

ORIGINAL APPLICATION NO. 123 OF 2021
(Gaurishankar P. Swami Vs. State of Maharashtra & Ors.)

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

DATE : 17.05.2021

ORAL ORDER :

Heard Shri Kiran Salunke, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Record shows that as per the order dated 25.02.2021 passed by the Hon'ble Chairperson of this Tribunal the applicant was directed to join duties at the transferred place under protest.

3. Learned Advocate for the applicant seeks time to seek instructions to find out whether the applicant has joined and put the status on record in writing.

4. S.O. to 25.05.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 801 OF 2018
(Vikas B. Kamble Vs. State of Maharashtra & Ors.)

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

DATE : 17.05.2021

ORAL ORDER :

Heard Shri S.P. Salgar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, at length.

2. Arguments of both the sides are complete. The matter is closed for orders.

MEMBER (J)

M.A. 149/2019 IN O.A. ST. 413/2019
(Bharat Z. Patil Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 17.5.2021

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of the respondents in M.A. Time granted.

3. In the circumstances, S.O. to 21.6.2021 for filing affidavit in reply by the respondents in the M.A.

MEMBER (J)

ORIGINAL APPLICATION NO. 389/2020
(Radhika S. Khare Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 390/2020
(Aashatai P. Metkar Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 17.5.2021

ORAL ORDER :

Heard Shri J.M. Murkute, learned Advocate for the applicants in both the cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. With the consent of both the sides, S.O. to 8.6.2021 for hearing at the stage of admission.

MEMBER (J)

T.A. 1/2021 (W.P. 4908/2021)

(Shivaji T. Shinde & Anr. Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 17.5.2021

ORAL ORDER :

Heard Shri Avinash Deshmukh, learned Advocate for the applicants, Shri M.S. Mahajan, learned Presenting Officer for the respondent authorities and Shri A.S. Mirajgaonkar, learned Advocate holding for Shri C.V. Dharurkar, learned Advocate for respondent no. 6.

2. Shri A.S. Mirajgaonkar, learned Advocate holding for Shri C.V. Dharurkar, learned Advocate waives service of notice for respondent no. 6.

3. In the above circumstances, issue notice to respondent nos. 1 to 5 and 7 & 8, returnable on 8.6.2021.

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

5. Applicants are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case

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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. Applicants are directed to file affidavit of compliance and notice.

8. S.O. to 8.6.2021.

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

MEMBER (J)

M.A. 112/2021 IN O.A. 386/2020
(Ganga S. Suryawanshi Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 17.5.2021

ORAL ORDER :

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

2. Misc. Application No. 112/2021 is filed by the applicant for quashing and setting aside the orders dated 20.2.2021 & 29.4.2021 passed by the respondent no. 3 – the District Collector, Nanded. It is the contention of the applicant that these orders are passed by the respondent no. 3 – the District Collector, Nanded - during the pendency of O.A. No. 386/2020.

3. O.A. No. 386/2020 is filed by the applicant challenging the final seniority list dated 26.5.2020 prepared and published by the respondent no 3 – the District Collector, Nanded. The applicant also prayed to quash and set aside the said final seniority list dated 26.5.2020 and prayed for issuance of directions to the respondents to uphold the earlier final seniority lists dated 13.11.2019 and 18.1.2020 prepared and published by the respondent no. 3 – the District Collector, Nanded. By filing

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M.A. 112/2021 IN O.A. 386/2020

the present M.A., the applicant now seeks interim stay to the execution & operation of the reversion order dated 29.4.2021.

4. Learned C.P.O. submits that pursuant to the reversion order dated 29.4.2021, the applicant is relieved from her post on 7.5.2021. In this regard he places on record copy of communication dated 7.5.2021 issued by the respondent no. 4 - the Tahsildar, Hadgaon, Dist. Nanded - to the Deputy Collector, Nanded. The said communication is taken on record and marked as document 'X' for the purpose of identification.

5. In view of above, it would be desirable to have on record the affidavit in reply of the respondents in this M.A. No. 112/2021 before considering the said M.A. for grant of interim relief.

6. In the circumstances, S.O. to 8.6.2021 for filing affidavit in reply by the respondents in M.A. No. 112/2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 198/2021
(Umesh A. Bavare & Ors. Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 17.5.2021

ORAL ORDER :

Heard Shri Samdee[D. Munde, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants seeks time to file separate Misc. Application for amendment in O.A. Time granted.

3. In the above circumstances, S.O. to 27.5.2021 for filing separate M.A. by the applicants for amendment in O.A.

MEMBER (J)

ORIGINAL APPLICATION NO. 447/2020
(Vaishali V. Hinge Vs. State of Maharashtra & Ors.)

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

DATE : 17.5.2021

ORAL ORDER :

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

2. Learned Presenting Officer for the respondents submits that original record would be necessary in this case.

3. Record shows that the pleadings up to rejoinder affidavit are complete.

4. In view of above, this matter is kept for hearing at the stage of admission on 9.6.2021. Learned P.O. is directed to keep the concerned original record ready on the next date for perusal of this Tribunal.

MEMBER (J)

ORIGINAL APPLICATION NO. 95/2021
(Nitin S. Shelar Vs. State of Maharashtra & Ors.)

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

DATE : 17.5.2021

ORAL ORDER :

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

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of the respondents. Time granted.

3. In the circumstances, S.O. to 3.6.2021.

MEMBER (J)

Date : 17.5.2021

O.A. 216/2021

(Keshav Bhimrao Bhalerao (died)

**L.Rs. Rekha w/o Keshav Bhalerao V/s State of
Maharashtra & Ors.)**

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

1. Shri D.K. Dagadkhair, 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 14.6.2021. The case be listed for admission hearing on 14.6.2021.
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 : 17.5.2021

O.A. 220/2021

**(Sayyed Shoukatali Sabirali V/s State of Maharashtra
& Ors.)**

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

1. Shri H.M. Shaikh, 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 15.6.2021. The case be listed for admission hearing on 15.6.2021.
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 : 17.5.2021

O.A. 221/2021

(Subhash S. Jawadekar V/s State of Maharashtra & Ors.)

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

1. Shri Kakasaheb B. Jadhav, 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 15.6.2021. The case be listed for admission hearing on 15.6.2021.

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