, learned Advocate for the respondent No. 4, are present.

2. At the request of learned Advocate for respondent No. 4, time is granted for filing affidavit in reply.

3. At the request of learned Advocate for the applicant, S.O. to 09.06.2023 for hearing.

MEMBER (A)

MEMBER (J)

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

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

DATE : 17.04.2023

ORAL ORDER :

Shri P.G. Tambade, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. At the request of learned Advocate for the applicants, S.O. to 09.06.2023 for re-hearing. **High on board.**

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 17.04.2023.

ORIGINAL APPLICATION NO. 67 OF 2018
(Dr. Mohd. Feroz Iqbal Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

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

2. S.O. to 19.06.2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 196 OF 2021
(Sandip P. More Vs. State of Maharashtra & Ors.)**

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

DATE : 17.04.2023

ORAL ORDER :

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

2. S.O. to 19.06.2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 759 OF 2022
(Manisha A. Rashinkar Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Heard Shri O.D. Mane, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Hearing of the present matter is expedited.
3. S.O. to 06.06.2023. **High on board.**

MEMBER (A)

MEMBER (J)

C.P. No. 19/2020 in O.A. 704/2017
(Asma D. Garje & Ors. Vs. State of Maharashtra & Ors.)
With
C.P. No. 27/2020 in O.A. NO. 749/2017
(Mohammad Abdul Hai Mohammad Abdul Gani & Ors. Vs. State
of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Heard Shri J.B. Choudhary, learned Advocate for the applicants in both the cases and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in both the cases.

2. Learned Advocate for the applicants submits that the respondent No. 1, whose name is added on last date is no more. In view of the same, he seeks liberty to substitute his name by adding the name of present Secretary, Public Works Department, Mantralaya, Mumbai.

3. Liberty as prayed for by the applicant is granted. The applicant shall carry out the necessary amendment in both the cases forthwith.

4. After amendment, issue notices to the respondent Nos. 1 to 3 in both the C.Ps., returnable on 19.06.2023.

//2//

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

6. 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.

7. 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.

8. 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.

9. S.O. to 19.06.2023.

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

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 : 17.04.2023

ORAL ORDER :

Heard Shri Vishnu Dhoble, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for respondent No. 4 in O.A.

2. At the request of learned Advocate for the applicant, S.O. to 09.06.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 17.04.2023.

**C.P. No. 36/2018 in O.A. No. 846/2011
WITH
C.P. No. 37/2018 in O.A. No. 843/2011
WITH
C.P. No. 38/2018 in O.A. No. 842/2011
WITH
C.P. No. 39/2018 in O.A. No. 278/2012
WITH
C.P. No. 40/2018 in O.A. No. 634/2011
WITH
C.P. No. 41/2018 in O.A. No. 277/2012
(Vilas S. Patil 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 : 17.04.2023

ORAL ORDER :

Heard Shri J.B. Choudhary, learned Advocate for the applicants in all these cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these cases.

2. The present matters are to be treated as part heard.

3. At the request of learned C.P.O, S.O. to 13.06.2023. **High on board.**

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 17.04.2023

ORIGINAL APPLICATION NO. 183 OF 2023
(Sahebrao S. Wayal Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023

ORAL ORDER :

Heard Shri P.G. Tambade, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 26.04.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 1019 OF 2022
(Indrakant H. Shendurkar Vs. State of Maharashtra & Ors.)

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

DATE : 17.04.2023.

ORAL ORDER :

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

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

3. S.O. to 09.06.2023 for admission.

MEMBER (A)

MEMBER (J)

T.A. No. 7/2021 (W.P. No. 10329/2021)
(Shilpa A. Chate Vs. State of Maharashtra & Ors.)

WITH

T.A. No. 8/2021 (W.P. No. 10446/2021)
(Sonali R. Raghuwanshi Vs. State of Maharashtra & Ors.)

WITH

T.A. No. 9/2021 (W.P. No. 11027/2021)
(Sahil Badshaha 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 : 17.04.2023

ORAL ORDER :

S/shri Shri A.C. Darandale & H.U. Dhage, learned Advocates for the respective applicants in respective cases (**Absent**).

Heard Shri D.R. Patil, learned Presenting Officer for the respondents in all these cases.

2. Record shows that nobody is appearing on behalf of the applicants in all these cases since last 12 dates i.e. on 24.12.2021, 3.2.2022, 17.03.2022, 29.04.2022, 8.7.2022, 24.8.2022, 06.10.2022, 23.11.2022, 4.1.2023, 01.2.2023, 24.2.2023 and 5.4.2023. In view of the same, it appears that the applicants are not interested in prosecuting the matters. Hence, all the T.As. stand dismissed in default.

MEMBER (A)

MEMBER (J)

Date : 17.4.2023

O.A. NO. 309/2023

(Mohammad Moinoddin Mohd. Sharfoddin V/s State of Maharashtra & Ors.)

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

1. Shri Suresh D. Dhongde, learned counsel holding for Smt. Suchita Dhongde, learned Advocate for the applicant and Shri M.S. Mahajan, learned C.P.O. for respondents, are present.

2. Circulation is granted. Issue notice to the respondents, returnable on **5.5.2023**. The case be listed for admission hearing on **5.5.2023**.

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

ORIGINAL APPLICATION NO. 138/2023
(Shri Vikas R. Kharat Vs. State of Maharashtra & Ors.)

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

DATE : 17.4.2023

ORAL ORDER :

Shri O.D. Mane, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. The affidavit in reply is not filed though the last chance was given till today. In the circumstances, list the matter for hearing on 26.4.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 17.4.2023

ORIGINAL APPLICATION NO. 322/2022
(Dr. Datta M. Dhanve Vs. State of Maharashtra & Ors.)

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

DATE : 17.4.2023

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present. Shri S.B. Ghute, learned counsel for respondent no. 3 (**absent**).

2. The affidavit in reply is not filed though last chance is given. In the circumstances, list the matter for hearing on 2.5.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 17.4.2023

ORIGINAL APPLICATION NO. 377/2022
(Ratnadip M. Athawale Vs. State of Maharashtra & Ors.)

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

DATE : 17.4.2023

ORAL ORDER :

Heard Shri Vijay C. Suradkar, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 10.7.2023.

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 10.7.2023.

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

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 378/2022
(Shri Kiran K. Waghule Vs. State of Maharashtra & Ors.)

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

DATE : 17.4.2023

ORAL ORDER :

Heard Shri Vijay C. Suradkar, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 10.7.2023.

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 10.7.2023.

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

VICE CHAIRMAN

**M.A. NO. 158/2023 IN O.A. ST. NO. 284/2023
(Smt. Sandhya P. Shinde Vs. State of Maharashtra & Ors.)**

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

DATE : 17.4.2023

ORAL ORDER :

Heard Shri Joslyn Anthony Menezes, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents on the application for condonation of delay, returnable on 10.7.2023.

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 10.7.2023.

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

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 276/2023
(Dr. Shivaji G. Mundhe Vs. State of Maharashtra & Ors.)

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

DATE : 17.4.2023

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 6.6.2023.

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 6.6.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 744/2022
(Shri Kapil Vikas Chavhan & Anr. Vs. State of Maharashtra
& Ors.)**

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

DATE : 17.4.2023

ORAL ORDER :

Heard Smt. Neha B. Kamble, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. The learned Presenting Officer seeks leave to file the affidavit in reply of respondent no. 2 on record. The learned counsel for the applicant has fairly consented for taking the affidavit in reply on record. Leave granted. Affidavit in reply taken on record. Copy given the other side.

3. List the matter for hearing on 19.6.2023. In the meantime it is open for the applicant to file the rejoinder affidavit, if he so desires.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 31/2023
(Dr. Vivek B. Khatgaonkar Vs. State of Maharashtra & Ors.)

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

DATE : 17.4.2023

ORAL ORDER :

Heard Shri V.V. Pawar, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. The present matter pertains to challenge to the order of suspension. The learned Presenting Officer has sought time of one week to file affidavit in reply. In the interest of justice time granted as a last chance or else on the next date the matter will be heard without affidavit in reply.

3. S.O. to 26.4.2023. The matter shall be placed on Regular Board.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 174/2017
(Dr. Madhav F. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 17.4.2023

ORAL ORDER :

Heard Smt. Vidya Taksal, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. The learned Presenting Officer seeks leave to produce on record the Form Nos. 1 to 5, as well as, Last Pay Certificate/statement on record. The said documents are taken on record and copies thereof are supplied to other side.

3. List the matter for hearing on 7.6.2023. **High on Board.**

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 85/2019
(Shri Mahadeo P. Ghuge Vs. State of Maharashtra & Ors.)

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

DATE : 17.4.2023

ORAL ORDER :

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

2. The arguments are substantially heard. The learned Presenting Officer seeks time to place on record the relevant documents, which are referred in the order. Time granted as prayed for.

3. S.O. to 24.4.2023. **High on Board.**

VICE CHAIRMAN

**M.A. NO. 206/2021 IN O.A. ST. 608/2021
(Shri Nitin M. Baviskar Vs. State of Maharashtra & Ors.)**

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

DATE : 17.4.2023

ORAL ORDER :

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

2. Arguments are partly heard.
3. For further consideration, S.O. to 25.4.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 17.4.2023

M.A. NO. 82/2023 IN O.A. 957/2022
(Manik S. Desale & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 17.4.2023

ORAL ORDER :

Heard Shri S.D. Dhongde, learned counsel holding for Smt. Suchita Dhongde, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents in the present Misc. Application, returnable on 11.7.2023.

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 11.7.2023.

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

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 299/2023
(Shri Mayur M. Mahajan Vs. State of Maharashtra & Ors.)

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

DATE : 17.4.2023

ORAL ORDER :

Heard Smt. Priya R. Bharaswadkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 12.6.2023.

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 12.6.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 903/2019
(Dr. Vithal R. Mekane Vs. State of Maharashtra & Ors.)**

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

DATE : 17.4.2023

ORAL ORDER :

Shri Anand D. Kawre, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present. Shri A.B. Shinde, learned counsel for respondent no. 4 (**absent**).

2. In the present matter on the previous date i.e. on 2.3.2023 no one caused appearance for the applicant. Even prior to that on 16.1.2023, on 21.10.2022, on 19.7.2022, on 31.3.2022 and 6.1.2022 no one was present for the applicant. It appears that the applicant has lost the interest in prosecuting the matter further. Hence, the following order :-

ORDER

The Original Application is dismissed for want of prosecution. There shall be no order as to costs.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 330 OF 2022
(Datta Balasaheb Nannaware & Ors. Vs. State of
Maharashtra & Ors.)**

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

DATE : 17.4.2023

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel holding for Shri Ganesh J. Kore, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Today, learned Chief Presenting Officer has tendered across the bar separate affidavits in reply on behalf of respondent Nos. 2 & 3 and the same are taken on record and copies thereof have been served on the learned counsel for the applicants.

3. Interim relief was till filing of the affidavit in reply. Same shall continue until further orders.

4. S.O. to 25.4.2023.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 835 OF 2021
(Vadilal Premal Rathod Vs. State of Maharashtra &
Ors.)**

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

DATE : 17.4.2023

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent Nos. 3 & 4, are present.

2. In view of the fact that the affidavits in reply were not filed within the given period, the matter has been listed for hearing. Today when the matter was heard, it was however, felt necessary that unless there is affidavits in reply from the side of the respondents and the relevant documents placed on record, it may not be possible to effectively decide the matter. The respondents are, therefore, directed to file their affidavits in reply along with relevant documents on or before the next date.

3. S.O. to 15.6.2023.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 1131 OF 2022
(Nagesh Gangadhar Patil Vs. State of Maharashtra &
Ors.)**

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

DATE : 17.4.2023

ORAL ORDER :

Heard Shri S.R. Patil, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. It is the grievance of the applicant that his suspension has been continued by the respondents beyond 90 days without taking any proper review of the suspension order dated 4.1.2021 till today.

3. Learned counsel appearing for the applicant relying on the judgment of the Hon'ble Supreme Court in the case of **Ajay Kumar Chaudhari Vs. Union of India and others, Civil Appeal No. 1912/2015 (Arising out of SLP No. 31761 of 2013 decided on 15.2.2015)**, submitted that in view of the guidelines laid down by the Hon'ble Apex Court in the aforesaid judgment the order of suspension cannot be sustained beyond the period of 90 days, if no review has been taken of the said order.

4. Learned counsel pointed out that the order of suspension passed against the applicant is shown to have been reviewed by the Review Committee and on the oral instructions of the said committee the period of suspension of the applicant is stated to be continued. Learned counsel invited my attention to the letter dated 13.2.2023 received to respondent No. 2 from respondent No. 4 and submitted that such course is impermissible.

5. Learned Chief Presenting Officer has resisted the contentions raised on behalf of the applicant. Reiterating the contentions raised in the affidavit in reply, learned C.P.O. submitted that there are serious charges against the applicant making out the offences punishable Under Sections 406, 408, 420, 468, 469 & 471 and financial implications are involved. Learned C.P.O. in the circumstances prayed for rejecting the request of the applicant.

6. I have carefully considered the submissions advanced on behalf of the applicant and the respondent authorities. I have also perused the documents filed on record.

7. The Hon'ble Apex Court in the case of **Ajay Kumar Chaudhari Vs. Union of India and others** (cited supra) has issued certain guidelines. The relevant paragraph of the said judgment reads thus:

“14 We, therefore, direct that the currency of a Suspension Order should not extend beyond three months if within this period the Memorandum of Charges/Chargesheet is not served on the delinquent officer/employee; if the Memorandum of Charges/Chargesheet is served a reasoned order must be passed for the extension of the suspension. As in the case in hand, the Government is free to transfer the concerned person to any Department in any of its offices within or outside the State so as to sever any local or personal contact that he may have and which he may misuse for obstructing the investigation against him. The Government may also prohibit him from contacting any person, or handling records and documents till the stage of his having to prepare his defence. We think this will adequately safeguard the universally recognized principle of human dignity and the right to a speedy trial and shall also preserve the interest of the Government in the prosecution. We recognize that previous Constitution Benches have been reluctant to quash proceedings on the grounds of delay, and to set time limits to their duration. However, the imposition of a limit on the period of suspension has not been discussed in prior case law, and would not be contrary to the interests of justice. Furthermore, the direction of the Central Vigilance Commission that pending a criminal investigation departmental proceedings are to be held in abeyance stands superseded in view of the stand adopted by us.”

8. As has been laid down by the Hon'ble Apex Court the review committee is supposed to take a conscious decision whether to revoke the suspension or to continue it further and also is required to record reasons for continuing the suspension and the period therefor. In the present matter though the learned C.P.O. has submitted that the review has been taken by the review committee, it has to be stated that there cannot be oral order from the review committee. Review committee has to take a conscious decision and record its reasons in writing. Oral instructions cannot be taken into account. The fact remains that there is no document or information on record evidencing that the review committee has reviewed the order of suspension passed against the applicant. In the circumstances, it appears to me that the present O.A. can be disposed of by giving following directions. Hence, the following order: -

ORDER

The respondents are directed to keep the present matter before the competent review

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O.A. NO. 1131/2022

committee and the said committee shall review the order passed on 4.1.2021 within 4 weeks from the date of this order in light of the law laid down in the case of Ajay Kumar Choudhari (cited supra) and shall pass a reasoned order. It need not be stated that the order passed by the Review Committee can be subject matter of scrutiny before this Tribunal.

There shall be no order as to costs.

VICE CHAIRMAN

ORAL ORDER 17.4.2023-HDD

**ORIGINAL APPLICATION NO. 577 OF 2020
(Kalidas Babasaheb Chaudhari Vs. State of
Maharashtra & Ors.)**

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

DATE : 17.4.2023

ORAL ORDER :

Shri K.G. Salunke, learned counsel for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O.to 3.5.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDER 17.4.2023-HDD

**ORIGINAL APPLICATION NO. 548 OF 2022
(Dilip Ramdas Bari Vs. State of Maharashtra & Ors.)**

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

DATE : 17.4.2023

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 2.5.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDER 17.4.2023-HDD