

**M.A. NO. 348/2021 IN O.A. NO. 832/2016
(Shri Vishal P. Gangawane Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Heard Shri Ajay S. Deshpande, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. By passing detailed order today i.e. on 18.7.2022 O.A. No. 852/2016 itself stood disposed of. In view of the same nothing survives in the present M.A. which is filed by the applicant for grant of interim relief. Hence, the present M.A. also stands disposed of without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

**O.A. NO. 832/2016 WITH M.A. NO. 348/2021
(Shri Vishal P. Gangawane Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Heard Shri Ajay S. Deshpande, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

Shri K.B. Jadhav, learned counsel for respondent no. 2, Shri P.S. Dighe, learned counsel for respondent no. 4 and Shri Parag Bhosale, learned counsel for respondent no. 5, **are absent.**

2. The respondent no. 1 i.e. the Deputy Director, Sports & Youth Services, Pune had published an advertisement on 29.6.2015 for filling up 05 posts of Junior Clerk and 03 posts of Driver. The Maharashtra Knowledge Corporation Limited (for short the M.K.C.L.) was chosen as the agency for the purpose of conducting the written test. One of the three posts of Driver was earmarked for NT-B category. The applicant claims to be belonging to the said NT-B category.

3. It is the grievance of the applicant that he has been wrongly and illegally denied the appointment on the post of

Driver reserved for the candidate belonging to NT-B category with an object to favour one another candidate namely Shri Sagar Sadashiv Kokane (respondent no. 2). As stated in the application the applicant succeeded in the written examination and secured 78 marks out of 120. Minimum 45% marks were to be obtained by the candidate for getting qualified to appear for the proficiency test. Since the applicant secured more than 45% marks his proficiency test was taken. It is however the allegation of the applicant that in the proficiency test conducted by the agency appointed by the respondent authorities the applicant was called upon to drive only Light Motor Vehicle, but his driving skill was not tested on Heavy Motor Vehicle. The applicant has alleged that in fact the heavy motor vehicle was not there on the spot and hence his proficiency test was concluded after he successfully drove the light motor vehicle. It is the further contention of the applicant that he possesses the batch from the Maharashtra State Road Transport Corporation. According to the applicant the aforesaid is the primary proof evidencing that the applicant is having knowledge and experience of driving heavy motor vehicle. It is therefore the contention of the applicant that had the heavy motor vehicle also been available for proficiency test, he would have definitely succeeded in the heavy motor vehicle test also. It is the further contention of the applicant that with the present total marks also he was liable to be selected from NT-B category. The applicant has alleged that only

with an intention to favour the respondent no. 2, Shri Sagar Sadashiv Kokane, he was shown to have failed in the proficiency test. The applicant has further alleged that respondent no. 4, Shri Mahadeo Vitthal Thorat, though had not participated in the selection process, was shown to have been selected and subsequently appointment order also was issued in his favour as a Open category candidate. The applicant has in the aforesaid circumstances prayed for setting aside the orders issued in favour of respondent nos. 2 & 4 and has prayed for his appointment to the said post of Driver.

4. The respondents have resisted the contentions raised by the applicant in the O.A. by filing the affidavit in reply in that regard. The respondents have contended that since none of NT-B candidate could pass the written test, as well as, the proficiency test the respondents were left with no option but to select the candidate belonging to NT-C category namely Shri Sagar Kokane. The respondents have denied the accusations made in the O.A. According to the respondents, the applicant was not liable to be considered for his appointment to the post of Driver for the reason that in the proficiency test he could not succeed. In the affidavit in reply filed by respondent no. 5 it is contended that in the proficiency test since the applicant could not drive light motor vehicle to the satisfaction and thus failed in the said test, he was not required to be further tested for heavy motor vehicle drive. The said respondent has also denied the allegation that no heavy motor vehicle was

available for conducting the proficiency test. It is the further contention of the respondents that since no candidate from NT-B category could pass the eligibility test, NT-C category candidate was selected in place of NT-B candidate. According to the respondents, such selection was well within the provisions of law.

5. Before advertng to the respective contentions advanced on behalf of the parties, the events, which occurred during course of hearing of the present O.A. are relevant o be noted. The facts, which came on record during course of hearing of the O.A. compelled this Tribunal to pass certain orders requiring the respondents to explain the circumstances. It has come on record that the respondent no. 2, who was selected as NT-C candidate on the post of Driver was promoted to the post of Clerk immediately without following due process of law. When aforesaid fact was directed to be explained by the authorities and also by said respondent no. 2, Shri Sagar Sadashiv Kokane, some more facts have come on record indicating that respondent no. 2 was unduly favoured by respondent no. 5. The respondent no. 5 has also filed the affidavit in reply and has denied the allegations made against him. However, it is significant to note that after having realized that selection of respondent no. 2, Shri Sagar Sadashiv Kokane, and further promotion granted to him immediately within few days to the post of Clerk may become the matter for further scrutiny, the appointment of respondent no. 2 came to be cancelled. The said

respondent no. 2 appeared before this Tribunal with a pursis that he would not claim any post either of the Driver nor of the Clerk as was given to him and he also filed an undertaking that he will withdraw the O.A. filed by him at principal seat of this Tribunal at Mumbai. In premise of events as such this Tribunal directed the Director of Sports, Shri Om Prakash Bakoria, to look into the matter personally and enquire into the irregularities in the recruitment process. He was further directed to initiate the necessary departmental action against the defaulting officers. Accordingly the affidavit in reply regarding the actions taken is filed on record.

6. Now we will consider the merit of the case of the applicant and the prayer made by him in the present O.A. It is not in dispute that in the written test the applicant has secured 78 marks out of 120. For passing in the said written test the candidates were required to secure minimum 45% marks. The applicant has received more than 45% marks. The proficiency test was also prescribed and 80 marks were allotted to the said proficiency test. Thus the examination was of 200 marks, 120 for written examination and 80 marks for proficiency test. As noted hereinbefore it is the allegation of the applicant that heavy motor vehicle was not there on the spot of proficiency test and that was a reason that the applicant was not required to drive the heavy motor vehicle and to undergo driving test for heavy motor vehicle. It is the contention of the respondents that since the applicant failed in the test of

light motor vehicle itself, he was not required to undergo the driving test for heavy motor vehicle. In view of the rival contentions in this regard, the record of the selection process was called and perused by us.

7. Record of the selection process reveals the breakup of 80 marks, allotted for proficiency test. It was thus :-

- (i) 30 marks for technical knowledge in respect of vehicles.
- (ii) 30 marks for the knowledge and skill of driving, as well as, practice for driving.
- (iii) 20 marks were assigned for knowledge from the view of safety point.

for item no. (i) the applicant has shown to have received 12 marks for item no. (ii) the applicant has been given 14 marks and for item no. (iii) 9 marks are given to the applicant. Thus, the applicant is shown to have received 35 marks out of 80 in the proficiency test. According to the respondents, since the applicant could not score 45% marks in the proficiency test, he is declared to have failed in the said test.

8. We have carefully gone through the advertisement. Insofar as the written test is concerned, it is expressly mentioned that in the said online written examination the candidate, who would secure minimum 45% marks only will be included in the merit list. However, insofar as the proficiency test is concerned, no such criteria is prescribed

that the candidate concerned will have to score 45% marks even in the proficiency test. We deem it appropriate to reproduce the relevant clauses in the advertisement in vernacular :-

“२. वाहन चालक पदासाठी १२० गुणांची लेखी परीक्षा व ८० गुणांची व्यावसायीक चाचणी घेण्यात येईल. लेखी परीक्षेमध्ये किमान ४५% गुण प्राप्त करणा-या उमेदवारांपैकी शासन नियमानुसार आवश्यक गुणोत्तराप्रमाणे येणा-या उमेदवारांची प्रादेशिक परिवहन कार्यालयामार्फत व्यावसायीक चाचणी घेण्यात येईल. तदनंतर अंतिम गुणवत्ता यादी प्रसिध्द करण्यात येईल.”

It is thus evident that the condition, which was not there in advertisement, has been applied by the respondents. The course so adopted by the respondents is impermissible.

9. Secondly, the contention raised on behalf of the respondents that since the applicant failed in test of driving Light motor vehicle itself, he was not required to undergo the test for heavy motor vehicle is difficult to be accepted. As we have noted hereinabove, the applicant is shown to have received 14 marks out of 30 for the knowledge and skill of driving, as well as, practice for driving. We reiterate the contention of the respondents that the applicant was not required to undergo the driving test for heavy motor vehicle. It has to be therefore presumed that whatever marks are allotted to the applicant in the proficiency test are towards the driving of light motor vehicle only. As noted hereinabove, the applicant is shown to have received total 35 marks in the proficiency test. 14 marks are shown

to have been secured by the applicant for the knowledge and skill of driving, as well as, practice for driving. From the defense taken by the respondents it has to be presumed that the proficiency test was in 2 parts , (i) test on light motor vehicle and (ii) test on heavy motor vehicle. There is nothing on record to show as to how many marks were allotted for driving light motor vehicle and how many marks were assigned for driving the heavy motor vehicle. In absence of any such specific information it can be reasonably inferred that there may be equal marks for driving light motor vehicle and heavy motor vehicle. It leads to the further information that 40 marks were for the test on the light motor vehicle and 40 marks for the test on heavy motor vehicle. As per the contention of the respondents themselves the applicant has been tested only for light motor vehicle. The applicant therefore shall be deemed to have received 35 marks out of 40 in the test on light motor vehicle.

10. In the circumstances, the contention raised by the respondents that the applicant failed in the test of light motor vehicle itself is proved to be false. Even if we consider the marks allotted to the applicant i.e. 14 out of 30 in the knowledge and skill of driving, as well as, practice for driving the allegation made by the respondents that the applicant failed in the test of light motor vehicle has to be rejected. When the applicant did drive only light motor vehicle, it has to be presumed his skill of driving, as well as, practice for driving said vehicle and marks allotted also

belonging to the said skill. As such, in no case it can be accepted that the applicant failed in the test of light motor vehicle.

11. We therefore find substance in the allegation made by the applicant that purposely and intentionally the applicant was shown to have failed in the proficiency test to facilitate the selection of respondent no. 2 Shri Sagar Sadashiv Kokane. It has to be further stated that there was one more candidate from NT-B category namely Shri Bhaiya Shantaram Tirmali. The said candidate had received 90 marks in the written test and 34 marks in the proficiency test and thus total 123 marks out of 200. He has also shown to be in the list of failed candidates. As noted hereinabove, the condition of securing minimum 45% marks was in respect of only written examination and not for the proficiency test. If the said criteria is applied the said candidate namely Shri Bhaiya Shantaram Tirmali also could have been included and must have been shown in the list of successful candidates. Thus, though two successful NT-B candidates were available, they were mala fide included in the list of failed candidates and respondent no. 2 Shri Sagar Sadashiv Kokane, who was NT-C candidate was shown to have been selected by the respondents.

12. It has to be stated that the candidate namely Shri Bhaiya Shantaram Tirmali does not seem to have approached to this Tribunal or does not seem to have

preferred any legal proceedings challenging the selection of respondent no. 2, Shri Sagar Sadashiv Kokane and praying for his selection in place of said Shri Kokant. On our query with the respondents we are informed that Shri Bhaiya Shantaram Tirmali has not approached the respondents also and has not made any grievance though he has been included in the list of failed candidates. The recruitment process was commenced in the year 2015, present O.A. is filed in the year 2016 and when the present matter is being decided we are in the year 2022, however, during pendency of the present application said Shri Bhaiya Shantaram Tirmali has not attempted intervention claiming that he is having better claim than the present applicant. In absence of any protest from the said candidate i.e. Shri Bhaiya Shantaram Tirmali, if at all any claim is to be considered for the post reserved for NT-B is of the applicant.

13. From the facts and circumstances discussed hereinabove, the applicant has substantially proved that he was liable to be selected from NT-B category. We also find that the applicant must have been included in list of successful candidates and not in the list of failed candidates. It has been however argued by the learned counsel appearing for the applicant that to remove all doubts as about the ability of the present applicant insofar as the proficiency test is concerned, the applicant is ready to face the test to drive the heavy motor vehicle. The learned counsel has therefore prayed for directions against the respondents to conduct the test of the applicant for

heavy motor vehicle and then to consider total marks of the applicant in written test, as well as, proficiency test and if the applicant succeeds in securing the required marks to satisfy the prescribed criterion further directions may be given to the respondents for giving him appointment on the post of Driver.

14. The learned counsel has brought to our notice that the said post is vacant since respondent no. 2, Shri Sagar Sadashiv Kokane, who was appointed on the said post has now waived all his right to the said post. The learned counsel submitted that even otherwise said respondent no. 2, Shri Sagar Sadashiv Kokane, was promoted to the post of Clerk and for that reason also the post of Driver has fallen vacant. The learned counsel submitted that no further recruitment process has been undertaken till this date.

15. For the reasons stated above we are inclined to accept the prayer of the present applicant. We hold that the applicant is entitled to be appointed on the post of Driver from NT-B category. We are further intending to direct the respondents to conduct the test of the applicant for heavy motor vehicle if they find it necessary and in the circumstances the respondents may also test the skill of the present applicant to drive light motor vehicle and give him aggregate marks for his knowledge in respect of light motor vehicle, as well as, heavy motor vehicle and driving skill for both light motor vehicle and heavy motor vehicle.

16. In view of the facts and circumstances discussed hereinabove there has remained no doubt that the name of the applicant was wrongly included in the list of failed candidates. In our opinion, the applicant has satisfied the prescribed criterion and was liable to be considered for to be appointed to the post of Driver, reserved for NT-B candidate. In fact, according to us, on the basis of marks shown to have been earned by the applicant, he is liable to be selected for the subject post. However, in view of the prayer made on behalf of the applicant we deem it appropriate to direct the respondent no. 1 to conduct the proficiency test for the applicant more particularly of heavy motor vehicle. It would be advisable if the respondent no. 1 chooses some different agency than the agency which had earlier conducted the said proficiency test. It would be open for the respondent no. 1 to direct the applicant to give the test of driving light motor vehicle also so that it may be easier to assess his performance. If the applicant succeeds in securing prescribed marks in the proficiency test, the respondent no. 1 shall offer him appointment to the post of Driver reserved for NT-B candidate. The aforesaid exercise is to be completed by respondent no. 1 within one month from the date of this order. (From the date on which the present order may be uploaded on the official website of this Tribunal).

17. It was sought to be contended by learned CPO that the another NT-B candidate namely Shri Bhaiya

Shantaram Tirmali may also be considered for his appointment since he has received more marks than the applicant. We are however not inclined to accept the contention so raised by the learned CPO for the reason that said candidate Shri Bhaiya Shantaram Tirmali has not made any grievance either with the respondent authorities or with this Tribunal till this date though his name was included in the list of failed candidates in the year 2015.

18. Before parting with the present order we find it necessary to note that after having realized that in the recruitment process which was subject matter of the present OA patent illegalities were committed by the then officials in the Department, we have directed the director of Sports to look into the matter personally in respect of the illegalities occurred and to initiate necessary actions against the erring officials. No doubt, the report has been accordingly submitted before us. We are however not satisfied with the report so submitted. Though the inability is expressed for taking any action against the respondent no. 5, Shri Janak Tekale, the then Deputy Director, since he already stood retired and no departmental proceedings may be instituted against him for the event which took place more than 4 years before, the authority concerned does not seem to have examined the option of initiating criminal action against him. We however do not wish to give any such direction. We leave it to the wisdom of the officers concerned.

19. The Original Application is disposed of accordingly in the aforesaid terms. There shall be no order as to costs.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 18.7.2022

**M.A.NO.55/2021 IN O.A.ST.NO.363/2020
(D.N.Dhapse & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

Shri G.L.Deshpande, learned Advocate for the applicants and Shri N.U.Yadav, learned Presenting Officer for the respondents, are present.

2. On request of learned Advocate for the applicant, re-issue notice to respondent no.3 in M.A., returnable on 29-08-2022.

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

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

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

=2= M.A.NO.55/2021 IN O.A.ST.NO.363/2020

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

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

7. S.O. to 29-08-2022.

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

MEMBER (A)

VICE CHAIRMAN

**C.P.NO.30/2019 IN O.A.NO.526/2011
(Mohd. A. Khan Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

Shri A.S.Deshmukh, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents, are present.

2. S.O. to 02-08-2022

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 18-07-2022

**REVIEW APPLICATION NO.04/2017 IN
ORIGINAL APPLICATION NO.223/2014
(Kakasaheb Zalte Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

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

2. S.O. to 10-08-2022

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.26/2019
(Vinod Muley Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

Shri M.B.Bharaswadkar, learned Advocate for the applicant Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. S.O. to 08-08-2022

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 18-07-2022

**ORIGINAL APPLICATION NO.681/2019
(Damodhar Thengde Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

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

2. S.O. to 08-08-2022

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 18-07-2022

**ORIGINAL APPLICATION NO.190/2020
(Rajendra Aware Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

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

2. S.O. to 22-08-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 18-07-2022

**ORIGINAL APPLICATION NO.562/2020
(Amol Bari Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

Shri V.B.Wagh, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents, are present.

2. S.O. to 03-08-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 18-07-2022

**ORIGINAL APPLICATION NO.266/2021
(Laxmi Dhotre Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

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

2. Learned Advocate for the applicant has filed affidavit in rejoinder. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 22-08-2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.559/2021
(Swapnil Holkar Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

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

2. S.O. to 23-08-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 18-07-2022

**ORIGINAL APPLICATION NO.644/2021
(Dilip Wani Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

Smt. Suchita Dhongde, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. S.O. to 29-08-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 18-07-2022

**ORIGINAL APPLICATION NO.655/2021
(Rahul Gaikwad Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

Shri N.U.Telgaonkar, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. List the matter for hearing on 25-07-2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.767/2021
(Baliram Rathod Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

Smt. Suchita Dhongde, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 29-08-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 18-07-2022

ORIGINAL APPLICATION NO.178/2022
(Shrikrishna Nakate Vs. State of Maharashtra & Ors.)

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

DATE : 18-07-2022

ORAL ORDER :

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

2. S.O. to 21-07-2022.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO.552/2019 IN O.A.ST.NO.1681/2019
(Sushma Chaudhary Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

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. S.O. to 19-08-2022.

MEMBER (A)

VICE CHAIRMAN

M.A.NO.579/2019 IN O.A.NO.871/2018
(State of Maharashtra & Ors. V/s. Dr. Chandrakant Shete)

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

DATE : 18-07-2022

ORAL ORDER :

Shri K.M.Nagarkar, learned Advocate for the respondent (original applicant) and Shri M.S.Mahajan, learned Chief Presenting Officer for the applicants in M.A. (original respondents), are present.

2. S.O. to 19-08-2022.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO.60/2021 IN O.A.NO.85/2021
(Dr. Balaji Shinde Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

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

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 & 3. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 12-08-2022.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO.73/2021 IN O.A.ST.NO.1245/2020
(Balkrishna Joshi Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

Shri R.A.Joshi, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents, are present.

2. S.O. to 26-08-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 18-07-2022

**ORIGINAL APPLICATION NO.362/2016
(Pratap Rathod & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

Shri Y.P.Deshmukh, learned Advocate for the applicant is **absent**. Shri M.P.Gude, learned Presenting Officer for the respondents is present.

2. S.O. to 25-08-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 18-07-2022

ORIGINAL APPLICATION NO.831/2016
(Pathan Hares Khan Vs. State of Maharashtra & Ors.)

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

DATE : 18-07-2022

ORAL ORDER :

Ku. Anagha Pandit, learned Advocate holding for Shri S.B.Talekar, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 25-08-2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.851/2016
(Jagdish Pardeshi Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

Shri A.S.Deshmukh, learned Advocate for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondents, are present.

2. S.O. to 26-08-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 18-07-2022

**ORIGINAL APPLICATION NO.869/2016
(Dhanraj Lazade Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

Shri H.P.Jadhav, learned Advocate for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondents, are present.

2. S.O. to 26-08-2022.

MEMBER (A)

VICE CHAIRMAN

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

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

DATE : 18-07-2022

ORAL ORDER :

Shri Ajay S. Avdhute, learned Advocate holding for Shri A.V.Patil (Indrale), learned Advocate for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondents, are present.

2. S.O. to 22-08-2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.925/2016
(Kiran Tharewal Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

Shri Nikhil S. Tekale, learned Advocate for the applicant is **absent**. Shri Pratik Bhosale, learned Advocate for respondent no.5 is **absent**.

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

2. S.O. to 29-08-2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.374/2018
(Girish Deshmukh Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

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

2. S.O. to 30-08-2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.107/2021
(Sukhdeo Shinde Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

Shri Prafull Bodade, learned Advocate holding for
Shri J.B.Choudhary, learned Advocate for the applicant
and Shri N.U.Yadav, learned Presenting Officer for the
respondents, are present.

2. S.O. to 30-08-2022.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO.141/2021 WITH M.A.NO.121/2021 IN
O.A.NO.295/2019 WITH C.P.NO.03/2021
(Nishant Narkhede & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 18-07-2022

ORAL ORDER :

Shri Vinod P. Patil, learned Advocate for the applicant in M.A.121/21, Ku. Preeti Wankhade, learned Advocate for applicant in C.P.No.03/21 IN O.A.295/19 and Shri V.R.Bhumkar, learned Presenting Officer for the applicants in M.A.No.141/2021 (original respondents), are present.

2. S.O. to 20-07-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.567 OF 2017
(Bebabai P. Koi (Sapkale) Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

Shri V.P. Patil, learned Advocate for the applicant, is **absent**. Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 17.08.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

ORIGINAL APPLICATION NO.568 OF 2019
(Dnyanoba K. Oval Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

Shri D.T. Devane, learned Advocate for the applicant, is **absent**. Heard Smt. Sanjivani K. Deshmukh-Ghate learned Presenting Officer for the respondents.

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

3. S.O. to 17.08.2022.

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 : 18.07.2022

ORAL ORDER :

Heard Shri A.M. Hajare, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 11.08.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

**ORIGINAL APPLICATION NO.168 OF 2020
(Babnrao P. Zod Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri A.M. Hajare, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Record shows that on 21.06.2022 one more last chance was granted to the respondents to file affidavit-in-reply.

3. Today also learned P.O. seeks time for filing affidavit-in-reply.

4. In view of same, though the learned P.O. for the respondents seeks time for filing affidavit-in-reply, the respondents are not entitled for seeking time.

5. In view of above, the prayer for granting time is rejected. The matter to proceed further in accordance with law.

6. The applicant to produce on record the requisite documents necessary for deciding the said Original Application.

7. S.O. to 11.08.2022 for admission.

MEMBER (J)

**ORIGINAL APPLICATION NO.185 OF 2020
(Baliram B. Mahale Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 19.08.2022 for filing affidavit-in-rejoinder.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

ORIGINAL APPLICATION NO.509 OF 2020

(Dr. Nomani Muhammed Mufti Tahir Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

Shri C.V. Dharurkar, learned Advocate for the applicant, is **absent**. Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Record shows that on 23.06.2022 most last chance was granted to the respondents to file affidavit-in-reply.

3. Today also learned P.O. seeks time for filing affidavit-in-reply.

4. In view of same, though the learned P.O. for the respondents seeks time for filing affidavit-in-reply, the respondents are not entitled for seeking time.

5. In view of above, the prayer for granting time is rejected. The matter to proceed further in accordance with law.

6. The applicant to produce on record the requisite documents necessary for deciding the said Original Application.

7. S.O. to 17.08.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO.596 OF 2020
(Dyaneshwar M Pandit Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 11.08.2022 for filing affidavit-in-rejoinder.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

**ORIGINAL APPLICATION NO.15 OF 2021
(Satyanarayan L. Vaishnav Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri Shritej Surve, learned Advocate holding for Shri Hemant Surve/Kshitij Surve, learned Advocates for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant on instruction seeks permission to withdraw the present Original Application.

3. I have no reason to refuse the permission to withdraw the present Original Application. Hence, permission to withdraw the O.A. is granted

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

MEMBER (J)

ORIGINAL APPLICATION NO.121 OF 2021
(Sukadev S. Jadhav & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

Shri D.K. Dagadkhair, learned Advocate for the applicant, is **absent**. Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., one more last chance is granted for filing affidavit-in-reply on behalf of the respondent No.2.

3. S.O. to 18.08.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.410 OF 2021
(Tulsiram D. Bakle Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Tulsiram D. Bakle, the applicant in person and Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. S.O. to 19.08.2022.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

**ORIGINAL APPLICATION NO.542 OF 2021
(Dr. Sunil K. Palhal Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos.1 and 2 and Shri S.S. Shinde, learned Advocate for the respondent No.5. None present for respondent Nos.3 & 4, though duly served.

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

3. S.O. to 12.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.729 OF 2021
(Ramdas L. Patil & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

Heard Smt. Kalpalata Patil-Bharaswadkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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 18.08.2022 for admission.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

ORIGINAL APPLICATION NO.23 OF 2022
(Samadhan B. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

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

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

3. S.O. to 12.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.41 OF 2022
(Nagesh D. Harne & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

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

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

3. S.O. to 04.08.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO.76 OF 2022
(Ashok R. Jawale Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

Shri D.K. Dagadkhair, learned Advocate for the applicant, is **absent**. Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

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

3. S.O. to 19.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.103 OF 2022
(Tushar V. Veldandi Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri S.S. Tandale, learned Advocate holding for Shri S.B. Kakde, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time granted for filing affidavit-in-reply on behalf of the respondents.
3. S.O. to 22.08.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.174 OF 2022
(Sakharam B. Rakh Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent No.1 and Shri S.B. Mene, learned Advocate for the respondent Nos.2 to 4.

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

3. S.O. to 19.08.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.246 OF 2022
(Dilip Y. Rupekar Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Shri D.K. Dagadkhair, learned Advocate for the applicant, is **absent**. Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time granted for filing affidavit-in-reply on behalf of the respondents.
3. S.O. to 19.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.370 OF 2022
(Rapsaheb S. Kshirsagar Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

Shri Nilesh J. Patil, learned Advocate for the applicant, is **absent**. Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. S.O. to 19.08.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.406 OF 2022
(Pandit K. Pawar & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri S.S. Tandale, learned Advocate holding for Shri B.R. Kedar, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. S.O. to 19.08.2022.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

**ORIGINAL APPLICATION NO.424 OF 2022
(Raosaheb K. Jare Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

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

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

3. S.O. to 05.08.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.491 OF 2022
(Utkarsh S. Gute Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that during the course of the day he would file affidavit-in-rejoinder.
3. S.O. to 25.07.2022 for admission.

MEMBER (J)

**ORIGINAL APPLICATION NO.522 OF 2022
(Shobha B. Parodwad Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Shri S.B. Jadhav, learned Advocate for the applicant, is **absent**. Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 19.08.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.529 OF 2022
(Govind B. Barbe Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

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

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

3. S.O. to 22.08.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.530 OF 2022
(Sanjay M. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

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

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

3. S.O. to 22.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.532 OF 2022
(Maroti J. Sonkamble Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

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

2. Service affidavit filed on behalf of the applicant is taken on record.

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

4. S.O. to 19.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.536 OF 2022
(Syed Saleem Syed Yakub Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

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

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

3. S.O. to 25.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.540 OF 2022
(Uttam L. Ratu & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri P.V. Suryawanshi, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.

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

3. S.O. to 19.08.2022.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

ORIGINAL APPLICATION NO.580 OF 2022
(Ramhari G. Sontakke Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Await service of notice on the respondent No.3.
3. Learned Advocate for the applicant seeks time for taking necessary steps. Time is granted.
4. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 & 2.
5. S.O. to 28.07.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.604 OF 2022
(Rahul V. Talke Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri S.S. Tandale, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

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

3. S.O. to 08.08.2022.

MEMBER (J)

**M.A.NO.604 OF 2019 IN O.A.ST.NO.2158 OF 2019
(Venkat S. Mundhe Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

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

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

3. S.O. to 18.08.2022.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

**M.A.NO.164 OF 2021 IN O.A.ST.NO.580 OF 2021
(Nilesh S. Salve Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

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

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

3. S.O. to 19.08.2022

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

**M.A.NO.345 OF 2021 IN O.A.ST.NO.1475 OF 2021
(Anantrao V. Soudagar Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate holding for Shri Mujahed Hussain, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos.1 & 2. Shri D.T. Devane, learned Advocate for the respondent Nos.3 & 4, is **absent**.

2. Learned P.O. for the respondent submits that she would file affidavit-in-reply on behalf of the respondent No.2 during the course of the day.

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

4. S.O. to 24.08.2022.

MEMBER (J)

**M.A.NO.400 OF 2021 IN O.A.NO.701 OF 2021
(Vijay E. Sonune Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri N.D. Sonavane, learned Advocate for the applicant in the present M.A./intervenor and Shri Dinesh Kakde/R.V. Gore, learned Advocate for the respondent No.1/applicant in O.A., are **absent**. Heard Shri N.U. Yadav, learned Presenting Officer for the respondent Nos.2 to 5 in M.A./respondents in O.A.

2. At the request of the learned P.O., last chance time is granted for filing affidavit-in-reply in O.A.

3. S.O. to 19.08.2022. Interim relief granted earlier in O.A.No.701 of 2021 to continue till then.

MEMBER (J)

**M.A.NO.152 OF 2022 IN O.A.ST.NO.346 OF 2021
(Suryakant S. Bhalerao Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

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

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

3. S.O. to 19.08.2022.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

**M.A.NO.162 OF 2022 IN O.A.ST.NO.608 OF 2022
(Nandkishor A. Awile Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

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

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

3. S.O. to 19.08.2022.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

**M.A.NO.177 OF 2022 IN M.A.NO.71 OF 2018 IN
O.A.ST.NO.103 OF 2018
(Khanderao D. Musande Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri M.B. Kolpe, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

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

3. S.O. to 17.08.2022.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

**M.A.NO.284 OF 2022 IN M.A.ST.NO.635 OF 2022
O.A.ST.NO.536 OF 2022
(Anna B. Holkar & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri Ashitosh Mishra, learned Advocate holding for Shri Shri Aniket V. Patil, learned Advocate for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicants, S.O. to 03.08.2022.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

**M.A.NO.303 OF 2022 IN O.A.ST.NO.708 OF 2022
(Nagnath M. Adamankar Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 03.08.2022.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

**ORIGINAL APPLICATION ST.NO.74 OF 2022
(Gopichand B. Wadile Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 19.08.2022 for removal of office objection.

MEMBER (J)

**M.A.ST.NO.570 OF 2022 IN O.A.ST.NO.571 OF 2022
(Ashok G. Jondhale & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shr Amol Bhagat learned Advocate holding for Shri H.V. Patil, learned Advocate for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicants, S.O. to 17.08.2022.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

**ORIGINAL APPLICATION ST.NO.1093 OF 2022
(Shriram G. Kulkarni Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

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

2. Record shows that there is office objection that application is barred by limitation considering the date of retirement of the applicant being 31.10.2015.

3. Record further shows that the applicant is seeking direction against the respondents to take decision on his leave period and also forward the pension papers of the applicant to Accountant General. In view of the same, if the applicant is not receiving the pension for whatever reason, the cause of action arose upon his retirement.

4. Learned Advocate for the applicant submits that the applicant would amend the Original Application explaining the continuous cause of action.

5. It is for the applicant to decide as to whether to make application for condonation of delay or to make

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O.A.St.1093/2022

amendment in the Original Application itself about the objection of limitation.

6. The applicant is at liberty to amend the Original Application in the abovesaid respect, if he so desires.

7. S.O. to 08.08.2022.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

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

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri M.B. Humane, learned Advocate holding for Shri Sanjay Kolhare, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

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

3. S.O. to 10.08.2022.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

ORIGINAL APPLICATION NO.01 OF 2020
(Seema S. Dalvi & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

Shri Mujahed Hussain, learned Advocate for the applicant, is **absent**. Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of the respondent Nos.1, 3 and 4 is taken on record.
3. Learned P.O. deposited extra copy of reply for the applicants.
4. S.O. to 19.08.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

**ORIGINAL APPLICATION NO.77 OF 2020
(Mahesh S. Khedkar Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri P.S. Kirtikar, learned Advocate holding for Shri C.T. Jadhav, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Record shows that the affidavit-in-reply is only filed on behalf of the respondent No.3.
3. However, thereafter, the Original application is amended as per order dated 27.06.2022.
4. In view of the same, at the request of the learned P.O. for the respondents, time is granted for filing affidavit-in-reply to the amended O.A.
5. S.O. to 10.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.197 OF 2020
(Vijay R. Suryawanshi Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri Shritej Surve, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Record shows that affidavit-in-reply is jointly filed on behalf of the respondent Nos.1 & 2 and another affidavit-in-reply is jointly filed on behalf of the respondent Nos.3 & 4.

3. Affidavit-in-reply on behalf of the respondent No.5 is not filed inspite of grant of several opportunities.

4. The applicant does not wish to file affidavit-in-rejoinder.

5. In view of same, pleadings said to have been completed. The matter is regarding regularization of suspension period and pension and pensionary benefits. It is admitted and fixed for final hearing on 11.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.11 OF 2021
(Ravikant R. Hadoltikar Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri A.B. Rajkar, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos.1,2 & 5 and Shri G.N. Patil, learned Advocate for the respondent Nos.3 & 4.

2. At the request of the learned Advocate for the applicant, S.O. to 18.08.2022.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

**ORIGINAL APPLICATION NO.201 OF 2021
(Vasant G. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri S.B. Solanke, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 17.08.2022 for admission.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

**ORIGINAL APPLICATION NO.301 OF 2021
(D.P. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri C.R. More, learned Advocate holding for Shri G.J. Pahilwan, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 19.08.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.332 OF 2021
(Suraj B. Mundhe Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

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

2. Record shows that the pleadings are complete. The matter is pertaining to compassionate appointment. It is admitted and fixed for final hearing.

3. S.O. to 08.09.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.369 OF 2021
(Naushadbee Ibrahim Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri S.B. Solanke, learned Advocate holding for Shri S.B. Choudhari, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 18.08.2022 for admission.

MEMBER (J)

**ORIGINAL APPLICATION NO.728 OF 2021
(Shaikh Abdul Gafur Md. Sarwar Vs. State of Maharashtra &
Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 18.08.2022.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

ORIGINAL APPLICATION NO.315 OF 2019
(Jeevan G. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri S.L. Bhapkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos.1 to 4. Shri M.M. Bhokarikar, learned Advocate for the respondent No.5, is **absent**.

2. The present matter has already been treated as part heard.
3. At the request of the learned Presenting Officer, S.O. to 05.08.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO.487 OF 2018
(Ramchandra L. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 22.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

**ORIGINAL APPLICATION NO.616 OF 2018
(Kokane G. Revana Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri Asif Ali, learned Advocate holding for Ms. A.N. Ansari, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 19.08.2022 for final hearing.

MEMBER (J)

**M.A.NO.137 OF 2020 IN O.A.ST.NO.46 OF 2020
(Sagar A. Zinjurde Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Smt. M.L. Sangit, learned Advocate holding for Shri L.V. Sangit, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 12.08.2022.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

**M.A.NO.337 OF 2020 IN O.A.ST.NO.1240 OF 2020
(Nitin A. Shete Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 29.07.2022.

MEMBER (J)

SAS ORAL ORDERS 18.07.2022

**M.A.NO.183 OF 2020 IN O.A.ST.NO.477 OF 2020
WITH
M.A.NO.184 OF 2020 IN O.A.ST.NO.479 OF 2020
WITH
M.A.NO.185 OF 2020 IN O.A.ST.NO.481 OF 2020
WITH
M.A.NO.186 OF 2020 IN O.A.ST.NO.483 OF 2020
WITH
M.A.NO.187 OF 2020 IN O.A.ST.NO.485 OF 2020
WITH
M.A.NO.188 OF 2020 IN O.A.ST.NO.487 OF 2020
WITH
M.A.NO.189 OF 2020 IN O.A.ST.NO.489 OF 2020
WITH
M.A.NO.190 OF 2020 IN O.A.ST.NO.491 OF 2020
WITH
M.A.NO.191 OF 2020 IN O.A.ST.NO.493 OF 2020
WITH
O.A.NO.192 OF 2020 IN O.A.ST.NO.495 OF 2020
WITH
M.A.NO.197 OF 2020 IN O.A.ST.NO.537 OF 2020
WITH
M.A.NO.207 OF 2020 IN O.A.ST.NO.497 OF 2020
(Sudhir N. Deulgaonkar & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri A.M., Hajare, learned Advocate for the applicants in all these cases and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in all these cases.

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2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of respondents in M.A.184/2020 in O.A.St.No.479/2020, M.A.187/2020 in O.A.St.485/2020 and M.A.No.190/2020 in O.A.St.No.491/2020.

3. Learned Advocate for the applicants also seeks time for filing affidavit-in-rejoinder to the affidavit-in-reply filed on behalf of the respondents in other matters. Time is granted.

4. S.O. to 11.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 737 OF 2021
(Arun S. Kapadane Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

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

2. The present matter has already been treated as part heard.
3. By consent of both the sides, S.O. to 25.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 711 OF 2018
(Sanjay N. Nade Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 11.08.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 18.07.2022

ORIGINAL APPLICATION NO. 83 OF 2020
(Devendra I. Sonar Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 12.08.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 18.07.2022

ORIGINAL APPLICATION NO. 534 OF 2020
(Rajesh N. Bade Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 29.07.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 18.07.2022

ORIGINAL APPLICATION NO. 50 OF 2021
(Ravindra K. Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 28.07.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 18.07.2022

ORIGINAL APPLICATION NO. 152 OF 2021
(Vishnu S. Misal Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 12.08.2022 for final hearing. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDERS 18.07.2022

ORIGINAL APPLICATION NO. 189 OF 2021
(Sakharam C. Kashid Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri Avinash Khedkar, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent No. 1 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 to 4.

2. By consent of all the parties, S.O. to 03.08.2022 for final hearing. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDERS 18.07.2022

**ORIGINAL APPLICATION NO. 214 OF 2021
(Ramnath N. Raut Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri Avinash Khedkar, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent No. 1 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 & 3.

2. By consent of all the parties, S.O. to 03.08.2022 for final hearing. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDERS 18.07.2022

**ORIGINAL APPLICATION NO. 336 OF 2021
(Raosaheb S. Bhosale Vs. State of Maharashtra & Ors.)**

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri Avinash Khedkar, learned Advocate for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent No. 1 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 & 3.

2. By consent of all the parties, S.O. to 03.08.2022 for final hearing. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDERS 18.07.2022

ORIGINAL APPLICATION NO. 365 OF 2021
(Prabhakar B. Jondhale Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri Avinash Khedkar, learned Advocate for the applicant, Smt. Deepali S. Deshapnde, learned Presenting Officer for the respondent No. 1 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 & 3.

2. By consent of all the parties, S.O. to 03.08.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 18.07.2022

ORIGINAL APPLICATION NO. 602 OF 2021
(Pravin N. Nemade Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 27.07.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 18.07.2022

ORIGINAL APPLICATION NO. 981 OF 2019
(Ravindra K. Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 18.07.2022

ORAL ORDER :

Heard Shri G.V. Mohekar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The present matter is closed for orders.

MEMBER (J)

KPB ORAL ORDERS 18.07.2022

**ORIGINAL APPLICATION NO. 631 OF 2022
(Ratan G. Kunte Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Heard Shri Vinod Dhotre, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 30.8.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 30.8.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION ST. NO. 1175 OF 2022
(Kalpana P Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Shri Santosh B. Bhosle, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 20.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

**ORIGINAL APPLICATION NO. 942 OF 2018
(Dr. Meena R. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Mrs. A.N. Ansari, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondents, is present.

2. No one present for the applicant. In the interest of justice, S.O. to 8.8.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

**ORIGINAL APPLICATION NO. 643 OF 2022
(Raosaheb B. Jangle Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Heard Shri Ajay S. Deshpande, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. It is the grievance of the applicant that the departmental enquiry has been initiated against the applicant out of the same event and raising same charges for which he is facing criminal prosecution. In the circumstances, learned counsel has prayed for staying further proceedings in the departmental enquiry till decision of the present O.A.

3. Learned Chief Presenting Officer seeks time to take instructions to file affidavit in reply. It is submitted that the respondents will file affidavit in reply within two weeks. It is further brought to our notice that still enquiry officer has not been appointed and, as such, the enquiry proceedings is likely to commence by the next date. In the circumstances, the following order is passed: -

ORDER

1. Issue notice to respondents, returnable on 3.8.2022.

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

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

4. 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.

5. 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.

6. S.O. to 3.8.2022.

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

MEMBER (A)

VICE CHAIRMAN

**M.A.NO. 542/2019 IN O.A.NO. 274/2019
(Prashant Shyam Sapkale Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Heard Shri M.R. Wagh, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned counsel appearing for the applicant submits that since the office of this Tribunal has raised objection and has insisted for mentioning the period of delay from the date of the impugned order the period of delay is mentioned as 19 years; however, it is not of 19 years delay, but much less than the same. Learned counsel pointed out that the O.A. No. 665/2001 filed by the applicant was dismissed by this Tribunal against which the applicant had preferred W.P. No. 5911/2012. The said W.P. came to be decided on 9th March, 2018 and Hon'ble Bombay High Court Bench at Aurangabad granted liberty to the present applicant to approach the Tribunal again. In the circumstances, according to the learned counsel, the delay which has been caused needs to be counted from the date of passing of the order by the Hon'ble High Court. Learned counsel submitted that the order passed by the Hon'ble High Court was not within the knowledge of the applicant for quite long period and after he came to know the same, he made genuine attempt to file application

as early as possible. Learned counsel submitted that delay caused is not deliberate or intentional. He, therefore, prayed for condoning the delay.

3. Learned Presenting Officer has opposed the request so made contending that reasons mentioned are not sufficient for condoning the delay.

4. After having considered the submissions advanced by the learned counsel appearing for the applicant and the learned Presenting Officer and more particularly after having noticed the fact that in the W.P. the Hon'ble Division Bench of the High Court has granted liberty to the applicant to approach the Tribunal again for ventilating his grievance, we are inclined to condone the delay, which has occurred in filing the O.A. by the applicant. Hence, the following order is passed: -

ORDER

The application is allowed. The delay caused in filing accompanying Original Application is condoned.

2. The accompanying Original Application has already been registered. There shall be no order as to costs.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO. 541/2019 IN O.A.NO. 272/2019
(Whab Majid Shaikh Vs. State of Maharashtra & Ors.)**

WITH

**M.A.NO. 543/2019 IN O.A.NO. 275/2019
(Kishor S. Karn Vs. State of Maharashtra & Ors.)**

WITH

**M.A.NO. 580/2019 IN O.A.NO. 273/2019
(Abdul Wahid Shaikh Mohmad Vs. State of Maha. & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Heard Shri M.R. Wagh, learned counsel for the applicants and Shri N.U. Yadav, Smt. M.S. Patni & Mrs. Deepali S. Deshpande, learned Presenting Officers for the respective respondents in respective matters.

2. Learned counsel appearing for the applicants submitted that in the W.P. filed by one Shri Prashant Sapkale (W.P. No. 5911/2012) the present applicants had filed an application seeking intervention in the said matter. It is further submitted that on 9.3.2018 while disposing of the Civil Application for intervention stating that, "in view of the order passed in W.P. the Civil Application for intervention also stands disposed of." Learned counsel submitted that the order passed by the Hon'ble High Court in W.P. No. 5911/2012 would thus apply in the cases of the interveners also. It was, therefore, further contention of the learned

counsel that the delay caused in these three matters also deserves to be condoned and the main matters can be heard on merits.

3. As has been informed by the learned counsel for the applicants on a query made by us, all the three applicants had filed separate and independent OAs and each of the said O.A. was separately decided by the Tribunal by passing separate judgments in each of the said matters. As has been further informed by the learned counsel the said OAs were decided in the year 2001. Intervention application in W.P. No. 5911/2012 was admittedly filed in the year 2015 i.e. about 14 years after the decision was rendered by the Tribunal. The applicants have not explained the inordinate delay occurred in filing the intervention application in the W.P. No. 5911/2012 before the Hon'ble High Court. It has to be further stated that in the W.P. filed by Prashant Sapkale praying for setting aside the order passed by the Tribunal in O.A. filed by him, in our opinion, the present applicants could not have sought intervention, instead, the applicants must have preferred independent WPs questioning the order passed by the Tribunal in their matters. The Hon'ble High Court has, therefore, disposed of their intervention application without any effective or executable order in their favour. The submissions made by the learned counsel appearing for the applicants that the order passed in the matter of Prashant Sapkale would be applicable in their cases also, thus, is liable

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**M.A.NO. 541/2019 IN
O.A.NO. 272/2019**

to be rejected. Moreover, since the orders passed by M.A.T. in the OAs filed by these applicants are not expressly set aside by the Hon'ble High Court, the orders passed by the Tribunal still hold the field. In such circumstances, there would be a bar of res-judicata in entertaining any application filed by the present applicants seeking the same relief sought by them in the earlier applications. For the reasons stated above, we are not inclined to allow these applications. Hence, the following order: -

ORDER

All the MAs are rejected. In view of the rejection of MAs, the OAs also stand dismissed however, without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

C.P.NO. 53/2019 IN O.A.NO. 207/2018
C.P.NO. 54/2019 IN O.A.NO. 338/2017
C.P.NO. 56/2019 IN O.A.NO. 421/2017
C.P.NO. 57/2019 IN O.A.NO. 335/2017
C.P.NO. 58/2019 IN O.A.NO. 23/2018
C.P.NO. 59/2019 IN O.A.NO. 423/2017
C.P.NO. 60/2019 IN O.A.NO. 422/2017

(Dr. Vinay P. Sonavne & 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 : 18.7.2022

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicants, Shri B.S. Deokar, learned Chief Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel holding for Shri P.R Tandale, learned counsel for respondent No. 5 in C.P. No. 54/2019 in O.A. No. 338/2018, are present.

2. Learned Chief Presenting Officer has submitted that against the orders passed by this Tribunal in the aforesaid OAs the State has preferred WPs before the Aurangabad Bench of Hon'ble Bombay High Court and the said WPs are pending for consideration. Learned C.P.O. further brought to our notice that arising out of the same cause of action OAs alike filed before this Tribunal were filed before the Principal Seat of this Tribunal at Mumbai and the decision rendered by the Principal Seat in the said OAs, WPs are preferred before the Hon'ble Bombay High Court at

Principal Seat. In the said WPs the Hon'ble Bombay High Court has stayed further proceedings in the contempt petition filed before the Principal Seat of this Tribunal at Mumbai. In the circumstances, learned C.P.O. prayed for adjourning the present CPs.

3. In view of the facts as above, the present CPs are adjourned to 19.9.2022.

MEMBER (A)

MEMBER (J)

**O.A.NOS. 708 TO 712, 781, 782, 1052 TO 1055 ALL OF
2019
(Dr. Udaykumar T. Helke & Ors. Vs. State of Maharashtra
& Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)**
DATE : 18.7.2022
ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicants
and Shri M.S. Mahajan, learned Chief Presenting Officer for
the respondents, are present.

2. S.O. to 20.9.2022

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

**ORIGINAL APPLICATION NO. 579 OF 2021
(Siddharth R. Pandurnikar Vs. State of Maharashtra &
Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

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

2. The present case is not on today's board. It is taken on board at the request of learned counsel for the applicant.

3. Learned counsel for the applicant seeks leave of this Tribunal to file rejoinder affidavit. Leave as prayed for is granted. The office of this Tribunal is directed to accept the rejoinder affidavit filed by the applicant.

4. S.O. to 20.8.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

**O.A.NOS. 56 TO 67 ALL OF 2019
(Dr. Balaji M. Mirkute & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Shri M.R. Kulkarni, learned counsel for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these cases and Shri A.B. Shinde, learned counsel for respondent Nos. 4 & 5 in all these cases, are present.

2. Learned counsel for respondent Nos. 4 & 5 has sought time to file affidavit in reply on behalf of respondent Nos. 4 & 5. Time granted.
3. S.O. to 6.9.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

**ORIGINAL APPLICATION NO. 963 OF 2017
(Vasant d. Karke & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.

3. S.O. to 22.8.2022. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

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

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

DATE : 18.7.2022

ORAL ORDER :

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

2. Learned Presenting Officer has sought time for filing affidavit in reply to the amended portion of O.A. Time granted.

3. S.O. to 24.8.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

**ORIGINAL APPLICATION NO. 271 OF 2019
(Avinash R Kamble & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Shri H.A. Joshi, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.

3. S.O. to 24.8.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

**ORIGINAL APPLICATION NO. 685 OF 2019
(Shivaji R. Thakare Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.

3. S.O. to 24.8.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

**ORIGINAL APPLICATION NO. 156 OF 2020
(Raju A Ghodke & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Shri Abhishek C. Deshpande, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.
3. S.O. to 26.8.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

**ORIGINAL APPLICATION NO. 446 OF 2020
(Sandip P. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Shri Y.B. Bolkar, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. Learned Chief Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 & 2 and the same is taken on record. He undertakes to serve the copy of the same on the other side.

3. S.O. to 25.8.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

**ORIGINAL APPLICATION NO. 552 OF 2021
(Jabbar Dastgir Pinjari Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Shri P.S. Anerao, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Await service.
3. S.O. to 25.8.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

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

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

DATE : 18.7.2022

ORAL ORDER :

Shri S.D. Dhongde, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.
3. S.O. to 11.8.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

**ORIGINAL APPLICATION NO. 624 OF 2021
(Pradeep D. Mulgir Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Smt. Suchita A. Dhongde, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondent Nos. 2 & 4. Time granted.

3. S.O. to 11.8.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

**ORIGINAL APPLICATION NO. 325 OF 2022
(Pradeep P. Bahekar & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. Await service.
3. S.O. to 29.8.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

**ORIGINAL APPLICATION NO. 505 OF 2022
(Shaikh N. Miya Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.
3. S.O. to 26.8.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

**M.A.NO. 304/2020 IN O.A.ST.NO. 1095/2020
(Abhay A Kulkarni Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Ms. Priyanka Deshpande, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 25.8.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

**M.A.NO. 307/2021 IN O.A.ST.NO. 1307/2021
(Avinash R Kamble & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Smt. Suchita A. Dhongde, learned counsel for the applicant, Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities and Smt. Sunita D. Shelke, learned counsel for respondent Nos. 2 to 4, are present.

2. Learned counsel for respondent Nos. 2 to 4 has sought time for filing affidavit in reply on behalf of respondent Nos. 2 to 4. Time granted.

3. S.O. to 12.8.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

**M.A.NO. 09/2022 IN O.A.ST.NO. 1541/2021
(Laxmi B. Taji Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Shri P.G. Tambde, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Await service.
3. S.O. to 29.8.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

**M.A.NO. 10/2022 IN O.A.ST.NO. 1586/2021
(Nathrao S. Chate Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Shri P.G. Tambde, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Await service.
3. S.O. to 29.8.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

**M.A.NO. 199/2022 IN O.A.ST.NO. 837/2022
(Arjun B. Koli Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Smt. Suchita A. Dhongde, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 3 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 17.8.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 18.7.2022-HDD

Date : 18.07.2022
ORIGINAL APPLICATION NO. 645 OF 2022
(Jayaprakash A. Patil V/s State of Maharashtra & Ors.)

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

1. Shri A.M. Hajare, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 19.08.2022. The case be listed for admission hearing on **19.08.2022**.
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 : 18.07.2022
ORIGINAL APPLICATION NO. 650 OF 2022
(Smt. Umabai M. Mane & Ors. V/s State of Maharashtra
& Ors.)

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

1. Shri V.G. Pingle, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 12.08.2022. The case be listed for admission hearing on **12.08.2022**.
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 : 18.07.2022
ORIGINAL APPLICATION NO. 652 OF 2022
(Dinesh R. Jadhav V/s State of Maharashtra & Ors.)

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

1. Shri Pramod D. Patil, learned Advocate for the applicants and Shri B.S. Deokar, learned Presenting Officer for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 19.08.2022. The case be listed for admission hearing on **19.08.2022**.
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

**ORIGINAL APPLICATION NO. 274 OF 2019
(Prashant Shyam Sapkale Vs. State of Maharashtra & Ors.)**

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

DATE : 18.7.2022

ORAL ORDER :

Heard Shri M.R. Wagh, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 5.9.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 5.9.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN