

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

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

Before: - THE HON'BLE JUSTICE SHRI V. K. JADHAV, MEMBER (J)

Date: -18/12/2023

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	OA1074/19	P'rbn	Adv A M Nagarkar (Ashok M Gadekar (Died) Through L. Rs. Kamal A. Gadekar & Ors.)	Pay Scale & Consequential Benefits	31.1.2024	
2	OA349/20	Hingoli	Adv Preeti R Wankhade (Prakash S Raut)	Suspension	31.1.2024	
3	OA395/22	Latur	Adv.S.D. Joshi (Rajkumar V Ugile) <u>Adv.G.N. Patil For R-6 / Adv A S Reddy For R-6</u>	Recovery/ Refund of Amount	31.1.2024	
4	OA717/22	A'bad	Adv Prashant Deshmukh (Vilas S Jadhav)	Pension & Grawity	31.1.2024	
5	OA914/22	A'bad	Adv D B Pawar-Pathrekar (Uma Ganeshshing Rajput)	Grauity/ Family Pension	16.1.2024	
6	OA976/22	Nanded	Adv Amol S Gandhi (Shripad K Marakwar)	Compassionate Appointment	15.1.2024	
7	TA02/23 WP12920/22	Nanded	Adv M V Chatge (Shoba S Muttewar)	Compassionate Appointment	15.1.2024	
8	OA144/23	Latur	Adv R P Bhumkar (Prafulchandra N Gundre & Ors.) <u>Adv S B Mene For R-2</u>	Time Bound Promotion	29.1.2024	
9	OA264/23	Jalgaon	Adv J S Deshmukh (Dr. Vaishali A Phegade)	Condonation of Technical Breaks/Annual Increments	12.2.2024	
10	OA265/23	Beed	Adv J S Deshmukh	Condonation of	12.2.2024	

			(Dr. Dipak S Raut)	Technical Breaks/ Annual Increments		
11	OA266/23	Jalgaon	Adv J S Deshmukh (Dr. Sudha R Choudhary)	Condonation of Technical Breaks/Annual Increments	12.2.2024	
12	OA283/23	Beed	Adv S S Dambe (Anil S Patekar)	Recovery	31.1.2024	
13	OA645/23	P'rbn	Adv Ravindra B Ade (Pralhad V Kurewad)	Direction/ Transfer	16.1.2024	
14	OA853/23	Jalgaon	Adv Vishwajeet R Jain (Swapnali S Patil)	Police Patil	31.1.2024	
15	OA975/23	Nanded	Adv S B Patil (Ranjikumar P Katke)	Transfer	9.1.2024	
16	OA980/23	N'bar	Adv S D Joshi (Smita P Gavit)	Transfer	21.12.2023	
17	OA983/23	Jalna	Adv Anant Devkate Adv K B Jadhav (Anil L Uphad)	Suspension	19.12.2023	
18	OA998/23	Latur	Adv A S Bayas (Goroba S Barde)	Increment	29.1.2024	
Order Matters						
19	MA559/22 In OAST3024/22	Jalgaon	Adv G A Nagori (Pooja D Pawar) <u>Adv S R Patil For R-3</u>	M.A For Condonation of Delay	16.1.2024	
20	MA560/22 In OAST3026/22	Jalgaon	Adv G A Nagori (Indubai J Mali) <u>Adv Yogesh M Patil For R-3</u>	M.A For Condonation of Delay	16.1.2024	

**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:- 18/12/2023

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Urgent Admission Matters						
1	CP46/23 In OA347/21	P'bhani	Adv.R.L. Jakhade/ Adv.S.A. Kulkarni (Suresh K Bharati)	Contempt Petition	22.02.2024	
2	MASt664/22 In OASt665/22	A'bad & Ors.	Adv.S.S. Jadhavar (Reshma K Kamble & Ors.)	M.A. For Sue Jointly	09.02.2024	
3	TA21/23 WP4842/21	P'bhani	Adv.S.S. Jadhavar (Vithal S Rathod)	Selection Process (MPSC)	23.02.2024	
4	MA515/23 In OASt1980/23	N'bar	Adv.S.U. Choudhary (Mahendrasing V Padvi & Ors.)	M.A. For Sue Jointly	05.02.2024	
5	MA553/23 In OASt2153/23	Latur	Adv.R.A. Joshi (Priyanka Y Kalshetty)	M.A. For Condonation of Delay	09.01.2024	
6	MA568/23 In MA209/23 In OASt746/23	Hingoli	Adv P M Shinde/ Adv P B Jadhav (Avdhut G Pole & Ors.)	M.A For Sue Jointly		
7	MA569/23 In OASt2352/23	A'nagar Dhule	Adv.Suchita Dhongde (Baban K Kale & Ors.)	M.A For Sue Jointly	26.02.2024	

8	OA1018/23	Hingoli	Adv.Zia Ul Mustafa (Faijulkhan Sherkhan Pathan)	Appointment	22.02.2024	
9	OAS2358/23	J'gaon	Adv.L.V. Sangit (Bharti D Sarwade @ Bharti G Koshti)	Direction/ Medical Examination	15.01.2024	
10	MA611/19 In OAS2374/19	A'bad	Adv.Kakasaheb B Jadhav (Rambhau A Nikam)	M.A. For Condonation of Delay	15.01.2024	
11	OA511/21	O'bad	Adv.A.D. Sugdare (Dr.Sujitkumar S Randive) <u>Adv.Vinod M Vibhute for R.No.5</u>	Continuity of Service/ Counting of Past Service		
12	MA456/23 In OA858/23	A'bad	Adv.S.B. Patil (Avinash A Bagul & Ors.)	M.A. For I.R.		
Order Matters						
13	MA32/21 In OAS138/21	A'bad	Adv.Pawan Ippar (Gopal D Ghuge)	M.A. For Condonation of Delay	30.01.2024	
Due Admission Matters						
14	CP07/21 In OA768/17	A'bad	Adv.Suchita A Dhongde (Rajan A Lengde) <u>Adv.S.B. Mene for R.Nos. 2 to 4</u>	Contempt Petition	26.02.2024	
15	CP03/22 In OA80/21	Nanded	Adv.Shamsunder B Patil (Bhimrao N Kokate)	Contempt Petition	15.02.2024	
16	OA892/18 With	A'bad	Adv.S.S. Thombre (Dhananjay D Chandodkar & Ors.)	Discharge From Service	17.01.2024	
17	OA901/18	Beed	Adv.S.S. Thombre (Bhagwat S Somase)	Termination	17.01.2024	
18	OA218/19	P'bhani	Adv.M.D. Godhamgaonkar (Sharnappa V Mannylikar)	Removal from Service	06.03.2024	

19	OA380/19	Beed	Adv.C.A. Shingare (Bhnudas E Ugale & Ors.)	Dismissal	16.02.2024	
20	OA501/19	Hingoli	Adv.Amol S Gandhi (Kashinath G Kadam)	Departmental Enquiry/ Dismissal From Service	26.02.2024	
21	OA648/19	P'bhani	Adv.Avinash S Deshmukh (Kishor G Deshpande)	Promotion Cancellation Reversion	18.01.2024	
22	OA724/19	O'bad	Adv.Ajay S Deshpande (Kailas I Khandagale & Ors.)	Selection/ Appointment	23.01.2024	
23	OA760/19	Jalna	Adv.Swapnil A Deshmukh (Vishnu B Jaybhaye)	Major Punishment	18.01.2024	
24	OA1024/19	Beed	Adv.G.K. Kshirsagar (Lata S Sanap)	Promotion/ Charge Sheet	04.01.2024	
25	OA164/20	Dhule	Adv.A.M. Hajare Adv.A.M. Hajare has Filed Leave Note From 14.12.2023 to 19.12.2023 (Hemant M Chhajed)	Departmental Enquiry	12.12.2023	
26	OA255/21	O'bad	Adv.C.V. Dharurkar/ Adv.Vinaya Muley Dharurkar (Ashvini M Dudhbhate) <u>Adv.A.S. Deshmukh for R.No.5 Adv.M.B. Kolpe for R.No.4</u>	Appointment	24.01.2024	
27	OA305/21	Dhule	Adv.Avinash S Deshmukh (Devidas G Nandgaonkar)	Promotion	29.01.2024	
28	OA334/21	P'bhani	Adv.Jagdish K Bansod (Madhuri B Panzade) <u>Adv.S.B. Solanke for R.No.3</u>	Selection List	05.02.2024	

29	OA397/21	A'bad	Adv.Avinash S Deshmukh (Abhijeet M Bhise & Ors.)	Appointment/ Absorption	05.01.2024	
30	OA622/21	J'gaon	Adv.Ravindra V Gore (Arjun R Deshmukh(Gawali))	Appointment	04.01.2024	
31	OA760/21	O'bad	Adv.Shamsundar B Patil (Malikarjun D Deshmane)	Major Punishment	08.02.2024	
32	OA93/22	A'bad	Adv.Avinash S Deshmukh (Vidya S Sudane)	Promotion	19.01.2024	
33	OA280/22	Beed	Adv.Kakasaheb B Jadhav (Sharad U Malishikare)	Departmental Enquiry	18.01.2024	
34	OA293/22	A'nagar	Adv.V.B. Wagh (Adinath S Ghanwat)	Promotion	25.01.2024	
35	OA335/22	Beed	Adv.P.D. Surywanshi (Vilas P Dhonde)	Departmental Enquiry	Disposed of	
36	OA352/22	Nanded	Adv.K.B. Jadhav (Rajaram C Sevalikar)	Promotion	18.01.2024	
37	OA512/22	A'bad	Adv. R. A. Joshi (Sunil B Magre & Ors)	Examination	18.01.2024	
38	OA523/22	A'bad	Adv.S.A. Deshmukh (Gajanan Y Bansode)	Promotion	18.01.2024	
39	OA631/22	Nanded	Adv.Vinod Dhotre (Ratan G Kunte)	Promotion	12.02.2024	
40	OA735/22	Hingoli	Adv.Suchita Dhongde (Vinodkumar B Ambhore)	Seniority List	16.03.2024	
41	OA736/22	Beed	Adv.P.R. Wankhade (Dr.Pradeep A Shendge)	Advertisement	17.01.2024	

42	OA755/22	A'bad	Adv.V.B. Wagh (Sopan R Suryawanshi)	Departmental Enquiry	16.01.2024	
43	OA1083/22	N'bar	Adv.Talekar & Associates (Santosh R Shirsat & Ors.)	Challenging G.R.	22.01.2024	
44	OA1099/22	N'pur	Adv.P.R. Wankhade (Dr. Sapna H Tallarwar)	Challenge to the Advertisement	17.01.2024	
45	OA1100/22	N'pur	Adv.P.R. Wankhade/ Adv.D.M. Hange (Dr. Namita B Korwade)	Challenge to the Advertisement	17.01.2024	
46	OA89/23 with	Mumbai Etc.	Adv.P.R. Wankhade (Dr.ARUn K Rathod & Ors.)	Selection of Process	17.01.2024	
47	OA90/23 with	K'pur	Adv.P.R. Wankhade (Dr.Zahir Ahmed Kutubddin Patwekar & Ors.)	Regularization & Challenging the Advertisement		
48	OA91/23 with	Sangli	Adv.P.R. Wankhade (DR. Madhav G Kumbhar & Ors.)	Appointment		
49	OA92/23 with	Sangali	Adv.P.R. Wankhade (Dr.Yashvant C Shende)	Appointment		
50	OA93/23 with	Mumbai Etc.	Adv.P.R. Wankhade (Dr.Bhushan B Wankhade)	Challenging Advertisement		
51	OA94/23 with	S'pur	Adv.P.R. Wankhade (Dr. Hemlata D Patil @ Dr. Hemlata S Desai)	Challenging Advertisement		
52	OA95/23	K'pur	Adv.P.R. Wankhade (Dr. Kedarnath G Patil)	Appointment		
53	OA271/23	A'nagar	Adv.A.S. Deshpande (Anil S Chavan)	Selection Process (MPSC- Debar)		29.01.2024
54	OA282/23	A'bad	Adv.P.M. Nagargoje (Vijay D Puri)	Compulsory Retirement	09.02.2024	

55	OA324/23	A'bad	Adv.Avinash S Deshmukh (Syed Moinuddin Ahmed Husain)	Direction/ Departmental Enquiry	31.01.2024	
56	OA750/23	A'bad	Adv.Avinash S Deshmukh (Dr. Asha S Munjal)	Selection Process (MPSC)	09.01.2024	
Final Hearing Matters						
57	OA12/19	Dhule	Adv.Shamsunder B Patil (Dr. Deepak K Shejwal) <u>Adv.Talekar and Associates for R.No.4</u>	Appointment	21.02.2024	
58	OA1065/19	A'nagar	Adv.V.B. Wagh (Dr.Jahagirdar D Nizam)	Condonation of Technical Break/ Count the Past Service	18.01.2024	
59	OA166/20	Dhule	Adv.Avinash S Deshmukh (Shashikant P Kulkarni)	Cancelation of Promotion / Seniority Posting	15.01.2024	
60	OA187/20	Dhule	Adv.S.A. Kulkarni (Basanti J Padavi)	Direction/ Declare Result	03.01.2024	
61	OA246/20 With	A'nagar	Adv.S.R. Sapkal (Dattatraya M Devkate) <u>Adv.S.Y. Shinde for R.Nos.4 to 7</u>	Seniority List	24.01.2024	
62	OA238/20 With	A'nagar	Adv.S.R. Sapkal (Balu S Sumbe) <u>Adv.S.Y. Shinde for R.Nos.4 to 7</u>	Seniority List		
63	OA239/20 With	A'nagar	Adv.S.R. Sapkal (Rahul A Tarwade) <u>Adv.S.Y. Shinde for R.Nos.4 to 7</u>	Seniority List		
64	OA242/20 with	Nashik Mumbai	Adv.S.R. Sapkal (Bahiru k Benke) <u>Adv.S.Y.Shinde for R.Nos.4 to 7</u>	Seniority List		

65	OA243/20 with	Nashik Mumbai	Adv.S.R. Sapkal (Somnath N Gadhave) <u>Adv.S.Y.Shinde for R.Nos.4 to 7</u>	Seniority List		
66	OA244/20 With	Nashik Mumbai	Adv.S.R. Sapkal (Sandeep S Kale) <u>Adv.S.Y.Shinde for R.Nos.4 to 7</u>	Seniority List		
67	OA245/20 with	Nashik Mumbai	Adv.S.R. Sapkal (Dnyaneshwar J Sonwane) <u>Adv.S.Y. Shinde For R.Nos.4 to 7</u>	Seniority List		
68	OA248/20 with	Nashik Mumbai	Adv.S.R. Sapkal (Bhagwan K Govekar) <u>Adv.S.Y.Shinde for R.Nos.4 to 7</u>	Seniority List		
69	OA249/20	Nashik Mumbai	Adv.S.R. Sapkal (Vivek V Nikam) <u>Adv.S.Y.Shinde for R.Nos.4 to 7</u>	Seniority List		
70	OA366/21	Hingoli	Adv.Avinash S Deshmukh (Narayansingh B Thakur)	Departmental Enquiry	30.01.2024	
71	OA290/22	Jalna	Adv.S.N. Lute (Aasif Kalekhan Parsuwale) <u>Adv.R.N. Gore For R.No.4</u>	Appointment	30.01.2024	

**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: -18/12/2023

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
1	CP23/22 In OA683/19	P'bhani	Adv.K.B. Jadhav (Shivaji M Ghantewad)	Contempt Petition	<u>1.3.2024</u>	

2	CP34/22 In OA78/21	A'nagar	Adv K B Jadhav (Shubhangi Y Pawale) <u>Adv Anuradha S</u> <u>Mantri For R-2</u>	Contempt Petition	1.2.2024	
3	CP06/23 In OA467/21	A'nagar	Adv J S Deshmukh (Dr. Mohan P Shinde)	Contempt Petition	15.1.2024	
4	OA894/19	A'bad	Adv.Gaurav L Deshpande (Suman B Wavdhane)	Direction/ To Decide Representation/ Roaster Point	16.2.2024	
5	OA553/20	Beed	Adv Avinash Deshmukh (Bhujang M Khedkar)	Promotion	18.1.2024	
6	OA492/21	Beed O'bad	Adv.V.B. Wagh (Ganesh K Chate & Ors.)	Seniority List/ Promotion	6.3.2024	
7	OA111/22 With	A'bad	Adv.S.K. Mathpati (Pandurang V Hande)	Challenging Clause of G.R.	23.1.2024	
8	OA151/22 With	A'bad	Adv.S.K. Mathpati (Chhaban V Kulkarni)	Challenging Clause of G.R.		
9	OA152/22	A'bad	Adv.S.K. Mathpati (Duryodhan S Wankhede)	Challenging Clause of G.R		
10	OA445/22	Nanded	Adv.R.A. Joshi (Shilpa S Dhanmane & Ors.)	Examination	<u>5.2.2024</u>	
11	OA474/22	Beed	Adv.S.S. Kulkarni/ Adv.V.S. Kadam (Anurath A Lande)	Selection	15.1.2024	
12	OA515/22	Jalna	Adv J S Deshmukh (Sachin V Hingole & Ors.)	Examination	<u>19.1.2024</u>	
13	OA681/22	Nanded	Adv.Yogesh P Deshmukh (Nashaboina S Yadgiri) <u>Adv.S.B. Patil for</u> <u>R.Nos.2 & 3</u>	Dismissal	7.2.2024	
14	OA818/22	Latur	Adv.P.R. Wankhade (Dr. Pranita P Patil & Ors.)	Advertisement	17.1.2024	

15	OA819/22	Latur	Adv.P.R. Wankhade (Dr. Dharmaraj A Dudde & Ors.)	Advertisement	17.1.2024	
16	OA874/22	Latur	Adv Suhas P Urgunde (Dr. Vinod B Khedkar & Ors.)	Challenging Advertisement/ Benefit of Permanancy	17.1.2024	
17	OA890/22	Nanded	Adv V B Wagh (Ganesh G Yerawar)	Departmental Enquiry	Disposed of	
18	OA1050/22	Jalgaon	Adv Vijay B Patil (Jaiprakash B Ramanand) <u>Adv A S Deshmukh</u> <u>For R-6</u>	Selection Process	2.2.2024	
19	OA08/23	Beed	Adv Sujeet D.Joshi (Gangadhar J.Wadne)	Final Seniority List/ Promotion	25.1.2024	
20	OA18/23	Jalna/ Hingoli	Adv.Vidya A Taksal (Prakash S Jadhav & Ors.)	Promotion	22.2.2024	
21	OA72/23	Jalna Etc.	Adv A S Deshmukh (Vinod W Rakh & Ors.)	Benefits of Old Pension Scheme	24.1.2024	
22	OA109/23	Nanded	Adv M P Tripathi (Maroti V Kadam)	Promotion	9.1.2024	
23	OA140/23	N'bar	Adv A B Girase / Adv A C Sisodiya (Farukh N Pinjari)	Termination	31.1.2024	
24	OA474/23	N'bar	Adv V B Wagh (Vaishali V Hinge)	Promotion	10.1.2024	
25	OA609/23	A'nagar	Adv Renuka V Ghule (Ashruba B Jaybhaye)	Voluntary Retirement	30.1.2024	
26	OA861/23	Dhule	Adv Suchita Dhongde (Rajendra J Pawar)	Dismissal From Service	22.2.2024	
27	OA864/23	Dhule	Adv Avinash S Deshmukh (Amarsingh R Hazari)	Continuation of Service	18.1.2024	
28	OA894/23	Jalna	Adv A D Sugdare (Ramkisan L Jadhav)	Promotion	30.1.2024	
29	OA945/23	P'rbn	Adv S S Jadhavar (Sumit M Lande & Ors.)	Selection Process	22.1.2024	
30	O960/23	Jalna	Adv S S Jadhavar (Mahadu R Munmane)	Selection Process	22.12.2023	

31	OA978/23	Latur	Adv D T Devane (Pooja P Bachpalle)	Selection Process	15.1.2024	
32	OA982/23	Latur	Adv S N Lale Yelwatkar (Shrihari D Mane)	Challenging G.R	6.2.2024	
33	OA1007/23	Nanded	Adv L V Sangit (Srikant U Jadhav & Ors.)	Seniority List	16.1.2024	
Order Matters						
34	MA315/21 In OAS1338/21	Nanded	Adv A S Deshpande (Chadrashekhar S Lyer)	M.A For Condonation of Delay	2.2.2024	
35	MA324/22 In OAS1203/22	A'bad	Adv S S Jadhawar (Trivin A Kulkarni)	M.A For Condonation of Delay	27.2.2024	
36	MA09/23 In OAS134/23	P'rbn	Adv S D Joshi (Mahendra A Kadam)	M.A For Condonation of Delay	8.2.2024	
37	MA55/23 In OA982/22	A'bad	Adv.A.D. Sugdare (Dr. Sanjitkumar M Sant)	M.A. For Direction	1.2.2024	

**ORIGINAL APPLICATION NO. 140 OF 2023
(Farukh Nasir Pinjari Vs. Pandurang Lomale)**

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

DATE : 18.12.2023

ORAL ORDER :

Shri K.B. Jadhav, learned counsel holding for Shri A.C. Sisodiya, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 31.1.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 18.12.2023-HDD

**ORIGINAL APPLICATION NO. 890 OF 2022
(Ganesh G. Yerawar Vs. Pandurang Lomale)**

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

DATE : 18.12.2023

ORAL ORDER :

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

2. The applicant has preferred the present Original Application seeking quashment of the memorandums dated 18.3.2021 and 20.4.2021 and in the alternative the applicant has also prayed for directions against the respondents to complete the departmental enquiry within the stipulated period. Learned counsel submitted that the enquiry proceedings are proceeded further and according to the information received to the applicant, enquiry officer has submitted his report to the disciplinary authority on 1.9.2023. Learned counsel submitted that however, till this date the disciplinary authority has not passed any order on the said report. Learned counsel submits that the present O.A. can

be disposed of by giving directions to the respondents to complete the departmental enquiry initiated against the applicant in all respects within the stipulated period.

3. The respondents have not filed affidavit in reply in the present matter. Learned Presenting Officer however, submitted that if it is the factual position that the enquiry officer has submitted report on 1.9.2023 then direction as has been sought by the learned counsel for the applicant may be issued.

4. In view of the submissions made by both the sides, the following order is passed: -

ORDER

(i) If the enquiry officer has submitted report to the disciplinary authority i.e. respondent No. 1 on 1.9.2023, respondent No. 1 shall take final decision in the matter and to complete the enquiry in all respects within a period of two months from the date of this order and communicate the decision thereof to the applicant in writing.

:: - 3 - ::

O.A. NO. 890/2022

(ii) The Original Application stands disposed of with the aforesaid terms. There shall be no order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 18.12.2023-HDD

**ORIGINAL APPLICATION NO. 750 OF 2023
(Dr. Asha S. Munjal Vs. Pandurang Lomale)**

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

DATE : 18.12.2023

ORAL ORDER :

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

2. The applicant is aspiring for her appointment to the post of Deputy Director of Health Services. Initially her name was included in the list of not eligible candidates and the ground stated was not having requisite experience. In the present O.A. it is assertion of the applicant that she holds requisite experience as required for the said post, however, her candidature was wrongly rejected. When the matter was heard on 17.8.2023 for the first time an interim direction was given to respondent No. 3 to issue interview call letter to the applicant and to interview her; however, result of her interview was directed to be subject to outcome of the present O.A.

Learned counsel for the applicant submitted that according to the directions issued by this Tribunal the applicant has been interviewed, however, her number of marks, are not declared because of the order passed by this Tribunal.

3. Learned counsel appearing for the applicant further submitted that now the list of selected candidates has been published by the M.P.S.C. and the Government is also in process of issuing orders of appointment. Learned counsel submitted that if the applicant becomes aware of her marks she may be in a position to decide whether to continue with the present O.A. or to withdraw the same. Learned counsel submitted that the applicant belongs to DTA category and candidate whose name is included in the select list of the DTA category has secured 108.50 total number of marks. Learned counsel submits that in the circumstances, if further directions are issued for declaring the result of the applicant and if it is noticed by the applicant that she has secured less number of marks than the candidates shown to be selected, most probably the applicant may withdraw the present Original Application and if it is noticed that she has secured

more marks than the candidate shown to be selected then she will try to substantiate how she holds requisite experience as prescribed for the said post.

4. Learned Presenting Officer was fair in submitting that in such circumstances there may not be any difficulty for giving direction to the M.P.S.C. to declare total number of marks secured by the applicant in the screening test, as well as, in the interview. We are also convinced that there may not be any difficulty in giving such further directions to the MPSC.

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

ORDER

(i) The M.P.S.C. shall declare the total number of marks secured by the present applicant in screening test, as well as, in the interview within a period of two weeks from the date of this order.

(ii) S.O. to 9.1.2024.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 864 OF 2023
(Amarsingh R. Hazari Vs. Pandurang Lomale)**

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

DATE : 18.12.2023

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. S.O. to 18.1.2024. Interim relief granted earlier to continue till then.

MEMBER (A)
ORAL ORDER 18.12.2023-HDD

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 93 OF 2022
(Smt. Vidya S. Sumade Vs. Pandurang Lomale)**

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

DATE : 18.12.2023

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. S.O. to 19.1.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

ORAL ORDER 18.12.2023-HDD

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 892 OF 2018
(Dhananjay D. Chandodkar & Ors. Vs. Pandurang Lomale)
WITH
ORIGINAL APPLICATION NO. 901 OF 2018
(Bhagwat S. Somase Vs. Pandurang Lomale)

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

DATE : 18.12.2023

ORAL ORDER :

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicants and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents in both the matters, are present.

2. S.O. to 17.1.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 18.12.2023-HDD

**ORIGINAL APPLICATION NO. 755 OF 2022
(Sopan R. Suryawanshi Vs. Pandurang Lomale)**

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

DATE : 18.12.2023

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. S.O. to 16.1.2024. Interim relief granted earlier to continue till then.

MEMBER (A)
ORAL ORDER 18.12.2023-HDD

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 874 OF 2022
(Dr. Vinod B. Khedkar & Ors. Vs. Pandurang Lomale)**

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

DATE : 18.12.2023

ORAL ORDER :

Shri D.T. Devane, learned counsel holding for Shri Suhas P. Urgunde, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. S.O. to 17.1.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 18.12.2023-HDD

ORIGINAL APPLICATION NO. 280/2022
(Sharad U Malishikare Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Due to paucity of time, the matter cannot be heard.

3. S.O. to 18.1.2024.

MEMBER (A)

VICE CHAIRMAN

M.A. NO. 553/2023 IN O.A. ST. 2153/2023
(Priyanka Y. Kalshetty Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 18.12.2023

ORAL ORDER :

Heard Shri R.A. Joshi, 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 submits that the addresses of private respondents are not within his knowledge and said information can be made available only by the M.P.S.C. Learned counsel, in the circumstances, has prayed certain directions against the M.P.S.C. In view of the submissions of the learned counsel, the following order is passed :-

ORDER

(i) Applicant shall submit a written application to the Maharashtra Public Service Commission, through the learned Presenting Officer, for providing the address of private respondents and in turn the learned Presenting Officer shall obtain the address of private respondents from the M.P.S.C. and provide it to the learned counsel for the applicant within 02 weeks.

(ii) S.O. to 9.1.2024.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDER 18.12.2023

M.A. NO. 515/2023 IN O.A.. ST. 1980/2023
(Mahendrasing V. Padvi & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel holding for Shri S.U. Choudhara, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 5.2.2023.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDER 18.12.2023

T.A. NO. 21/2023 (W.P. NO. 4842/2021)
(Vithal S. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Shri S.S. Jadhavar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Issue notice to respondents, returnable on 23.2.2023.
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 23.2.2023.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

M.A. NO. 664/2022 IN O.A. ST. NO. 665/2022
(Reshma K. Kamble & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Shri S.S. Jadhavar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 9.2.2024.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDER 18.12.2023

M.A. NO. 569/2023 O.A. ST. 2352/2023
(Baban K. Kale & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

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. 2352/2023
(Baban K. Kale & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicants and Smt. Deepali S. Deshpander, learned Presenting Officer for the respondent authorities, are present.

2. Issue notice to respondents, returnable on 26.2.2023.

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) 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 26.2.2023.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 109/2023
(Maroti V. Kadam Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Shri M.P. Tripathi, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time to file the affidavit in reply on behalf of the respondents. Time granted.
3. S.O. to 9.1.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 335/2022
(Vilas P. Dhonde Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Heard Shri Sachin Devgude, learned counsel holding for Shri P.D. Suryawanshi, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. When the present matter is taken up for consideration, the learned counsel for the applicant has tendered across the bar the office order dated 2.1.2023. Same is taken on record. Present Original Application has been filed for quashing and setting aside the departmental enquiry initiated against the applicant and also for seeking directions against the respondents to release the pensionary benefits. Learned counsel submits that the enquiry has been completed and punishment has also been imposed upon the applicant and the punishment so imposed is accepted by the applicant. Learned

::-2-::

O.A. NO. 335/2022

counsel, in the circumstances, prayed for disposing of the Original Application in view of the order passed by the Government on 2.1.2023.

3. The learned Presenting Officer submits for passing appropriate order.

4. In view of the submissions so made, the Original Application is disposed of with the following order :-

ORDER

(i) In view of the order passed on 2.1.2023, there seems no impediment in releasing amount of gratuity and other pensionary benefits. The respondents are, therefore, directed to release the pensionary benefits in favour of the applicant within 08 weeks from the date of this order.

(ii) Original Application stands disposed of in above terms. No order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 1007/2023
(Srikant U. Jadhav & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Shri L.V. Sangit, 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 all the respondents are served.

3. Learned Presenting Officer has sought time to file the affidavit in reply on behalf of the respondents. Time granted.

3. S.O. to 16.1.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 894/2023
(Suman B. Wavdhane Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Shri G.L. Deshpande, learned counsel for the applicant (**absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer has tendered the affidavit in reply on behalf of respondent no. 2. Same is taken on record. Learned P.O. undertook to supply copy reply to the other side.

3. S.O. to 16.2.2024.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NOS. 246, 238, 239, 242,
243, 244, 245, 248 & 249 ALL OF 2020**
(Dattatraya M. Devkate & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Shri S.R. Sapkal, learned counsel for the applicants in all these matters (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri S.Y. Shinde, learned counsel for respondent nos. 4 to 7 in all these matters, are present.

2. Learned counsel for respondent nos. 4 to 7 seeks time. None present for the applicants. Hence, adjournment granted as prayed for by respondent nos. 4 to 7.

3. S.O. to 24.1.2024.

MEMBER (A)

VICE CHAIRMAN

**M.A. NO. 568/2023 IN M.A. NO. 209/2023 IN O.A. ST.
746/2023**
(Avdhut Pole & Anbr. Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Shri P.M. Shinde, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Present Misc. Application No. 568/2023 is filed seeking transfer of the matter to the learned Single Judge. The issues, which are raised in the O.A., are pertaining to Single Bench. Hence, M.A. No. 209/2023 & O.A. st. No. 746/2023 be placed before the learned Single Judge.

3. Mist. Application stands disposed of. No order as to costs.

MEMBER (A)

VICE CHAIRMAN

C.P. 46/2023 IN O.A. NO. 347/2021
(Suresh K. Bharati Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Shri R.L. Jakhade, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Issue notice to respondents, returnable on 22.2.2023.
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 22.2.2023.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 1018/2023
(Fajulkhan Sherkhan Pathan Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Shri Zia-Ul-Mustafa, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered the affidavit in reply on behalf of respondent nos. 2 & 3. Same is taken on record and copy thereof has been supplied to other side.

3. S.O. to 22.2.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 72/2023
(Vinod U. Rakh & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Despite availing due opportunities, affidavit in reply has not been filed by the respondents. Hence, the matter be proceeded without reply of the respondents.

3. S.O. to 24.1.2024.

MEMBER (A)

VICE CHAIRMAN

M.A. NO. 324/2022 IN O.A. ST. 1203/2022
(Trivin A. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

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

2. Learned counsel for the applicant submits that rejoinder affidavit is not necessary.

3. Matter be listed for hearing on 27.2.2024.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDER 18.12.2023

O.A. NOS. 1099 AND 1100 BOTH OF 2022, O.A. NOS. 89, 90, 91, 92, 93, 94 & 95 ALL OF 2023 AND O.A. NO. 818 & 819 BOTH OF 2022, O.A. NO. 736/2022 (Dr. Sapna H. Tallarwar Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Ms. Preeti Wankhade, learned counsel for the applicants in all these matters and Smt. M.S. Patni, S/shri M.P. Gude & D.R. Patil, learned Presenting Officers for the respondent authorities in respective matters, are present.

2. Learned counsel for the applicants has tendered rejoinder affidavits in O.A. nos. 89, 92 & 94 all of 2023. Same are taken on record and copies thereof are supplied to other side.

3. S.O. to 17.1.2024.

MEMBER (A)

VICE CHAIRMAN

C.P. 6/2023 IN OI.A. NO. 467/2023
(Dr. Mohan P. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Present matter is wrongly shown in Reply matters category. It be shown in Regular Admission category.
3. S.O. to 15.1.2024.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDER 18.12.2023

M.A.NO.456/2023 IN O.A.NO.858/2023
(Avinash A. Bagul & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities.

2. Arguments are heard and concluded. Reserved for order.

MEMBER (A)
YUK ORAL ORDER 18.12.2023

VICE CHAIRMAN

ORIGINAL APPLICATION NO.474/2023
(Vaishali V. Hinge Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

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

2. When the present matter is taken up for consideration, it appears that unless the respondents file necessary documents on record, it is difficult to decide the matter on merit. Respondents are directed to submit the affidavit in reply on or before 10-01-2024. If reply is not filed on or before the said date, costs of Rs.10,000/- (Rs. Ten thousand only) will be imposed on the officer responsible for non-filing the reply.

3. S.O. to 10-01-2024. Steno copy may be provided to the learned P.O. on his request.

MEMBER (A)
YUK ORAL ORDER 18.12.2023

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO.2358/2023
(Bharti D. Sarwade @ Bharti G. Koshti Vs. State of Maharashtra
& Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Heard Shri L.V.Sangit, learned counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities.

2. It is the grievance of the applicant that though she possesses the disability certificate issued by Medical Board and the same has been verified time and again, now the department has once again called upon the applicant to undergo medical examination and bring fresh disability certificate. Learned Counsel for the applicant submits that the order so passed is against the G.Rs. dated 14-09-2018 as well as 16-05-2009 and has also placed on record the order passed by the Division Bench of the Hon'ble Bombay High Court in Writ Petition No.9955/2023 with connected Writ Petitions on 25-08-2023. Learned Counsel for the applicant prayed for same interim relief in the present matter.

3. Learned P.O. has opposed for granting any interim relief in the matter. She has sought time for

taking instructions from the department and to file the reply. It is further contended that if the applicant is really possessing the disability certificate certifying her disability, she should not hesitate to appear for medical examination and on that ground prayer for interim relief is opposed.

4. Considering the submissions of the parties and on perusal of the G.Rs. and judgment of Hon'ble High Court as referred above, following order is passed:

ORDER

[i] Issue notice to the respondents, returnable on 15-02-2024. **Till then the order passed by respondent no.4 on 24-11-2023 shall stand stayed.**

[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 15-02-2024.

[vii] Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

YUK ORAL ORDER 18.12.2023

VICE CHAIRMAN

M.A.NO.611/2019 IN O.A.ST.NO.2374/2019
(Rambhau A. Nikam Vs. State of Maharashtra & Ors.)

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

DATE : 18.12.2023

ORAL ORDER :

Heard Smt. Rutuja Kulkarni, learned Counsel holding for Shri Kakasaheb B. Jadhav, learned counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities.

2. Learned Counsel for the applicant states that due to certain unavoidable reasons, costs amount could not be deposited within the stipulated period. Time is therefore sought to be extended for depositing the costs. Request deserves to be accepted. Time is extended by 2 weeks from the date of this order.

3. S.O. to 15-01-2024.

MEMBER (A)

YUK ORAL ORDER 18.12.2023

VICE CHAIRMAN

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

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

DATE : 18.12.2023

ORAL ORDER :

Heard Shri A.D.Sugdare, learned counsel for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondent authorities.

Shri Vinod M. Vibhute, learned Counsel for respondent no.5 is **absent**.

2. Present applicant entered into the Government service as Medical Officer on temporary basis as a bonded candidate. In the year 1998 i.e. on 06-07-1998, he came to be regularly appointed as Maharashtra Public Service Commission (MPSC) selected candidate on the post of Medical Officer. It is the grievance of the applicant that continuous services rendered by him during the period between 16-08-1995 to 05-07-1998 are not taken note of in his service book. Learned Counsel referring to Rule 30 of the Maharashtra Civil Services (Pension) Rules, 1982 as well as the judgment of the Hon'ble Bombay High Court in **Writ Petition No.603/2018**

in the case of **Vijaykumar Ganpatrao Nimbalkar V/s. State of Maharashtra & Ors.** delivered on 05-09-2018 and one earlier judgment of the Hon'ble Bombay High Court in **Writ Petition No.3690/2005** in case of **Anant S. Tambade & Ors. V/s. The Collector, Ratnagiri & Ors.** delivered on 19-12-2006 submitted that services rendered by the applicant on the permanent sanctioned post on ad-hoc basis are liable to be considered for the purpose of qualifying services after the services of the applicant are regularized on the same post.

3. Respondent no.5 has filed separate affidavit in reply and respondent nos.1 to 4 have filed their joint affidavit in reply resisting the contentions raised in the O.A. It is the contention of the respondents that the applicant cannot claim any right with regard to services rendered between 16-08-1995 to 05-07-1998 since there is no record of entry in service book regarding appointment during the said period. Learned P.O. reiterated the contentions raised in the affidavit in reply and prayed for dismissal of the O.A.

4. We have considered the submissions made on behalf of the applicant as well as the State

authorities. It is not in dispute that the applicant was initially appointed as a bonded candidate as Medical Officer. It is also not disputed that on the same post he got regular appointment after the MPSC selected him and since then he worked till he opted for voluntary retirement, which he took in the year 2019. Applicant though has got all the benefits of the period between 16-08-1995 to 05-07-1998, the said period is not recorded in the service book of the applicant. In the circumstances, when the proposal for sanction of pension was forwarded to the Accounts Officer, certain objections are raised. Respondents have not disputed the fact that during the period between 16-08-1995 to 05-07-1998, applicant has worked with the respondents and has also been paid salary and increments of the said period.

5. Two judgments which are relied upon by the learned Counsel for the applicant have dealt with the identical situation, hence, the ratio laid down in the said judgment would squarely apply in the present matter also. Moreover, Rule 30 of the Maharashtra Civil Services (Pension) Rules, 1982 is quite explicit and on that basis case of the applicant

=4= O.A.NO.511/2021

also deserves to be allowed. As provided in the said Rule, after regular appointment qualifying service has to be reckoned from the date of first appointment of the applicant, and as such, respondents need to take note of the service rendered by the applicant from 16-08-1995 to 05-07-1998 and reckon the period of service of the applicant from the said date for the purpose of pension as well as pensionary benefits. Hence, the following order:

ORDER

[i] Order passed by respondent no.1 dated 18-02-2021 is quashed and set aside.

[ii] Respondents shall take note of the service rendered by the applicant from 16-08-1995 to 05-07-1998 in his service book and reckon the period of service of the applicant from the said date for the purpose of pension as well as pensionary benefits.

[iii] O.A. stands allowed accordingly, however, without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO. 485 OF 2022 IN O.A.ST.NO. 1748 OF 2022
(Gangadhar N. Fasale & Ors. Vs. State of Maharashtra &
Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri Ketan D. Pote, learned counsel holding for Shri A.G. Ambetkar, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. By consent of parties, S.O. to 19.12.2023 for hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

ORIGINAL APPLICATION NO. 532 OF 2007
(Amir Khan Ibrahim Khan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Heard Shri Asif Ali, learned counsel holding for Smt. A.N. Ansari, learned counsel for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Learned counsel Smt. Suchita Dhongde holding for Shri S.D. Dhongdd, learned counsel appearing for respondent Nos. 2 & 3 informed the learned P.O. that he is no more on the panel of Irrigation Department, Medium Project.

3. In view of same, the respondent Nos. 2 & 3 are now not represented by the counsel. Hence issue notice to respondent Nos. 2 & 3 in O.A., returnable on 22.01.2024.

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

//2// O.A. 532/2007

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 22.01.2024

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

MEMBER (J)

**ORIGINAL APPLICATION NO. 02 OF 2021
(Kiran S. Pawar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri S.G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 31.01.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 524 OF 2021
(Hanumant R. Kulkarni Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

None present for the applicant. Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 02.02.2024.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

**ORIGINAL APPLICATION NO. 766 OF 2021
(Narandra Joshi Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 15.01.2024 for hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

**ORIGINAL APPLICATION NO. 817 OF 2021
(Vilas K. Dhole Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri K.N. Shermale, learned counsel for the applicant, is **absent**. Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 02.02.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 398 OF 2022
(Yuvraj B. Dhamik Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

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, are present.

2. At the request of learned counsel for the applicant, S.O. to 02.02.2024 for hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

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

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Heard Shri S.S. Tandale, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions submits that during pendency of this Original Application, the order of suspension has been revoked and the applicant has got all the consequential benefits with original posting.

3. In view of same, learned counsel for the applicant seeks leave to withdraw the present Original Application. Leave as prayed for is granted.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 860 OF 2022
(Harichandra A. Gawali Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant seeks leave to replace the memorandum of O.A. for the reason that inadvertently prayer clause 'C' is remained to be inserted. Leave as prayed for is granted.

3. The applicant to substitute the memorandum of O.A. till the next date of hearing.

4. Learned counsel for the applicant submits that in terms of prayer clause 'A' though the provisional pension has been started but the same is restricted for the period of six months as on today and no further effect is given for the sanction of A.G. by the department.

5. Learned P.O. is requested to take specific instructions in this regard till the next date of hearing.

6. S.O. to 31.01.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1025 OF 2022
(Azizkhan Yusufkhan Pathan Vs. State of Maharashtra &
Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri N.D. Sonavane, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has submitted the written notes of argument. The same is taken on record and though the copy thereof is already given to learned P.O. it appears that the learned P.O. requires some time to take specific instructions in this regard from the department. Moreover, surprisingly no affidavit in reply has been filed in the present matter on behalf of the respondents.

3. In view of same, at the request of learned P.O., S.O. to 03.01.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 1142 OF 2022
(Maya B. Chabukswar Late Dr. Bapu R. Chabukswar Vs.
State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

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

2. By consent of parties, S.O. to 04.01.2024 for hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

**ORIGINAL APPLICATION NO. 1150 OF 2022
(Shivam K. Thavare Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri V.V. Ingale, learned counsel for the applicant, is **absent**. Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 15.01.2024 for hearing as a last chance.

MEMBER (J)

ORIGINAL APPLICATION NO. 07 OF 2023
(Sonali D. Haregaonkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

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

2. S.O. to 24.01.2024 for hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

ORIGINAL APPLICATION NO. 114 OF 2023
(Gopal D. Suryawanshi & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri H.M. Shaikh, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 29.01.2024 for hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

ORIGINAL APPLICATION NO. 146 OF 2023
(Shashikala G. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Heard Shri P.V. Suryawanshi, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Part heard.

3. At the request of learned P.O., S.O. to 21.12.2023 for further hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

ORIGINAL APPLICATION NO. 248 OF 2023
(Laxman S. Chavhan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

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

2. The Original Application is allowed for the reasons to follow.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

ORIGINAL APPLICATION NO. 352 OF 2023
(Vasundhara D. Patil Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Heard Shri H.P. Jadhav, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that during pendency of the Original Application the applicant has almost got all the benefits except the following amounts:-

(i) Leave Encashment, (ii) Commutation amount, (iii) General Provident Fund for the period of August, 2021 to December, 2021.

3. Learned counsel for the applicant submits that in view of the same the applicant has submitted representation on 18.07.2023 stating therein about the non-receipt of the aforesaid amounts and also claiming the interest on the delayed payment. He placed on record the copy of said representation dated 18.07.2023. The same is taken on record and marked as document 'X' for the purpose of identification.

//2//

O.A. 352/2023

4. Learned P.O. is directed to take specific instructions with regard to the aforesaid amounts i.e. (i) Leave Encashment, (ii) Commutation amount, (iii) General Provident Fund till the next date of hearing.

5. S.O. to 08.01.2024.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

ORIGINAL APPLICATION NO. 427 OF 2023
(Amol Jayram Parakhe & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri H.P. Jadhav, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 15.01.2024 for hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

ORIGINAL APPLICATION NO. 597 OF 2023
(Ashish N. Hiware Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

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

2. Partly heard.

3. It appears that the respondents have filed the affidavit in reply on 04.10.2023 and i.e. just close to expiry of the period of 90 days from the date of order of suspension.

4. In view of same, the learned P.O. is directed to take instructions as to the present status as to whether the applicant has been served with the memorandum of charges or the charge sheet as the case may and file short affidavit in reply, if necessary.

5. S.O. to 21.12.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 760 OF 2023
(Dr. Abdul Moiz Siddiqui Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri S.S. Tandale, learned counsel holding for Shri Ajay S. Deshpande, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 15.01.2024 for hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

**ORIGINAL APPLICATION NO. 578 OF 2016
(C.H. Dongaonkar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri K.B. Jadhav, learned counsel holding for Smt. Suchita Dhongde, learned counsel for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned counsel for respondent Nos. 2 to 5, are present.

2. At the request of learned counsel for the applicant, S.O. to 08.01.2024 for final hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

**ORIGINAL APPLICATION NO. 395 OF 2017
(Shobha R. Pathak Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent Nos. 2 & 3, are present.

2. Learned counsel for the applicant submits that this is second/ third round of litigation and even the parties went up to the Hon'ble Apex Court, learned counsel for the applicant seeks time to place on record synopsis of chronological events and to make appropriate submission on the next date.

3. Even though the matter is of the year 2017, considering the submissions, S.O. to 12.01.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 49 OF 2018
(Ravindra V. Sapkale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri Harshal P. Randhir, learned counsel for the applicant, is **absent**. Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 08.01.2024 for final hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

ORIGINAL APPLICATION NO. 101 OF 2019
(Ashok R. Chavan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri S.S. Tandale, learned counsel holding for Shri Ajay S. Deshpande, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present. Shri S.R. Dheple, learned counsel for respondent No.4, is **absent**.

2. S.O. to 15.01.2024 for final hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

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

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri S.S. Tandale, learned counsel holding for Shri B.R. Kedar, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., S.O. to 31.01.2024 for final hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

ORIGINAL APPLICATION NO. 308 OF 2019
(Laxman B. Parandkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

None present on behalf of the applicant. Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 31.01.2024 for final hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

**ORIGINAL APPLICATION NO. 478 OF 2019
(Dr. Anand S. Patil Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 24.01.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 945 OF 2019
(Dr. Prashant D. Warkari Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri C.V. Dharurkar, learned counsel for the applicant, is **absent**. Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 05.02.2024 for final hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

ORIGINAL APPLICATION NO. 56 OF 2020
(Anil S. Barkul Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri Kishor D. Khade, learned counsel for the applicant, is **absent**. Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 05.02.2024 for final hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

**O.A.NO. 98 OF 2020 WITH Caveat No. 78/2019
(Bhavana R. Patil Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri S.B, Patil, learned counsel holding for Shri Manish Bhambre, learned counsel for respondent No.2/Caveator, are present.

2. At the request of learned counsel for the respondent No.2, S.O. to 11.01.2024 for final hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

**ORIGINAL APPLICATION NO. 333 OF 2020
(Arjun M. Pawar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities and Shri S.B. Patil, learned counsel for respondent No.2, are present.

2. S.O. to 05.02.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 514 OF 2021
(Gautam G. Dhule Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

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

2. S.O. to 29.01.2024 for final hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

ORIGINAL APPLICATION NO. 714 OF 2021
(Rahul G. Malsamindar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 11.01.2024 for final hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

**ORIGINAL APPLICATION NO. 179 OF 2022
(Raju J. Somvanshi Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri P.B. Jadhav, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 31.01.2024 for final hearing.

MEMBER (J)

ORAL ORDER 18.12.2023 sas

ORIGINAL APPLICATION NO. 252 OF 2023
(Balasaheb Y. Dhavane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 03.01.2024 for final hearing. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 750 OF 2021
(Subhash B. Choudhary Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri A.B. Pavde, learned counsel holding for Shri A.J. Patil, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 01.02.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 656 OF 2018
(Dr. Sunil D. Dhumal Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Ms. Preeti Wankhade, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that there are no instructions from the applicant for a long period. Learned counsel therefore needs some more time.

3. S.O. to 25.01.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 115 OF 2021
(Kadubai S. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri R.K. Khandelwal, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits that the record is yet not received.

3. S.O. to 09.01.2024 for record and proceedings.

MEMBER (J)

ORIGINAL APPLICATION NO. 26 OF 2022
(Dr. Eknath D. Male Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Heard Shri Shamsunder B. Patil, 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 submits that this pertains to transfer order, however during pendency of this Original Application the applicant has been retired on superannuation.

3. In view of above, the Original Application has become infructuous and the same has been accordingly disposed of. No order as to costs.

MEMBER (J)

T.A. No. 02/2023 (W.P. No. 12920/2022)
(Shoba S. Muttewar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri M.V. Chatge, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. List the matter for admission hearing on 15.01.2024. Meanwhile, if the affidavit in reply is filed on behalf of respondents, the copy thereof shall be given to the learned counsel for the applicant forthwith.

MEMBER (J)

KPB ORAL ORDER 18.12.2023

ORIGINAL APPLICATION NO. 395 OF 2022
(Rajkumar V. Ugile Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri Ashish Rajkar, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present. Shri G.N. Patil/A.S. Reddy, learned counsel for respondent No. 6, is **absent**.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 2. Same is taken on record and copy thereof is given to other side.

3. S.O. to 31.01.2024 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 980 OF 2023
(Smita P. Gavit Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri Ashish Rajkar, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits that para-wise remarks are received from the department and in this month itself affidavit in reply will be filed.

3. S.O. to 21.12.2023. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 734 OF 2023
(Girish S. Visave Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri Sunil Nimbalkar, learned counsel holding for Shri Yogesh Bobade, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri Asif Ali, learned counsel holding for Smt. A.N. Ansari, learned counsel for respondent No. 4, are present.

2. Learned counsel for the applicant seeks time to file rejoinder affidavit. Time granted.

3. S.O. to 01.02.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 349 OF 2020
(Prakash S. Raut Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Ms. Preeti Wankhade, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that though the suspension order has been revoked, however, the applicant is challenging legality of suspension order and as such, the affidavit in reply of respondents is necessary.

3. Learned Presenting Officer submits that last chance may be given for filing affidavit in reply.

4. In view of above, S.O. to 31.01.2024 for filing affidavit in reply as a last chance.

MEMBER (J)

ORIGINAL APPLICATION NO. 983 OF 2023
(Anil L. Uphad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri Anant Devkate, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel Presenting Officer, S.O. to 19.12.2023 for taking instructions.

MEMBER (J)

ORIGINAL APPLICATION NO. 119 OF 2021
(Sudhakar B. Aandhale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel holding for Shri A.M. Gholap, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 31.01.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 975 OF 2023
(Rajkumar P. Katke Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 09.01.2024 for filing affidavit in reply, as a last chance.

MEMBER (J)

KPB ORAL ORDER 18.12.2023

ORIGINAL APPLICATION NO. 516 OF 2022
(Arun N. Pujari Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Heard Shri L.V. Sangit, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits two citations. Same are taken on record and copies thereof are given to learned Presenting Officer.

3. The Original Application is hereby dismissed. Reasons would follow. In the circumstances, no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 275 OF 2022
(Sandip D. Chavan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri Avinash Khedkar, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 02.02.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 18.12.2023

ORIGINAL APPLICATION St. NO. 1148 OF 2021
(Manoranjan M. Gatkal Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri Sunil Nimbalkar, learned counsel holding for Shri Amol Gandhi, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 22.12.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 1085 OF 2023
(Raj L. Mali Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Heard Shri R.M. Deshmukh, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. The present matter is pertains to appointment on compassionate ground. The application submitted by the applicant seeking appointment on compassionate ground came to be rejected by the respondents merely on the ground that the applicant is the 3rd child of deceased Government servant.

3. In view of above, issue notices to the respondents, returnable on 05.02.2024.

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.

//2//

O.A. No. 1085/2023

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. Learned P.O. appears for all the respondents and seeks time for taking instructions.

9. S.O. to 05.02.2024.

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

MEMBER (J)

KPB ORAL ORDER 18.12.2023

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

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Heard Shri K.B. Jadhav, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. The present matter is already part heard.

3. Learned Presenting Officer seeks time to take specific instructions with regard to the category of employees falling in Group-C. Time granted.

4. S.O. to 02.01.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 618 OF 2022
(Shivaji M. Palepad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Heard Shri Avinash Khedkar, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. The present matter is reserved for orders.

MEMBER (J)

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

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicant (**Absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent Nos. 3 & 4, are present.

2. None present for the applicant, though the matter is part heard, S.O. to 08.01.2024 as a last chance.

MEMBER (J)

M.A. No. 567/2023 in O.A. St. No. 2368/2023
(Mangal B. Gawade & Anr. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Heard Shri H.U. Dhage, learned counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. The applicants are mother and brother of respondent No. 4. On the basis of consent given by them, the department has considered the application submitted by the respondent No. 4 for appointment on compassionate ground. After the death of bread earner of family member in harness, the respondents appointed the respondent No. 4 accordingly. However, the respondent No. 4 though given an undertaking with the department to maintain both the applicants, she does not maintain them, as a result thereof, the applicants have approached this Tribunal either for cancellation of said appointment order or for directions against the respondent No. 4 to pay certain amount from her salary to the applicants.

//2//

3. In view of above peculiar facts of the Original Application, the present Misc. Application seeking permission to sue jointly deserves to be allowed. Hence, the following order :-

ORDER

(i) The M.A. No. 567/2023 is allowed in terms of prayer clause-B, subject to payment of court fee stamps, if not paid.

(ii) Accompanying O.A. be registered and numbered, after removal of office objections, if any.

(iii) Accordingly, M.A. stands disposed of. No order as to costs.

MEMBER (J)

O.A. St. No. 2368/2023

(Mangal B. Gawade & Anr. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Heard Shri H.U. Dhage, learned counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. After registration of O.A., issue notice to respondents, returnable on 02.02.2024.

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. Learned P.O. appears for all the respondents and seeks time for taking instructions.

8. S.O. to 02.02.2024.

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

MEMBER (J)

M.A. No. 126/2019 in O.A. St. No. 534/2019
(Sachin B. Waghmare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Heard Shri Sunil Nimbalkar, learned counsel holding for Shri Amol Gandhi, learned counsel for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent No. 2.

2. There is a delay of 1 year, 2 months and 9 days caused in filing the accompanying Original Application.

3. The Original Application pertains to appointment on compassionate ground. Though the mother of the applicant has submitted an application in time after death of her husband i.e. Government servant who died in harness and though her name was inserted in the waiting list, however, she could not be appointed for various reasons till she completes her age of 40 years and finally her name was deleted from the waiting list. However, mother of the applicant has submitted an application for appointment of elder son on

//2// M.A. No. 126/2019 in
O.A. St. No. 534/2019

compassionate ground and by communication dated 01.09.2012, the said application came to be rejected. It further appears that mother has again submitted an application for her younger son i.e. the present applicant for appointment on compassionate ground, the said application also came to be rejected by the impugned order / communication dated 11.01.2017. It appears that the Government servant, who died in harness was working as Peon and died on 23.07.1997, the department could not give appointment to the widow till she attains the age of 40 years and finally deleted her name from the waiting list. Thus, the mother since then is fighting for appointment on compassionate ground for her two sons. Thus the delay of 1 year, 2 months and 9 days is caused in filing the accompanying O.A. and the same is not deliberate or intentional.

4. Learned Presenting Officer and learned counsel appearing for respondent No. 2 strongly resisted the application seeking condonation of delay.

5. Considering the aforesaid grounds, I am inclined to condone the delay caused in filing the accompanying O.A. Hence, the following order :-

//3// M.A. No. 126/2019 in
O.A. St. No. 534/2019

ORDER

- (i) The M.A. No. 126/2019 is hereby allowed in terms of prayer clause 8(A).
- (ii) The delay caused in filing the accompanying O.A. is condoned.
- (iii) The accompanying O.A. be registered and numbered in accordance with law.
- (iv) Accordingly, M.A. stands disposed of. No order as to costs.

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 534 OF 2019
(Sachin B. Waghmare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Heard Shri Sunil Nimbalkar, learned counsel holding for Shri Amol Gandhi, learned counsel for the applicant and Shri B.S. Deokar, learned P.O. for the respondent authorities and Shri S.B. Mene, learned counsel for respondent No. 2.

2. After registration of O.A., issue notice to respondents, returnable on 15.01.2024.

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. Learned P.O. appears for all the respondents and seeks time for taking instructions.

8. S.O. to 15.01.2024.

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

MEMBER (J)

M.A. No. 375/2021 in O.A. No. 489/2020
(Subhash Onkar Ghodke Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 18.12.2023

ORAL ORDER :

Heard Shri H.P. Randhir, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. This is an application seeking amendment in the Original Application.

3. Learned counsel for the applicant submits that during pendency of the Original Application, the applicant has received communication dated 23.07.2021 and therefore, the O.A. is required to be amended to the extent of said communication.

4. Learned P.O. submits that the appropriate order may be passed.

5. The O.A. is yet to be admitted. In the event if this M.A. seeking amendment is allowed, the respondents would be at liberty to file additional reply, if any.

//2//

MA 375/2021 in
OA 489/2020

6. In view of the observations as above, the M.A. No. 375/2021 is allowed in terms of prayer clause 5(A). The applicant to carry out amendment as proposed in prayer clause 5(A) within a period of two weeks from the date of this order and amended copy of the O.A. be given to the learned P.O.

7. Accordingly, M.A. stands disposed of. No order as to costs.

8. O.A. to come up on board on 01.02.2024.

MEMBER (J)