

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

*List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Division Bench  
Before: - THE HON'BLE JUSTICE SHRI. P.R. BORA, VICE CHAIRMAN*

**And**

**THE HON'BLE SHRI. VINAY KARGAONKAR, MEMBER (A)**

**Date:- 18/10/2023**

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
<b>Urgent Admission Matters</b>						
1	MA480/23 In MA481/23 In OAS1795/23	Nanded	Adv.M.R. Kulkarni (Dr. Sudhatai S Karadkhedkar)	M.A.For Amendment For Addition of Party Respondents		7.12.2023
2	OA867/23	Dhule	Adv.G.J. Karne (Dr. Anil P Ubale)	Departmental Enquiry		Withdrawn
3	OA876/23	J'gaon	Adv.Bharat R Waramaa (Umakant B Patil)	Selection Process		23.11.2023
4	OA891/23	Latur	Adv.A.S. Khedkar/ Adv.P.R. Karpe (Nagesh A Hippargekar)	Selection Process		29.11.2023
5	OA893/23	Chh. Samb'Nagar	Adv.V.B. Wagh/ Adv.A.S. Therokar/ Adv.V.P. Adkine (Anil T Vangujare)	Promotion		Disposed of
6	OAS1934/23	J'gaon	Adv.Ganesh V Mohekar/ Adv.S.S. Phatale (Dr. Yogesh M Savale)	Selection Process	<b>with Office Objection</b>	22.11.2023
7	MASt2004/23 In OAS12005/23	A'bad	Adv.S.D. Joshi (Dr. Shashikant T Vagge & Ors.)	M.A. For Sue Jointly	<b>with Office Objection</b>	22.11.2023
<b>Order Matters</b>						

8	MA277/19 In OAS09/19	Nanded	Adv.A.D. Kaware (Kishan E Vibhute) <b><u>Adv.R.D. Kulkarni for R.No.7 in OA</u></b>	M.A. For Condonation of Delay	For Hearing	25.10.2023
9	MA146/20 with MASt418/20 In OAS419/20	Nanded	Adv.Gaurav L.Deshpande (Maharashtra Rajya Pashu Sawardhan Abhiyantriki Karmachari Sanghatana through its President Ramesh N Shinde)	MA for File O.A. in Representative Capacity on Behalf on Sanghatana	For Hearing	20.10.2023
10	MA155/23 In OAS517/23	A'nagar	Adv.K.B.Jadhav (Atul P Bhange)	M.A. For Condonation Of Delay	For Hearing Reply Filed by R-2 to R-5	25.10.2023
11	MA161/23 In OA616/22	Beed Pune	Adv.A.S. Khedkar (Abhijit T Pore)	M.A. For Adding Party as Applicant	For Hearing	31.10.2023
12	MA189/23 In OA33/22	Nanded	Adv.V.B. Wagh (Vithal N Kokulwar)	M.A. For I.R.		26.10.2023
13	MA450/23 In OA626/19	A'nagar	Adv.S.K. Mathpati (Sheshrao R Giri)	M.A. For Amendment		19.10.2023
14	MA477/23 In OA641/19	A'nagar	Adv.S.K. Mathpati (Vinod S Wadekar & Ors.)	M.A. For Amendment		19.10.2023
15	MA478/23 In OA642/19	Latur	Adv.S.K. Mathpati (Nandkishor B Pathak)	M.A. For Amendment		19.10.2023
16	MA462/23 In OA523/23	A'bad	Adv.Sachin S Deshmukh/ Adv.Shaikh Majit S. (Dnyaneshwar M Pansare)	M.A. For Direction	Reply Filed by R-2 In OA523/23	19.10.2023
17	MASt1865/23 In OA384/23	Jalgaon	Adv S D Joshi (Vijaysing M Gavali)	M. A For Amendment	<b>IInd Set of MA has Not Filed</b>	26.10.2023

**Due Admission Matters**

18	CP01/20 In OA824/16	Latur	Adv.Shamsunder B Patil (Dr. Asha A Kadam)	Contempt Petition	For Hearing	24.11.2023
19	CP07/21 In OA768/17	A'bad	Adv.Suchita A Dhongde (Rajan A Lengde) <b><u>Adv.S.B. Mene for R.Nos. 2 to 4</u></b>	Contempt Petition	For Hearing Reply Filed by R-2 to R-4	18.12.2023
20	CP20/21 In OA200/16	O'bad	Adv.R.P. Bhumkar (Shaikh Rahim Shaikh Chand)	Contempt Petition	For Hearing Reply Filed by R-2 & R-5	19.10.2023
21	OA650/18	Hingoli	Adv.S.D. Dhongde (Shivaji R Phalegaonkar)	Promotion/ Seniority	For Hearing Reply Filed by R-3	19.10.2023
22	OA946/19	P'bhani	Adv.J.S. Deshmukh (Dr. Subhash P Pawar) <b><u>Adv.V.R. Sonwalkar for R.Nos.4 &amp; 5</u></b>	Revision of Pay/ Recovery	For Hearing Reply Filed by R-4 & R-5	31.10.2023
23	OA1021/19	A'bad	Adv.C.V. Dharurkar (Dr. Prashant D Warkari)	Deemed Date of Appointment/ Seniority	For Hearing	22.11.2023
24	OA78/20	Hingoli	Adv.Mohit Deshmukh (Nagorao R Paikrao) <b><u>Adv.Shamsunder B Patil for R.Nos.3 to 5</u></b>	Promotion	For Hearing Reply Filed by R-3 to R-5	9.12.2023
25	OA370/20	A'bad	Adv.Avinash S Deshmukh (Shrimant M Ture)	Modification In G.R./ Revised Pay Scale	For Hearing	6.11.2023
26	OA565/20	A'nagar	Adv.Preeti R Wankhade (Jahangir Fakir Shaikh & Ors.)	Challenging G.R.	Reply Filed by R-1 to R-3 & R-6	7.12.2023
27	OA589/20	Latur	Adv.R.B. Deshmukh (Anil V Karbhari)	Departmental Enquiry	For Hearing Reply Filed by R-1 & R-2	11.12.2023
28	OA31/21	A'bad	Adv.A.N. Ansari (Sattar Khan Jamal Khan) <b><u>Adv.M.P. Gude for R.No.2</u></b>	Departmental Enquiry/ Pensionary Benefits	For Hearing Reply Filed by R-1 & R-2	11.12.2023

29	OA559/21	A'nagar	Adv.R.K. Ashtekar (Swapnil P Holkar)	Reversion	For Hearing Reply Filed by R-2 & R-3	27.10.2023
30	OA579/21	Nanded	Adv.Ajay S Deshpande (Siddharth R Pandurnikar) <b><u>Adv.Shailendra S Kulkarni</u></b> <b>for R.No.4</b>	Appointment	For Hearing Reply Filed by R-1 to R-4	2.11.2023
31	OA600/21	Nanded	Adv.K.B. Jadhav (Subhash G Dhutire)	Promotion	For Hearing Reply Filed by R-1 to R-6	7.11.2023
32	OA16/22	Nanded O'bad	Adv.Avinash S Deshmukh (Vd. Piyush K Gandhi & Ors.) <b><u>Adv.M.R. Kulkarni for</u></b> <b><u>R.Nos.4 to 7</u></b>	Seniority	For Hearing Reply Filed by R-1 to R-7	31.10.2023
33	OA30/22	O'bad	Adv.Sushant B Choudhari (Mahesh S Vaidya)	Selection	For Hearing Reply Filed by R-2	7.12.2023
34	OA196/22	Jalna	Adv.S.A. Deshmukh (Alka T Pagare)	Promotion	For Hearing Reply Filed by R-2 & R-3	1.12.2023
35	OASt376/22	P'bhani	Adv.O.Y. Kashid (Abhilash V Gore)	Departmental Enquiry	<b>With Office Objection</b> For Admission Reply Filed by R-3	31.10.2023
36	OA582/22	O'bad	Adv.S.A. Nagarsoge (Dr. Shrikant B Balwande) <b><u>Adv.B.B. Bhise for R.No.4</u></b>	Departmental Enquiry	For Hearing Reply Filed by R-1 to R-3	30.10.2023
37	OA602/22	Beed	Adv.Hemant Surve (Balasaheb A Shinde)	Eligibility	For Admission	11.12.2023
38	OA609/22	Beed	Adv.P.R. Wankhade (Amol S Kadam)	Challengn Clause	For Admission Reply Filed by R-1 to R-3	11.12.2023
39	OA811/22	A'bad	Adv.A.S. Shelke (The Association of the Ministerial Services of department of Agriculture, Maharashtra State, Pune Through its General Secretary Shri Ashok Kale & Ors.)	Challenging Recruitment Rules/ Advertisement	For Hearing Reply Filed by R-1 to R-3	30.10.2023

<b>Final Hearing Matters</b>						
<b>40</b>	OA804/17	N'bar	Adv.S.D. Joshi (Prakash D Patil)	Compulsory Retirement	Reply Filed by R-1 to R-4	4.12.2023
<b>41</b>	OA939/17	Beed	Adv.S.D. Joshi (Dattatraya S Bargaje)	Dismissal	Reply Filed by R-1 to R-5	4.12.2023
<b>42</b>	OA119/18	A'bad	Adv.Santosh N Patne (Jyoti L Rathod)	Appointment	Reply Filed by R-1 to R-4	6.12.2023
<b>43</b>	OA149/18	O'bad	Adv.M.B. Kolpe (Dhananjay L Jadhav)	Appointment	For Hearing Reply Filed by R-1 & R-2	6.12.2023
<b>44</b>	OA829/18 With	Mumbai	Adv.Talekar & Associates (Kiran P Prabhakar Kolte)	Selection Process	Reply Filed by R-2	21.11.2023
<b>45</b>	OA96/20	A'bad	Adv.Talekar & Associates (Kiran P Kolte)	Appointment		21.11.2023
<b>46</b>	OA1065/19	A'nagar	Adv.V.B. Wagh (Dr.Jahagirdar D Nizam)	Condonation of Technical Break/ Count the Past Service	Reply Filed by R-1 to R-3	1.12.2023
<b>47</b>	OA499/20	A'bad	Adv.S.G. Magre (Dr.Gajanan P Tarpe)	Condonation of Technical Break		15.12.2023
<b>48</b>	OA366/21	Hingoli	Adv.Avinash S Deshmukh (Narayansingh B Thakur)	Departmental Enquiry	Reply Filed by R-1 to R-3	18.12.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI BENCH AT  
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*List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Division Bench*  
Before: - THE HON'BLE JUSTICE SHRI. P.R. BORA, VICE CHAIRMAN

**And**

THE HON'BLE SHRI. VINAY KARGAONKAR, MEMBER (A)

**Date:- 18/10/2023**

**Suplimentary Board**

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
<b>Urgent Admission Matters</b>						
1	CPS1991/23 In OA485/20	Beed	Adv.Preeti R Wankhade (Vijay S Jadhav)	Contempt Petition	<b>with Office Objection</b>	19.10.2023
2	CPS11645/23 In OA335/20	A'bad	Adv.Preeti R Wankhade (Arjun N Pache)	Contempt Petition	<b>with Office Objection</b>	19.10.2023
3	OA854/23	A'bad	Adv.Rameez M Shaikh (Shaikh Danish Abdul Rafat)	Selection Process		30.11.2023
4	OA706/21 with	Dhule	Adv.Talekar & Associates (Devendra B Bacchav) <b><u>Adv.H.D. Gaikwad for R.No.4</u></b>	Appointment	<b><u>Circulation</u></b> For Hearing Reply Filed by R-1 to R-3	29.11.2023
5	OA707/21 with	Dhule	Adv.Talekar & Associates (Chetan P Kulkarni) <b><u>Adv.H.D. Gaikwad for R.No.3</u></b>	Appointment	<b><u>Circulation</u></b> For Hearing Reply Filed by R-1 to R-3	29.11.2023
6	OA708/21 with	Dhule	Adv.Talekar & Associates (Rahul D Patil) <b><u>Adv.H.D. Gaikwad for R.No.4</u></b>	Appointment	<b><u>Circulation</u></b> For Hearing Reply Filed by R-1 to R-3	29.11.2023
7	OA709/21	Dhule	Adv.Talekar & Associates (Manoj D Bagul) <b><u>Adv.H.D. Gaikwad for R.No.4</u></b>	Appointment	<b><u>Circulation</u></b> For Hearing Reply Filed by R-1 to R-3	29.11.2023
<b>Due Admission Matters</b>						

8	CP33/23 In OA14/23	Nanded	Adv.P.R. Wankhade (Rajesj N Kadam)	Contempt Petition	For Hearing Reply Filed by R-2	19.10.2023
9	CP34/23 In OA15/23	Nanded	Adv.P.R. Wankhede (Balaji G Magre)	Contempt Petition	For Hearing Reply Filed by R-2	19.10.2023
10	CP35/23 In OA16/23	Nanded	Adv.P.R. Wankhede (Vilas N Ingle)	Contempt Petition	For Hearing Reply Filed by R-2	19.10.2023
11	OA252/22	Beed	Adv.K.G. Salunke (Dr. Sudhir V Bhise)	Condone the Technical Break	For Hearing Short Affidavit of Filed by Applicant	19.10.2023
12	OA468/22	A'bad	Adv.Talekar & Associates (Smita S Ingle)	Seniority List	For Hearing Reply Filed by R-1 to R-3	26.10.2023
13	OA952/22	Beed	Adv.A.P. Shejul (Mangesh B Zore) <b><u>Adv.C.D.</u></b> <b><u>Fernandes/Adv.Pramod S</u></b> <b><u>Brahmane For R.No.5</u></b>	Appointment	By Way of Last Chance For Filing Affidavit in Reply <b>Ref. Order</b> <b>dtd.06.07.2023</b>	19.10.2023
14	OA960/22	Beed	Adv.A.P. Shejul (Siddheshwar P Darade) <b><u>Adv.C.D.</u></b> <b><u>Fernandes/Adv.Pramod S</u></b> <b><u>Brahmane For R.Nos. 4 &amp;</u></b> <b><u>5</u></b>	Appointment	By Way of Last Chance For Filing Affidavit in Reply <b>Ref. Order</b> <b>dtd.06.07.2023</b>	19.10.2023

**Date: -18/10/2023**

**D.B. For Reply Board**

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
<b>Due Admission Matters</b>						
1	CP45/22 In OA598/15	P'rbn	Adv Dr. Kalpalata P Bharaswadkar (Noorunnisa Begum Abdul Rehman)	Contempt Petition	Await Service	Withdrawn
2	CP39/23 In OA1005/22	A'bad	Adv Prashant M Nagargoje (Ganpat H Darade)	Contempt Petition	Notice Return R-2	21.11.2023
3	CP50/23 In OA23/23	Dhule	Adv K B Jadhav (Samdhan B Rathod)	Contempt Petition	For Filing Affidavit in Reply	Withdrawn

4	OA906/18	O'bad	Adv S D Joshi (Chetan S Ahire)	Appointment	As a Last Chance For Filing Affidavit in Rejoinder	21.11.2023
5	OA707/19	A'bad	Adv S K Mathpati (Rama M Shinde) <b><u>Adv G N Patil For R-6</u></b> <b><u>Adv S B Mene For</u></b> <b><u>R-5 &amp; R-6</u></b>	Challenging G.R/ Advance Increment	Reply Filed By R-4 & For Filing Affidavit in Reply of other Respondents	23.11.2023
6	OA1036/19	N'bar	Adv Talekar & Associates (Dr. Naresh S Shinde) <b><u>Adv Rakesh Jain For R-4</u></b>	Reinstate in Service/ Regularisation	For Filing Affidavit in Rejoinder	11.12.2023
7	OA1085/19	Nanded	Adv A S Deshpande (Bhaskar M Taske)	Termination	For Filing Affidavit in Rejoinder to the Affidavit in Reply Filed By R-2	12.12.2023
8	OA55/21	A'bad	Adv P S Anerao (Arvind S Bhavar)	Selection List/ Appointment	As a Last Chance For Filing Affidavit in Rejoinder	24.11.2023
9	OA299/21	Hingoli	Adv.M.B. Sandanshiv (Nagorao W Bhalerao) <b><u>Adv.S.S. Ware for</u></b> <b><u>R.Nos.5 &amp; 6</u></b>	Selection Process	As a Final Chance For Filing Affidavit in Rejoinder	24.11.2023
10	OA424/21	A'nagar	Adv J S Deshmukh (Dr. Vaibhav G Wakade) <b><u>Adv V D Patnoorkar For</u></b> <b><u>R-4</u></b>	Challenging G.R/ Transfer	As a Last Chance For Filing Affidavit in Rejoinder	28.11.2023
11	OA78/22	Jalna	Adv A D Gadekar (Vaishali B Tote)	Seniority/ Promotion	As a Last Chance For Filing Affidavit in Rejoinder	28.11.2023
12	OA641/22	Nanded	Adv H V Tungar (Amarsing S Kamthekar)	Major Punishment	As One More Last Chance For Filing Affidavit in Reply <b><u>Ref Order Dtd.</u></b> <b><u>28.06.2023</u></b>	22.11.2023
13	OA755/22	A'bad	Adv V B Wagh	Departmental	For Filing	31.10.2023



			(Sopan R Suryawanshi)	Enquiry	Affidavit in Rejoinder	
14	OA868/22	Nanded	Adv R P Bhumkar (Ramdas G Gangadhare)	Revised Pay Scale/ Pensionary Benefits	Reply Filed By R-3 & R-4 For Reply	25.10.2023
15	OA875/22	Hingoli	Adv S B Patil (Dr. Anup R Naik)	Eligibility	For Filing Affidavit in Reply	24.11.2023
16	OA919/22	Nanded	Adv Vijay A Dhakne (Rahul R Burrewar)	Directions/ Ad-hoc Promotion/ ACPS	For Filing Affidavit in Rejoinder	1.11.2023
17	OA1004/22	Jalna	Adv.Party In Person (Nashiket S Jadhav)	Selection Process/ Merit List	Await Service of Notice	7.11.2023
18	Review01/23 In OA295/19 with CP03/21 In MA141/21 With MA121/21	Beed	Adv Preeti R Wankhade <b>In Rev01/23 in OA295/19 with CP03/21 with MA141/21</b> (Maharashtra Rajya Hangami Hivtap Prayogshala Karmachari Sangathana through its President, Bharat M Tangade) Adv C.P.O. Mat A'bad <b>In MA141/21</b> (The State of Maharashtra & Ors.) Adv Vinod P Patil <b>In MA121/21</b> (Nishant H Narkhede & Ors.)	Review Petition	Await Service	28.11.2023
19	Review02/23 In OA562/21	P'rbn	Adv S D Joshi (Alka B Naigaonkar)	Review Petition	For Filing Affidavit in Reply	19.10.2023
20	OA51/23	Dhule	Adv A G Ambetkar (Dr. Ravindra R Mistry)	Benefits of Old Pension Scheme	For Filing Affidavit in Rejoinder	30.11.2023
21	OA52/23	Dhule	Adv A G Ambetkar (Dr. Shakuntala L Shelke)	Benefits of Old Pension Scheme	For Filing Affidavit in Rejoinder	30.11.2023
22	OA62/23	Dhule	Adv A G Ambetkar (Dr. Bhushan B Rao)	Benefits of Old Pension Scheme	For Filing Affidavit in Reply	30.11.2023

23	OA115/23	Jalgoan	Adv S D Joshi (Satish S Kulkarni)	Promotion	For Filing Affidavit in Reply	7.11.2023
24	OA256/23	Latur	Adv Poonam V Bodke Patil (Shubhangi S Shinde)	Appointment	Await Service	11.12.2023
25	OA281/23	A'ba Etc.	Adv A S Khedkar (Pravin U Jadhav & Ors.)	Selection Process	For Filing Affidavit in Rejoinder	11.12.2023
26	OA298/23	Jalna Etc.	Adv A S Deshmukh (Prmod G Kharat & Ors.) <b><u>Adv B S Deshmukh For R-3</u></b>	Promotion	For Filing Affidavit in Reply	8.11.2023
27	OA309/23	P'rbn	Adv Suchita Dhongde (Mohammad Moinoddin Mohammad Sharfoddin)	Challenging G.R	For Filing Affidavit in Reply	4.12.2023
28	OA311/23	A'nagar	Adv V B Wagh (Sanjay K Zaware)	Dismissal	For Filing Affidavit in Reply	4.12.2023
29	OA371/23	A'nagar	Adv P R Bharaswadkar (Rohini B Kachare)	Seniority	For Filing Affidavit in Reply	11.12.2023
30	OA411/23	A'nagar	Adv Ajay S Deshpande (Sandip D Wayal) <b><u>Adv G N Landge For R-3/ Adv P N Khandare For R-3</u></b>	Promotion	Await Service	22.11.2023
31	OA517/23	Jalgaon	Adv C V Dharurkar (Nitin U Nikam)	Compulsory Retirement	Await Service R-3	12.12.2023

32	OA526/23	O'bad	Adv Uddhav L Momale (Govind B Bhokare)	Seniority List	For Filing Affidavit in Rejoinder	23.11.2023
33	OA610/23	Latur	Adv R D Biradar/ Adv S U Shaikh (Shridhar R Kundatwad)	Removal From Service	For Filing Affidavit in Reply	1.12.2023
34	OA852/23	O'bad	Adv Ganesh J Kore (Vilas D Bhingde)	Promotion	Await Service	20.12.2023
35	OA859/23	A'bad	Adv V B Wagh/	Seniority List	Await	20.12.2023

			Adv A.S Therokar/ Adv V P Adkine (Aruna B Kharat & Ors.)		Service	
<b>Order Matters</b>						
<b>36</b>	MA142/22 In OAS562/22	Nanded	Adv S K Mathpati (Rajratan S Ippalwad)	M.A For Condonation of Delay	As a Last Chance For Filing Affidavit in Rejoinder	5.12.2023
<b>37</b>	MA266/23 In OAS941/23	N'bar	Adv A S Shelke (Sarpa K Vasave & Ors.)	M.A For Condonation of Delay	Await Service	5.12.2023
<b>38</b>	MA437/23 With MA35/23 In OA812/22	A'bad	Adv Prasad D Jarare <b>MA437/23 In OA812/22</b> (Rashtra Seva Arogya Karmachari Sanghatna & Ors.) Adv K G Gaikwad/ Adv N S Ingle <b>MA35/23</b> (Ganesh G Zagade & Ors.)	MA437/23 For Stay MA35/23 For Intervention	For Filing Affidavit in Reply	31.10.2023

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

**And**

**THE HON'BLE SHRI. VINAY KARGAONKAR, MEMBER (A)**

**Date:- 18/10/2023**

**Suplimentary Board 1**

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
<b>Due Admission Matter</b>						
<b>1</b>	OA851/22	P'bhani	Adv.K.G. Salunke (Prashant B Kachhawa)	Absorption/ Seniority/ Promotion	<b><u>Due On</u></b> <b><u>20.10.2023</u></b> <b><u>Circulation</u></b> Await Service For R-4	<b>4.12.2023</b>

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

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

**Before: - THE HON'BLE SMT. JUSTICE MRIDULA BHATKAR, CHAIRPERSON**

**Date: -18/10/2023**

**Through Video Conferencing at 10:30 A.M.**

**<https://meet.google.com/eoh-hnhr-eev>**

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
<b>Regular Admission Matter</b>						
1	OA847/23	Hingoli	Adv.Talekar & Associates (Dr.Pradyumna H Warwantkar) <b><u>Adv.J.S. Deshmukh For R.No.6</u></b>	Transfer	<b>Public Health Dept. Reply Filed by R-6</b>	Reserve for orders

**Note :- The Link For Video Conferencing is as follows.**

**<https://meet.google.com/eoh-hnhr-eev>**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

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

**Date: -18/10/2023**

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
<b>Urgent Admission Matters</b>						
1	MA484/23 In OAS1637/23	Latur	Adv.J.S. Deshmukh (Dr. Vajjnath K Sasatte)	M.A. For Condonation of Delay		25.10.2023
2	MA489/23 In OAS12065/23	A'bad	Adv.A.D. Sugdare (Pandit R Matade)	M.A. For Permission Sue Jointly	<b>Circulation</b>	26.10.2023
3	OA892/23	A'nagar	Adv.V.B. Wagh/ Adv.A.S. Therokar/ Adv.V.P. Adkine (Ashok S Shirsath)	Continuity of Service/ Time Bound Promotion/ Pension		20.10.2023
4	OA290/23	A'bad		Absorption	<b>Circulation</b>	19.10.2023

			Adv.K.M. Nagarkar (Popat L Bale) <b><u>Adv.K.B. Jadhav For</u></b> <b><u>R.No.2</u></b>			
<b>High On Board Matter</b>						
<b>5</b>	OA313/21	Nanded	Adv.P.B. Rakhunde (Pandurang M Kamble)	Direction/ Interest on Delayed Payment	Reply Filed by R-3	29.10.2023
<b>Order Matters</b>						
<b>6</b>	MA210/15 In OAS439/15 with	A'bad	Adv.Suchita A Dhongde- Upadhyay (Syed Sarfaraz Ahmed) <b><u>Adv.G.N. Patil for</u></b> <b><u>R.Nos.2 to 4</u></b>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-2 to R- 4	7.12.2023
<b>7</b>	MA212/15 In OAS441/15 with	A'bad	Adv.Suchita A Dhongde- Upadhyay (Suresh M Tulapurkar)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R- 2	
<b>8</b>	MA213/15 In OAS432/15 With	A'bad	Adv.Suchita A Dhongde- Upadhyay (Vivek S Deglukar) <b><u>Adv.G.N. Patil for</u></b> <b><u>R.Nos.2 to 4</u></b>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R- 4	
<b>9</b>	MA214/15 In OAS451/15 With	A'bad	Adv.Suchita A Dhongde- Upadhyay (Shyam M Sharma)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R- 3	
<b>10</b>	MA215/15 In OAS443/15 With	A'bad	Adv.Suchita A Dhongde- Upadhyay (Mahiwal D Saini) <b><u>Adv.G.N. Patil For</u></b> <b><u>R.No.2</u></b>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R- 3	
<b>11</b>	MA216/15 In OAS435/15 With	A'bad	Adv.Suchita A Dhongde- Upadhyay (Subhash K Kale)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1	
<b>12</b>	MA217/15 In OAS437/15 With	A'bad	Adv.Suchita A Dhongde- Upadhyay (Madhukar M Binorkar) <b><u>Adv.G.N. Patil For</u></b> <b><u>R.No.2</u></b>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R- 2	

13	MA227/15 In OAS455/15 With	A'bad	Adv.Suchita A Dhongde- Upadhyay (Uttam J Magar) <b><u>Adv.G.N. Patil For</u></b> <b><u>R.No.2</u></b>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1	7.12.2023
14	MA228/15 In OAS453/15 With	A'bad	Adv.Suchita A Dhongde- Upadhyay (Murlidhar B Maske) <b><u>Adv.G.N. Patil For</u></b> <b><u>R.Nos.2 to 5</u></b>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R- 5	
15	MA240/15 In OAS957/15 With	A'bad	Adv.Suchita A Dhongde- Upadhyay (Mohamad Yousuf Md Jafar Hussain) <b><u>Adv.Sham Patil For</u></b> <b><u>R.Nos.2 to 4</u></b>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R- 2	
16	MA241/15 In OAS955/15 With	A'bad	Adv.Suchita A Dhongde- Upadhyay (Niranjan G Kudmud) <b><u>Adv.Sham Patil For</u></b> <b><u>R.Nos.2 to 4</u></b>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R- 4	
17	MA242/15 In OAS960/15 With	A'bad	Adv.Suchita A Dhongde- Upadhyay (Ashok A Tanksale) <b><u>Adv.Sham Patil For</u></b> <b><u>R.Nos.2 to 4</u></b>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R- 4	
18	MA202/14 In MASt447/14 In OAS449/14	A'bad	Adv.Suchita A Dhongde- Upadhyay (Vinayak P Kulkarni & 3 Oth.) <b><u>Adv.G.N. Patil For</u></b> <b><u>R.No.2</u></b>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1, R-6 & R-9	
19	MA366/18 In MASt1591/18 In OAS 1592/18 With	A'bad	Adv.Ajay S. Deshpande (Dr.Ravindra A Daware & Ors)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R- 4	
20	MA295/19 In OAS993/19	A'bad	Adv.A.S. Deshpande (Vaishali S Sanap @	M.A. For Condonation of Delay	For Hearing Reply Filed by R-2	12.12.2023

			Vaishali A Nagargoje)			
21	MA604/19 In OAST2158/19	Nanded	Adv.K.B. Jadhav (Venkat S Mundhe)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R- 4	14.12.2023
22	MA71/20 In OAST2465/19	A'nagar	Adv.D.R. Jayabhar (Sujata R Puri)	M.A. For Condonation of delay	For Hearing Reply Filed by R-1 to R- 3	1.12.2023
23	MA403/21 In OAST1539/21	P'bhani	Adv.R.A. Joshi (Uttamrao S Joshi)	M.A. For Condonation of Delay	For Reply Reply Filed by R-4	1.12.2023
24	MA124/22 In OAST260/22	A'nagar	Adv.V.B. Wagh (Dr. Radhakisan N Pokharkar & Ors.) <b><u>Adv.Milind S Mahajan</u></b> <b><u>for R.Nos.3 &amp; 4</u></b>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 & R- 2	31.10.2023
25	MA507/22 In OAST1956/22	Dhule	Adv.S.M. Nannaware (Ashok J Diwan)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R- 4	21.12.2023
<b>Due Admission Matters</b>						
26	OA598/23	Latur	Adv.Sanjaykumar B Bhosale (Dr. Jitendra G Jaiswal)	Directions/ Posting	<b><u>Part Heard</u></b> For Hearing Reply Filed by R-1 to R- 4	1.11.2023
27	OA599/23	Hingoli	Adv.S.B. Bhosale (Dr. Devendra R Jaybhaye)	Directions/ Posting	<b><u>Part Heard</u></b> For Hearing Reply Filed by R-1 to R- 4	1.11.2023
28	OA593/20	O'bad	Adv.Umakant P Giri (Yuvraj R Giri) <b><u>Adv.Yashwant P Jadhav</u></b> <b><u>for R.No.3</u></b>	Directions	For Hearing Reply Filed by R-1 & R- 2	26.10.2023
29	OA584/21	A'nagr	Adv.Sunil B Balkrishna Sali/ Adv.K.B. Jadhav (Malti A Kharikar, Wife of Deceased Arunkumar N Khairkar Food Inspector, F.D.A., M.S. A'nagar)	Pension/ Family Pension	Reply filed by R-2 to R-4	14.12.202 3
30	TA09/22 WP8518/22 with	A'nagar	Adv.A.G. Ambetkar (Laxman M Kashid & Ors.)	Refund of Recovered Amount	For Hearing Reply Filed by R-1 to R-4	30.11.202 3
31	TA10/22	A'nagar	Adv.A.G. Ambetkar	Refund of	For Hearing	30.11.202

	WP4726/22		(Namdev V Shelar & Ors.)	Recovered Amount	Reply Filed by R-1 to R-4	3
32	OA102/22	Nanded	Adv.D.G. Kamble (Sumitrabai V Adke & Ors.)	Arrears of Wages	For Hearing Reply Filed by R-1, R-2 & R-4	1.12.2023
33	OA634/22	N'bar	Adv.S.D. Joshi (Somnath R Baviskar)	Transfer	For Hearing Reply Filed by R-1 to R-3	31.10.2023
34	OA645/22	Dhule	Adv.A.M. Hajare (Jayprakash A Patil) <b><u>Adv.Sushil Pandit &amp; Adv.S.D. Joshi for R.Nos. 2, 3, 5 &amp; 6</u></b>	Recovery/ Refund of Recovered Amount	For Hearing Reply Filed by R-1 to R-3 & R-5, R-6	1.12.2023
35	OA704/22	Beed	Adv.A.S. Deshmukh/ Adv.Saket Joshi (Prakash S Aghav Patil)	Suspension/ Reinstatement	For Hearing Reply Filed by R-1 & R-2	21.12.2023
36	OA758/22	Beed	Adv.B.R. Kedar (Vasant N Phad) <b><u>Adv.S.B. Mene for R.Nos. 3 to 5</u></b>	Benefit of Time Bound Promotion	<b><u>For Further Consideration</u></b> Reply Filed by R-3 to R-5	30.11.2023
37	OA856/22	A'nagar	Adv.N.B. Narwade (Chandrakant V Sadakal)	Minor Punishment	For Hearing Reply Filed by R-1 to R-4	1.12.2023
38	OA1012/22 with	Jalna	Adv.J.S. Deshmukh (Pandurang R Sable)	Suspension Period/ Retiral Benefits	For Hearing	6.11.2023
39	OA1013/22 with	Jalna	Adv.J.S. Deshmukh (Sambhaji K Khupse)	Suspension Period/ Retiral Benefits	For Hearing	
40	OA1014/22 with	Jalna	Adv.J.S. Deshmukh (Namdeo B Chavan)	Suspension Period/ Retiral Benefits	For Hearing	
41	OA1064/22	Jalna	Adv.J.S. Deshmukh (Nagorao D Salve)	Suspension Period/ Pensionary Benefits	For Hearing	
42	OA1033/22	A'bad	Adv.Sanjay N Pagare (Abhishek K Zine)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R-4	28.11.2023
43	OA13/23	O'bad	Adv.G.J. Kore (Suresh B Wagh)	Refund of Recovered Amount	For Hearing Reply Filed by Sole Respondent	20.12.2023
44	OA542/23	Nanded	Adv.A.D. Gawale (Radhabai E Jondhale)	Pension & Pensionary Benefits	For Hearing Reply Filed by R-1 & R-2	31.10.2023
45	OA669/23	O'bad	Adv.J.S. Deshmukh	Transfer	For Hearing	19.10.2023



			(Manojkumar A Rathod)		Reply Filed by R-3	3
46	OA706/23	Nanded	Adv.S.B. Solanke (Kishan I Waghmare)	Pay & Allowances	For Hearing Reply Filed by R-2	2.11.2023
<b>Final Hearing Matters</b>						
47	OA29/20	Nanded	Adv.P.B. Rakhunde (Shaikh Akhtar Hussain Mohd. Hanif)	Provision Pension/ Withholding of Pension & Grautiy	Reply Filed by R-2 & R-3	5.12.2023
48	OA439/20	Beed	Adv.Milind K Deshpande (Bhimrao B Bangar)	Recovery	Reply Filed by R-1 to R-6	21.12.2023
49	OA579/20	A'bad	Adv.Ajay Deshpande (Dr.Shaikh Ambreen Fatema Abdul Hafiz)	Regularization		20.12.2023
50	MA94/21 In OA1060/19	J'gaon	Adv.S.V. Suryawanshi In <b>MA94/21</b> (Devidas D Patil) <b>Adv.D.B. Thoke in</b> <b>OA1060/19</b> (Bhagwan N Patil) <b>Adv.S.V. Suryawanshi for</b> <b>R.No.8 in OA1060/19</b>	M.A. For I.R.	Reply Filed by R-5 & R-7	5.12.2023
51	OA104/21	A'bad	Adv.Suchita A Dhongde (Chandrakant L Shirkhedkar)	Interest on Delayed Payments	Reply Filed by R-1 to R-5	7.12.2023
52	OA321/21	Nanded	Adv.S.V. Kurundkar (Dr.Pramod U Wawdhane) <b>Adv.Ashish B Shinde for</b> <b>R.No.4</b>	Pension & Pensionery Benefits		6.12.2023
53	OA361/21	Beed	Adv.Chaitanya V Dharurkar (Madhukar G Misal)	Gratuity & Leave Encashment	Reply Filed by R-1 to R-3	6.12.2023
54	OA384/21	A'bad	Adv.V.B. Wagh (Shripatrao B Gaikwad)	Pension & Pensionery Benefits	Reply Filed by R-1 to R-4	2.11.2023
55	OA578/21	J'gaon	Adv.C.V. Dharurkar (Nanasaheb S Patil)	Pensionery Benefits	Reply Filed by R-2	6.12.2023

Date: -18/10/2023

**S.B. Suplimentary Board**

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
<b>Urgent Admission Matters</b>						
1	MA475/23 In	A'bad	Adv.A.S. Deshpande	M.A. For Permission Sue	Home Dept.	20.10.2023

	OAS2015/23		(Kiran S Rathod & Ors.)	Jointly		
<b>2</b>	OA843/23	P'bhani	Adv.Mahesh K Bhosale (Bhagwat M Kavhar)	Transfer	<b>Irrigation Dept.</b>	26.10.2023
<b>3</b>	OA844/23	P'bhani	Adv.Mahesh K Bhosale (Sunil D Kakde)	Transfer	<b>Irrigation Dept.</b>	26.10.2023
<b>4</b>	OA903/23	A'nagar	Adv.M.L. Wankhade (Veena A Kamble)	Transfer	<b>Women &amp; Child Dev. Dept.</b>	27.10.2023
<b>5</b>	OA912/23	A'bad	Adv.S.D. Joshi (Rajeshri G Ade)	Transfer	<b>Home Dept.</b>	30.10.2023

**Date: -18/10/2023**

**S.B. For Reply Board**

<b>Sr. No.</b>	<b>Case No.</b>	<b>District</b>	<b>Advocate's &amp; Applicant's Name</b>	<b>Subject</b>	<b>Remarks</b>	<b>Next date</b>
<b>Due Admission Matters</b>						
<b>1</b>	OA567/17	Jalgaon	Adv Vinod P Patil (Bebabai P Koli (Sapkale))	Family Pension	One More Last Chance For Filing Affidavit in Rejoinder <b>Ref Order Dtd. 09.11.2022</b>	8.11.2023
<b>2</b>	OA298/20	O'bad	Adv K G Salunke (Ramraje G Pawar)	Transfer	For Reporting Compliance <b>Ref Order Dtd. 09.11.2022</b>	11.12.2023
<b>3</b>	OA1141/22	Nanded	Adv Suchita Dhongde (Mariba Y Kamble)	Deemed Date of Promotion & Other Benefits	For Filing Affidavit in Reply R-1 & R-2	11.12.2023
<b>4</b>	OA67/23	Dhule	Adv V B Wagh (Nilesh C Nemane)	Suspension	Await Service	1.12.2023
<b>5</b>	OA141/23	Latur	Adv V G Pingle (Rukhmin S Mendhake)	Time Bound Promotion	For Filing Affidavit in Reply	7.11.2023
<b>6</b>	OA274/23	Jalgaon	Adv V B Wagh (Dinesh S Thakur)	Deputation/ Transfer	For Filing Affidavit in Reply	<b>8.11.2023</b>

<b>7</b>	OA417/23	Dhule	Adv A S Deshmukh (Chandershekar P Nikam)	Recovery/ Refund of Recovered Amount	For Filing Affidavit in Reply	<b>8.11.2023</b>
<b>8</b>	OA597/23	Nanded	Adv V B Wagh (Ashish N Hiware)	Suspension	Reply Filed By R-1 to R-4	27.10.2023
<b>9</b>	OA630/23	Latur	Adv J S Deshmukh (Dr. Govind K Reddy)	Transfer	For Filing Affidavit in Reply	6.11.2023
<b>10</b>	OA760/23	Jalna	Adv A S Deshpande (Dr. Abdul Moiz Siddiqui)	Posting	Await Service	31.10.2023
<b>11</b>	OA761/23	Jalna	Adv A S Deshpande (Dr. Utkarsh B Wankhede)	Posting	Await Service	31.10.2023
<b>Order Matters</b>						
<b>12</b>	MA196/21 With MASt780/21 In OA198/20	A'bad	Adv Walmik S Jadhav (Harischandra B Bhujbal)	M.A For Condonation in Filing Restoration Applicantion	For Filing Affidavit in Reply	8.11.2023
<b>13</b>	MA295/22 In OASt910/22	P'rbn/ Hingoli	Adv V G Pingle (Smt. Nanda S Nagare & Ors.)	M.A For Condonation of Delay	Reply Filed By R-1 to R-7	28.11.2023
<b>14</b>	MA330/22 In OASt1196/22	A'nagar	Adv Madhav Ghode (Vaibhav V Shirasath)	M.A For Condonation of Delay	Last Chance For Filing Affidavit in Reply	23.11.2023
<b>15</b>	MA437/22 In OASt1552/22	Nanded	Adv B G Deshmukh (Balaji G Harale)	M.A For Condonation of Delay	By Way of Last Chance For Filing Affidavit in Reply R-1 & R-3	23.11.2023
<b>16</b>	MA19/23 In OASt602/22	Nanded	Adv C R Thorat (Bharat V Lahane)	M.A For Condonation of Delay	For Filing Affidavit in Reply	23.11.2023
<b>17</b>	MA158/23 In	A'nagar	Adv Joshya A Menezes (Smt. Sandhya P Shinde)	M. A For Condonation of Delay	Await Service	30.11.2023

	OASt284/23					
<b>18</b>	MA361/23 In OASt1150/23	N'bar	Adv S A Kulkarni (Arvind N Patil)	M.A For Condonation of Dealy	Await Service	24.11.2023
<b>19</b>	MA430/23 In OASt1628/23	O'bad	Adv Ganesh J Kore (Vilas D Bhingde)	M.A For Condonation of Delay	Await Service	20.12.2023
<b>20</b>	MA434/23 In OASt1676/23	O'bad	Adv Ganesh J Kore (Pooja C Patil)	M.A For Condonation of Delay	Await Service	20.12.2023

**DATE : 18.10.2023**

**ORIGINAL APPLICATION NO. 914 OF 2023**

**(Vitthal C. Khillare Vs. The State of Maha. & Ors.)**

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

1. Shri P.B. Kadam, learned Advocate for the applicant and Smt. Deepali Deshpande, learned P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on **22.11.2023**. The case be listed for admission hearing on **22.11.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**

KPB – REGISTRAR NOTICE

**ORIGINAL APPLICATION NO. 912 OF 2023**  
**(Rajeshri Ganpatrao Ade Vs. State of Maharashtra & Ors.)**

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

**DATE : 18.10.2023**

**ORAL ORDER :**

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

2. Aggrieved by the order dated 16.10.2023, whereby the applicant has been transferred from Pundliknagar Police Station to the High Court Security, the applicant has approached this Tribunal by filing the present Original Application.

3. Shri S.D. Joshi, learned counsel appearing for the applicant submitted that within 9 months of her earlier posting at Pundliknagar Police Station, the applicant has been shifted vide impugned order to the High Court Security. Learned counsel submitted that though the provisions under Section 22N of the Maharashtra Police Act are stated to have invoked while issuing the impugned order, in fact, no such ground could have been used against the applicant for directing her transfer from Pundliknagar Police Station within a period of 9

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O.A. No. 912/2023

months. Learned counsel submitted that there is nothing adverse against the applicant and she has been transferred with the only object of accommodating respondent No. 3 in her place. Learned counsel has also read out the provisions under Section 22N of the Maharashtra Police Act to buttress his contention that none of the circumstances, which are mentioned in the aforesaid section could have been invoked for directing the transfer of the applicant. Learned counsel submitted that the applicant has not yet handed over the charge and in the circumstances, has prayed for interim relief while issuing the notices to the respondents, thereby staying the effect and operation of the impugned order until further orders or till the affidavit in reply is filed by the respondents. Learned counsel submitted that since the applicant has been transferred without any cogent reason, interim protection needs to be granted in her favour.

4. Shri M.P. Gude, learned Presenting Officer has submitted that respondent No. 3 has taken over the charge of the post of Police Inspector, Pundliknagar Police Station and he has placed on record the

document in that regard. Same is taken on record. Learned P.O. submitted that before issuance of the impugned order, the respondents have duly followed the procedure for effecting such transfer. Learned P.O. has tendered minutes of the meeting dated 16.10.2023 of the Police Establishment Board, wherein the decision was taken to direct the transfer of the applicant from Pundliknagar Police Station to the High Court Security. Same is taken on record. Learned P.O. submitted that the respondents will have to submit detailed affidavit in reply to the Original Application and hence, has sought time for submitting such affidavit in reply. Learned P.O. submitted that considering the prima-facie evidence, which the respondents have placed on record, there is no case made out for grant of interim relief as has been prayed for by the applicant. Learned P.O. in the circumstances, has prayed for rejecting the request of interim relief.

5. I have duly considered the submissions made on behalf of the applicant, as well as, respondent authorities. I have also perused the documents placed on record. The document at Annexure A-2



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reveals that vide the order dated 10.01.2023 the applicant was shifted to Police Station Pundliknagar from Police Station Begumpura. The order at Annexure A-1 is the order dated 16.10.2023, which has been impugned in the present Original Application. From these documents, it is quite evident that the applicant has been shifted from Pundliknagar Police Station to High Court Security within a period of 9 months. If the impugned order is perused, it discloses that for certain administrative reasons, the applicant has been transferred vide the impugned order. Learned P.O. has placed on record the minutes of the meeting of Police Establishment Board held on 16.10.2023, wherein the Police Establishment Board recommended the transfer of the applicant at High Court Security. The minutes of meeting of the Police Establishment Board reveal that the Assistant Commissioner of Police, Osmanpura has forwarded two reports one on 18.08.2023 and another on 05.09.2023 in respect of working style of the present applicant, as well as, about the delinquency of the applicant. The minutes of Police Establishment Board revealed that the posting of the applicant at

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Pundliknagar Police Station was for the temporary period and the regular appointment was required to be issued to the applicant and on the aforesaid 2 grounds, the impugned order is stated to have been passed, whereby the applicant is posted at High Court Security, Aurangabad.

6. Considering the facts as aforesaid, it appears to me that when the transfer is made within the area of Aurangabad itself, apparently no prejudice can be said to have been caused to the applicant. It is however, the contention of the applicant that shifting of the Police Officer from one Police Station to another before completing tenure is taken as a stigma and raises doubt about the integrity of the said officer. In the minutes of the Police Establishment Board, there is reference of 2 reports submitted by the Assistant Commissioner of Police, Osmanpura, in respect of delinquency of the applicant. The said reports are not before this Tribunal at this juncture. In view of the fact that the Police Establishment Board has considered the matter, which is the competent and independent body and has recommended the transfer of the

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applicant, it is difficult at this juncture to accept the allegations as are made by the applicant that the transfer has been effected only with the object of accommodating respondent No. 3 in her place. Unless the affidavit in reply is filed by the respondents and all relevant facts are brought on record, no effective decision can be taken in the present matter. It has also come on record that the respondent No. 3 has taken over the charge of the post of Police Inspector of Police Station Pundliknagar.

7. For the reasons stated above, it does not appear to me that the applicant has made out any strong prima-facie case for granting interim relief as has been claimed by her. In the circumstances, I am not inclined to accept the said request and prefer to issue notices to the respondents to file affidavit in reply to the contentions raised in the Original Application. The respondents shall file affidavit in reply within two weeks. Hence, the following order :-

**ORDER**

(i) Issue notices to the respondents, returnable on 30.10.2023.

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

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

(iv) 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.

(v) 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.

(vi) S.O. to 30.10.2023.

(vii) Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 867 OF 2023**  
**(Dr. Anil Pandurang Ubale Vs. The State of Maharashtra & Ors.)**

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

**DATE : 18.10.2023**

**ORAL ORDER :**

Heard Shri G.J. Karne, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions seeks leave to withdraw the present Original Application stating that the departmental enquiry has been completed and the applicant has been held guilty. In the circumstances, the applicant will have to challenge the said report and will have to make contextual prayer. The request is therefore made for granting leave to withdraw the present O.A. with liberty to file fresh petition. Hence, the following order:-

**ORDER**

The present Original Application stands disposed of since withdrawn with liberty as prayed for without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 256 OF 2023**  
**(Shubhangi Sanjay Shinde Vs. The State of Maharashtra & Ors.)**

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

**DATE : 18.10.2023**

**ORAL ORDER :**

Ms. Poonam V. Bodke Patil, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. has tendered affidavit in reply on behalf of respondent Nos. 1 & 2. The same is taken on record along with spare copy for the applicant.

3. List the matter for hearing on 11.12.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if she so desires.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 517 OF 2023**  
**(Nitin Uttamrao Nikam Vs. The State of Maharashtra & Ors.)**

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

**DATE : 18.10.2023**

**ORAL ORDER :**

Smt. Vinaya Mule-Dharurkar, learned counsel holding for Shri C.V. Dharurkar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has tendered affidavit in reply on behalf of respondent Nos. 2 & 3. The same is taken on record and copy of it is given to learned counsel for the applicant.

3. List the matter for hearing on 12.12.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 371 OF 2023**  
**(Rohini Bansi Kachare Vs. The State of Maharashtra & Ors.)**

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

**DATE : 18.10.2023**

**ORAL ORDER :**

Smt. Priya R. Bharaswadkar, learned counsel for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. has tendered affidavit in reply on behalf of respondents. The same is taken on record along with extra copy for the applicant.

3. List the matter for hearing on 11.12.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

**MEMBER (A)**

**VICE CHAIRMAN**



**M.A.NO. 480 OF 2023 IN M.A.NO. 481 OF 2023 IN  
O.A.ST.NO. 1795 OF 2023  
(Dr. Sudhatai Shrirampant Karadkhedkar Vs. The State of  
Maharashtra & Ors.)**

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

**DATE : 18.10.2023**

**ORAL ORDER :**

Heard Shri M.R. Kulkarni, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. The amendment is sought before issuance of notices in the Original Application. We have therefore seen no impediment in allowing the present M.A. Hence, the following order:-

**ORDER**

- (i) The present Misc. Application is allowed.
- (ii) Necessary amendment be carried out forthwith. Amended copy of O.A. be given to other side.
- (iii) No order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 481 OF 2023 WITH O.A.ST.NO. 1795 OF 2023**  
**(Dr. Sudhatai Shrirampant Karadkhedkar Vs. The State of**  
**Maharashtra & Ors.)**

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

**DATE : 18.10.2023**

**ORAL ORDER :**

Heard Shri M.R. Kulkarni, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents in M.A. for condonation of delay, as well as, O.A., returnable on 07.11.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 07.11.2023.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 851 OF 2022**  
**(Prashant Bhagwansingh Kachhawa Vs. The State of Maharashtra & Ors.)**

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

**DATE : 18.10.2023**

**ORAL ORDER :**

Heard Shri K.G. Salunke, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, Shri S.B. Mene, learned Special counsel for respondent No.1 and Shri Ajay Deshpande, learned Special counsel for respondent Nos. 2 & 3.

2. The present matter is not on board. At the request of learned counsel for the applicant, it is taken on board.

3. At the request of learned counsel for the applicant, re-issue notice to respondent No.4, returnable on 04.12.2023.

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

5. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with

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complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

8. S.O. to 04.12.2023.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 281 OF 2023**

**(Pravin U. Jadhav & Ors. Vs. The State of Maharashtra & Ors.)**

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

**Hon'ble Shri Vinay Kargaonkar, Member (A)**

**DATE : 18.10.2023**

**ORAL ORDER :**

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

2. Learned C.P.O. has tendered affidavit in reply on behalf of respondent No.3. The same is taken on record and copy of it is given to learned counsel for the applicant.
3. List the matter for hearing on 11.12.2023. In the meanwhile it would be open for the applicants to file rejoinder affidavit, if they so desires.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 311 OF 2023**  
**(Sanjay K. Zaware Vs. The State of Maharashtra & Ors.)**

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

**DATE : 18.10.2023**

**ORAL ORDER :**

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

2. Learned P.O. has sought time to file affidavit in reply on behalf of respondents. Time is granted by way of last chance till 04.12.2023.

**MEMBER (A)**

**VICE CHAIRMAN**

**C.P.NO. 50 OF 2023 IN O.A.NO. 23 OF 2022**  
**(Samadhan Balchand Rathod Vs. The State of Maharashtra & Ors.)**

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

**DATE : 18.10.2023**

**ORAL ORDER :**

Heard Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions seeks leave to withdraw the present C.P. Hence, the following order:-

**ORDER**

The present Contempt Petition stands disposed of since withdrawn without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 18.10.2023 sas

**ORIGINAL APPLICATION NO. 755 OF 2022**  
**(Sopan Ramrao Suryawanshi Vs. The State of Maharashtra & Ors.)**

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

**DATE : 18.10.2023**

**ORAL ORDER :**

Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has tendered rejoinder affidavit. The same is taken on record and copy of it is given to learned P.O.

3. List the matter for hearing on 31.10.2023. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**



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

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

**DATE : 18.10.2023**

**ORAL ORDER :**

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

Shri B.S. Deshmukh, learned counsel for respondent No.3, is **absent**.

2. Learned P.O. has sought time to file affidavit in reply on behalf of respondents. Time is granted by way of last chance till 08.11.2023.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 51 OF 2023**

**(Dr. Ravindra R. Mistry Vs. The State of Maharashtra & Ors.)**

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

**Hon'ble Shri Vinay Kargaonkar, Member (A)**

**DATE : 18.10.2023**

**ORAL ORDER :**

Shri Ketan D. Pote, learned counsel holding for Shri A.G. Ambetkar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicant is not intending to file any rejoinder.
3. List the matter for hearing on 30.11.2023.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 52 OF 2023**

**(Dr. Shakuntala Limbaji Shelke Vs. The State of Maharashtra & Ors.)**

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

**Hon'ble Shri Vinay Kargaonkar, Member (A)**

**DATE : 18.10.2023**

**ORAL ORDER :**

Shri Ketan D. Pote, learned counsel holding for Shri A.G. Ambetkar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicant is not intending to file any rejoinder.
3. List the matter for hearing on 30.11.2023.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 62 OF 2023**

**(Dr. Bhushan Bhalchandra Rao Vs. The State of Maharashtra & Ors.)**

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

**Hon'ble Shri Vinay Kargaonkar, Member (A)**

**DATE : 18.10.2023**

**ORAL ORDER :**

Shri Ketan D. Pote, learned counsel holding for Shri A.G. Ambetkar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Despite availing due opportunities, the respondents have failed in filing the affidavit in reply.

3. List the matter for hearing on 30.11.2023.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 437/2023 WITH M.A.NO. 35/2023 IN O.A.NO. 812/2022**

**(Rashtra Seva Arogya Karmachari Sanghatna & Anr. Vs. The State of Maharashtra & Ors.)**

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

**Hon'ble Shri Vinay Kargaonkar, Member (A)**

**DATE : 18.10.2023**

**ORAL ORDER :**

Shri P.D. Jarare, learned counsel for the applicants (M.A.No. 437/2023 & O.A.), Smt. M.S. Patni, learned Presenting Officer for the respondent authorities and Shri K.G. Gaikwad, learned counsel for the intervenors (M.A.No. 35/2023, are present.

2. Learned P.O. submits that during course of the day affidavit in reply will be filed. If it is filed it be taken on record and copy be given to other sides.

3. S.O. to 31.10.2023.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 18.10.2023 sas

**ORIGINAL APPLICATION NO. 309 OF 2023**  
**(Mohammad Moinoddin Mohammad Sharfoddin Vs. The State of Maharashtra & Ors.)**

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

**DATE : 18.10.2023**

**ORAL ORDER :**

Shri Suresh Dhongde, learned counsel holding for Smt. Suchita Dhongde, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has tendered affidavit in reply on behalf of respondent No.3. The same is taken on record.

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

4. S.O. to 04.12.2023.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 115 OF 2023**  
**(Satish Suresh Kulkarni Vs. The State of Maharashtra & Ors.)**

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

**DATE : 18.10.2023**

**ORAL ORDER :**

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

2. Learned P.O. has sought time to file affidavit in reply on behalf of the respondents.

3. The request is opposed by learned counsel appearing for the applicant. However, in the interest of justice, time is granted for filing affidavit in reply by way of last chance till 07.11.2023.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 919 OF 2022**  
**(Rahul Radhakisan Burrewar Vs. The State of Maharashtra & Ors.)**

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

**DATE : 18.10.2023**

**ORAL ORDER :**

Shri Vijay A. Dhakne, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicant is not intending to file any rejoinder.
3. List the matter for hearing on 01.11.2023.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 18.10.2023 sas



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

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

**DATE : 18.10.2023**

**ORAL ORDER :**

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

2. S.O. to 27.10.2023 for hearing.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 18.10.2023 sas

**ORIGINAL APPLICATION NO. 526 OF 2023**  
**(Govind B. Bhokare Vs. The State of Maharashtra & Ors.)**

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

**DATE : 18.10.2023**

**ORAL ORDER :**

Shri M.B. Kolpe, learned counsel holding for Shri U.L. Momale, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 23.11.2023. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 1036 OF 2019**  
**(Dr. Naresh S. Shinde Vs. The State of Maharashtra & Ors.)**

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

**DATE : 18.10.2023**

**ORAL ORDER :**

Ms. Anagha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present. Shri Rakesh Jain, learned counsel for respondent No.4, is **absent**.

2. Learned counsel for the applicant submits that the applicant is not intending to file any rejoinder.

3. List the matter for hearing on 11.12.2023.

**MEMBER (A)**

**VICE CHAIRMAN**

**C.P.NO. 45 OF 2022 IN O.A.NO. 598 OF 2015**  
**(Noorunnisa Begum Abdul Rehman Vs. The State of Maharashtra & Ors.)**

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

**DATE : 18.10.2023**

**ORAL ORDER :**

Heard Smt. Sakshi Laddha, learned counsel holding for Dr. Kalpalata Patil-Bharaswadkar, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions seeks leave to withdraw the present C.P. stating that the purpose of filing the present C.P. is served. In view of the submissions made, the following order is passed:-

**ORDER**

The present Contempt Petition stands disposed of since withdrawn without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST. NO. 376 OF 2022**  
**(Abhilash V. Gore Vs. The State of Maharashtra & Ors.)**

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

**DATE : 18.10.2023**

**ORAL ORDER :**

Shri Vikram Patil, learned counsel holding for Shri O.Y. Kashid, learned counsel for the applicant and Smt. M.S. Patni , learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 30.10.2023 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 18.10.2023 sas

**ORIGINAL APPLICATION NO. 468 OF 2022**  
**(Mrs. Smita Sanjay Ingle Vs. The State of Maharashtra & Ors.)**

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

**DATE : 18.10.2023**

**ORAL ORDER :**

Ms. Anagha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 26.10.2023 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 18.10.2023 sas

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

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

**DATE : 18.10.2023**

**ORAL ORDER :**

Shri Sujit R. Varma, learned Counsel holding for Shri Joslyn A. Menezes, learned Counsel for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondent authorities.

2. Learned P.O. has tendered affidavit in reply on behalf of respondent nos.1 to 5. It is taken on record. Copy thereof is given to the other side.

3. S.O. to 30-11-2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.579/2021**

**(Siddharth Pandurnikar V/s. State of Maharashtra & Ors.**

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

**Hon'ble Shri Vinay Kargaonkar, Member (A)**

**DATE : 18.10.2023**

**ORAL ORDER :**

Shri Ajay Deshpande, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. List the matter for hearing on 02.11.2023.

Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 876 OF 2023  
(Umakant B. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman  
and  
Hon'ble Shri Vinay Kargaonkar, Member (A)**

**DATE : 18.10.2023**

**ORAL ORDER :**

Heard Shri Bharat R. Waramaa, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 23.11.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 23.11.2023.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 891 OF 2023  
(Nagesh Anilrao Hippargekar Vs. State of Maharashtra &  
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman  
and  
Hon'ble Shri Vinay Kargaonkar, Member (A)**

**DATE : 18.10.2023**

**ORAL ORDER :**

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

2. It is the case of the present applicant that though he and respondent No. 3 both have secured equal marks and both are on the equal footings, so far as qualification, category etc. are concerned. So far as the age is concerned, the applicant is elder than respondent No. 3 and, as such, he is entitled to get appointment. However, respondent No. 2, MPSC has recommended the name of respondent No. 3 to respondent No. 1. The legality of modified rules is challenged. However, earlier rules are not produced on record. Having considered the facts as aforesaid though, the learned counsel has sought stay for issuance of the appointment order in favour of respondent No. 3 till the decision of the present O.A., we deem it appropriate to observe that if appointment order is issued in favour of

respondent No. 3 during the pendency of the present O.A. the same shall be subject to outcome of the present O.A.

3. Issue notices to the respondents, returnable on 24.11.2023.

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

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

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

7. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the

**:: - 3 - ::**

**O.A. NO. 891/2023**

Registry before due date. Applicant is directed to file affidavit of compliance and notice.

8. S.O. to 24.11.2023.
9. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

ORAL ORDERS 18.10.2023-hdd

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 893 OF 2023  
(Anil T. Vangujare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman  
and  
Hon'ble Shri Vinay Kargaonkar, Member (A)**

**DATE : 18.10.2023**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The present Original Application is filed seeking the following reliefs: -

“A. To allow this Original Application.

B. To direct the respondent authorities to consider the claim of the applicant for promotion from the post of Account Officer, Group-B to the post of Maharashtra Finance Account Services, Group-A (Assistant Director), pursuant to the Departmental Promotion Committee meeting held on 17.06.2015, 26.09.2017, 17.11.2021 and 24.01.2023 and for that purpose necessary directions may kindly be issued.

C. To direct the respondent authorities to consider the claim of the applicant for promotion from the cadre of Account Officer, Group-B to the cadre of Maharashtra Finance Account Services, Group-A (Assistant Director) by opening the sealed cover procedure and for that purpose necessary orders may kindly be passed.”

3. The applicant was suspended vide order dated 24.9.2015 on account of a criminal case registered against him for the offence under the prevention of corruption Act. On 16.5.2017 the suspension order was revoked. The departmental enquiry was also conducted against the applicant and was held guilty for the misconduct alleged against him in the said enquiry and punishment of withholding of two increments falling on 1.7.2021 and 1.7.2022 was imposed on him. In the meanwhile period the DPC meetings were held in the year 2015, 2017, 2021 and lastly in 2023. The applicant was however, not considered for his promotion in the aforesaid DPCs on the ground that the criminal prosecution was pending against him. The Government Resolution dated 15.12.2017 lays down the procedure for awarding promotions to the employees against whom departmental enquiry or criminal prosecution is pending. Clause 9 of the said Government Resolution reads thus:-

“९) विभागीय पदोन्नती समितीच्या मूळ बैठकीच्या दिनांकापासून दोन वर्षे झाल्यानंतरही मोहोरबंद पाकीटात निष्कर्ष ठेवलेल्या अधिकारी/कर्मचाऱ्यांच्या, शिस्तभंगविषयक/न्यायालयीन कार्यवाही प्रकरणी अंतिम निर्णय झालेला नसल्यास, अशा प्रकरणी नियुक्ती प्राधिकारी स्वविवेकानुसार संबंधीत अधिकारी/कर्मचाऱ्याला तदर्थ पदोन्नती देण्याबाबत जाणीवपूर्वक निर्णय घेईल. असा निर्णय घेताना नियुक्ती प्राधिकारी, खालील मुद्दे विचारात घेईल.

- अ) संबंधितांविरुद्धची शिस्तभंगविषयक /न्यायालयीन कार्यवाही बराच काळ प्रलंबित राहण्याची शक्यता,
- ब) दोषारोपांचे गांभीर्य,
- क) द्यावयाची पदोन्नती जनहिताच्या विरुद्ध जाईल का,
- ड) शिस्तभंगविषयक/ न्यायालयीन कार्यवाही लांबण्यास संबंधित अधिकारी / कर्मचारी जबाबदार आहे का?
- इ) संबंधित अधिकारी / कर्मचाऱ्यास तदर्थ पदोन्नती दिल्यानंतर, पदोन्नतीच्या पदावर काम केल्यामुळे, संबंधित अधिकारी/ कर्मचाऱ्याच्या शिस्तभंगविषयक /न्यायालयीन कार्यवाहीच्या प्रकरणांवर परिणाम होण्याची शक्ता आहे का? किंवा संबंधित अधिकारी / कर्मचारी पदोन्नतीच्या पदाचा त्यासाठी दुरुपयोग करण्याची शक्यता आहे का?
- फ) न्यायालयीन कार्यवाही बाबतची सद्यस्थिती / अभियोगाबाबतचे किती टप्पे पार पडले याबाबतची माहिती करून घ्यावी.
- ग) सेवानिवृत्तीस 9 वर्ष शिल्लक असले तर पदोन्नती न देण्याच्या अनुषंगाने सेवानिवृत्तीचा कालावधी विचारात घेणे ( तदर्थ पदोन्नती दिल्यास वरिष्ठ वेतनश्रेणी प्राप्त झाल्यामुळे सेवानिवृत्तीनंतर मिळणारे सेवानिवृत्ती वेतनाचा ज्यादा लाभ प्राप्त होणार असल्यामुळे सेवानिवृत्तीस एक वर्ष शिल्लक असलेल्यांना तदर्थ पदोन्नती देण्यात येऊ नये याकरीता ही बाब तपासणे आवश्यक आहे.)

4. It is the contention of the applicant that the period of more than 2 years has already passed after the DPC meeting was held in the year 2017, but the applicant was not considered for promotion on the ground that criminal prosecution is pending against him. In such circumstances, clause 9 reproduced hereinabove empowers the appointing authority to take a conscious

decision in respect of the promotion of the delinquent employee by considering the aspects which are enlisted below the said clause 9. Since it is the only prayer of the applicant that the authorities shall review his matter in view of the provisions made under clause 9 of the G.R. dated 15.12.2017 and in view of the fact that learned Chief Presenting Officer has also consented for disposing of the present O.A. by giving necessary directions in consonance with clause 9 of the G.R. dated 15.12.2017, we deem it appropriate to dispose of the O.A. at the initial stage itself with the following direction: -

**ORDER**

- (i) As provided under clause 9 of the G.R. dated 15.12.2017 the competent authority/appointing authority shall take a conscious decision in respect of the promotion to the present applicant by considering the points A to G of clause 9 of the G.R. dated 15.12.2017 within 8 weeks from the date of this order and communicate the order to the applicant.
- (ii) The Original Application stands disposed of in the aforesaid term. There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**



**ORIGINAL APPLICATION ST. NO. 1934 OF 2023  
(Dr. Yogesh M. Savale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman  
and  
Hon'ble Shri Vinay Kargaonkar, Member (A)**

**DATE : 18.10.2023**

**ORAL ORDER :**

Heard Shri Ganesh V. Mohekar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 22.11.2023.

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

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

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

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

7. S.O. to 22.11.2023.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A. ST. NO. 2004/2023 IN O.A. ST. 2005/2023**  
**(Dr. Shashikant Vagge & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman  
and  
Hon'ble Shri Vinay Kargaonkar, Member (A)**

**DATE : 18.10.2023**

**ORAL ORDER :**

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

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

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

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

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST. NO. 2005/2023**  
**(Dr. Shashikant Vagge & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman  
and  
Hon'ble Shri Vinay Kargaonkar, Member (A)**

**DATE : 18.10.2023**

**ORAL ORDER :**

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

2. In the scrutiny of this matter the Office has raised an objection as about maintainability of the present application before this Tribunal having regard to the fact that the matter pertains to autonomous Institutions. The grievance of the applicants is that the post of Principal of the Engineering Colleges at Karad, Amravati, Jalgaon and Aurangabad are decided to be filled in by making contractual appointment for a particular period, which is contrary to the provisions under the relevant recruitment rules.

3. Insofar as the office objection raised, the learned counsel for the applicants submitted that the autonomy of these Institutions is limited or

restricted to the academic excellence only and for all other purposes these are the Institutions controlled by the State Government. Learned counsel submits that even the transfers of the employees working in these Institutions are made by the Government and may such Original Applications challenging such transfer orders are filed before the Tribunal and are entertained by this Tribunal. Learned counsel further submitted that since Career Assured Progression Scheme is not implemented, several Officers are deprived of pay scale of higher post. The applicants are, therefore, seeking directions against the respondents by way of interim relief restraining them from making the appointments of the Principals on contractual basis.

4. Learned Chief Presenting Officer submitted that the autonomy of these Institutions is not restricted only to academic excellence but the autonomy is for all purposes. The learned C.P.O. sought time to seek instructions and file the affidavit in reply on behalf of the respondents.

5. We have considered the submissions made on behalf of both the sides and also gone through the documents placed on record. The conflicting statements are made as about status of the Government Engineering Colleges at Aurangabad, Amravati, Jalgaon & Karad. Neither the applicants nor the respondents have placed on record any such concrete evidence on the basis of which the status of the aforesaid Colleges, whether autonomous or controlled by the Government, can be determined. In the circumstances, it is difficult to accept the request of the applicants to stay the appointments of Principals on contractual basis in the aforesaid Government Engineering Colleges. However, the contentions as are raised by the applicants in the Original Application cannot be wholly discarded. In the aforesaid circumstances, we deem it appropriate to pass the following order :-

**ORDER**

(i) Keeping the issue of jurisdiction open, issue notices to the respondents, returnable on 22.11.2023.

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

(iii) 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.

(iv) 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.

(v) 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.

(vi) **It is clarified that, if the appointments are made pursuant to advertisements issued on or about 24.8.2023, the said appointments shall be subject to outcome of this Original Application.**

(vii) S.O. to 22.11.2023.

(viii) Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 854/2023**  
**(Shaikh Danish S/o Abdul Rafat Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman  
and  
Hon'ble Shri Vinay Kargaonkar, Member (A)**

**DATE : 18.10.2023**

**ORAL ORDER :**

Heard Shri Rameez M. Shaikh, learned counsel for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. The applicant had applied for the post of Planning Assistant (Group-B, Non Gazetted). As is contended in the Original Application, the applicant belongs to Other Backward Class (for short OBC) and he had therefore applied claiming reservation for the said class. It is further contended that the applicant secured 150.202 marks in the written examination and in the list of recommended candidates in Open-General his name is included at Sr. No. 26. Learned counsel for the applicant submitted that 36 posts are for Open-General class and, as such, the applicant is liable to be selected as Open-General candidate. Learned counsel submitted that, however, on the ground that the

applicant is not possessing non-creamy layer certificate valid up to 31.3.2023, the respondents are denying him appointment.

3. Learned counsel for the applicant submits that after filing of the present Original Application the applicant has received a communication dated 8.9.2023, whereby the respondents have informed him that his recommendation has been cancelled on the aforesaid ground. Learned counsel submits that the applicant will be taking appropriate steps to bring the said fact on record by amending the present application.

4. Learned counsel further submitted that applicant had submitted 02 separate non-creamy layer certificates one was valid till 31.3.2022 and another up to 31.3.2026. The learned counsel further submitted that 02 clauses relating to non-creamy layer certificates are differently worded. Learned counsel submitted that on incorrect interpretation of the relevant provisions and ignoring the documents on record, the respondents have declined to consider the candidature of the



applicant. Learned counsel, in the circumstances, has prayed for staying further process and sought directions against the respondents not to give appointment till the present application is decided.

5. Learned Presenting Officer has sought time to seek instructions and file the affidavit in reply of the respondents. Learned Presenting Officer submits that apparently there appears no mistake on the part of the respondents in refusing appointment to the applicant, since the applicant has not complied with the conditions in the advertisement. Learned P.O., in the circumstances, has prayed for rejecting the request of the applicant for interim relief.

6. We have considered the arguments advanced by both the sides. It is not in dispute that the applicant has secured 150.202 marks in the written examination on the basis of which his name is included at sr. no. 26 in the list of recommended candidates for Open-General class. When the applicant on his merit secured the seat in Open Class, prima-facie, it appears incorrect that he was required to furnish Non-creamy layer certificate.

Secondly, the non-creamy layer certificates filed on record and which according to applicant he had produced before the Scrutiny Authority, it reveals that it covers the period for which the certificate was called for. Prima-facie, it appears that the authorities concerned have without considering the documents on record have rejected the claim of the applicant. In the circumstances we deem it appropriate to pass the following order :-

**ORDER**

(i) Issue notices to the respondents, returnable on 30.11.2023.

**(ii) Respondents are directed to keep one post of Planning Assistant (Group-B, Non Gazetted) vacant until further orders from this Tribunal.**

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

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

(v) 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.

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**O.A. NO. 854/2023**

(vi) 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.

(vii) S.O. to 30.11.2023.

(viii) Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

ARJ ORAL ORDERS 18.10.2023

**VICE CHAIRMAN**