

**ORIGINAL APPLICATION NO. 25/2019
(Dnyaneshwar D. Kale Vs. State of Maha. & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri R.N. Bharaswadkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned P.O. submits that he has received communication from the concerned respondents seeking further time for filing affidavit in sur-rejoinder. Time granted as a last chance.

3. In the circumstances, S.O. to 3.12.2021 for filing sur-rejoinder by the respondents as a last chance.

MEMBER (A)

MEMBER (J)

- (1) **ORIGINAL APPLICATION NO. 716/2021**
(Navin J. Sharma Vs. State of Maha. & Ors.)
- (2) **ORIGINAL APPLICATION NO. 717/2021**
(Meena V. Shinde Vs. State of Maha. & Ors.)
- (3) **ORIGINAL APPLICATION NO. 718/2021**
(Gajanan B. Aundhekar Vs. State of Maha. & Ors.)
- (4) **ORIGINAL APPLICATION NO. 719/2021**
(Khanderao N. Pote Vs. State of Maha. & Ors.)

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

DATE : **18.11.2021**

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicants in all these matters and S/shri S.K. Shirse, V.R. Bhumkar, D.R. Patil & Smt. Deepali S. Deshpande, learned Presenting Officers for the respondents in respective matters..

2. Heard both the sides.

3. Perused the record.

4. In view of the submissions made by the learned Advocate for the respective applicants, following order is passed :-

5. Issue notice to the respondents in all these matters, returnable on 7.1.2022 and till then Status quo as on

today in respect of the post on which the present applicants are working is granted.

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

7. 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.

8. 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.

9. 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.

10. S.O. to 7.1.2022.

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

MEMBER (A)

MEMBER (J)

**C.P. 10/2021 IN O.A. 763/2019
(G.A. Kakade Vs. State of Maha. & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

2. Learned P.O. has filed affidavit in reply on behalf of respondent nos. 1 to 3. It is taken on record and copy thereof has been supplied to the learned Advocate for the applicant.

3. In the circumstances, S.O. to 14.12.2021 for filing rejoinder affidavit, if any and further consideration.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 133/2020
(Alka S. Mundhe Vs. State of Maha. & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri Sandeep D. Munde, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned P.O. seeks further time for filing affidavit in reply of respondent no. 1. However, on going through the order of the Tribunal dated 12.10.2021, it appears that, on the said date the learned P.O. made a statement that if the affidavit in reply is not filed on the next returnable date, the matter will proceed further in accordance with law. Therefore, in view of order dated 12.10.2021 and the statement made by the learned P.O. on that date, request for grant of further time for filing affidavit in reply cannot be accepted.

3. In the circumstances, the matter shall be placed for hearing on 6.12.2021 without having affidavit in reply of respondent no. 1 on record.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 508/2020
(Sangita P. Bhojane Vs. State of Maha. & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

2. Learned P.O. seeks time for filing affidavit in reply of the respondents. Time granted as a last chance.

3. In the circumstances, S.O. to 10.12.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 218/2021
(Mahamad Husain T. Inamdar Vs. State of Maha. & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Dr. Swapnil Tawshikar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned P.O. has filed affidavit in reply of respondent nos. 3 & 4. It is taken on record and copy thereof has been supplied to the learned Advocate for the applicant.

3. In the circumstances, S.O. to 9.12.2021 for filing rejoinder affidavit, if any, and for further consideration.

3. In the circumstances, S.O. to 10.12.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 255/2021
(Ashvini M. Dudhbhate Vs. State of Maha. & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 1 to 3, Shri M.B. Kolpe, learned Advocate for respondent no. 4 and Smt. Vijayalakshmi M. Barelikar, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for respondent no. 5.

2. Learned P.O. as well as learned Advocates for respondent nos. 4 & 5 seek time for filing affidavit in reply of the respective respondents. Time granted as a last chance.

3. In the circumstances, S.O. to 15.12.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 278/2021
(Dr. U.D. Padhye Vs. State of Maha. & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

2. Learned P.O. has filed sur-rejoinder of the respondents. It is taken on record and copy thereof has been supplied to the learned Advocate for the applicant.

3. In the circumstances, S.O. to 2.12.2021 for further consideration.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 352/2021
(Krushna G. Jadhav Vs. State of Maha. & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

2. Learned P.O. seeks time for filing affidavit in reply of the respondents. Time granted as a last chance.
3. In the circumstances, S.O. to 16.12.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 372/2021
(Sanjay N. Deshpande Vs. State of Maha. & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri V.G. Kodale, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri Sachin S. Deshmukh, learned Advocate for respondent nos. 3 & 5.

2. Learned P.O. as well as learned Advocate for respondent nos. 3 & 5 seek time for filing affidavit in reply of the respective respondents.

3. It appears from the record that, though the last chance was granted to the respondents for filing affidavit in reply, till today the same is not filed. In the circumstances, time as most chance is granted to the respondents for filing affidavit in reply with an understanding that, if the affidavit in reply is not filed on the next date, the matter will proceed on its own merit without having on record the affidavit in reply.

3. In the circumstances, S.O. to 9.12.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 518/2021
(Asmita M. Kekan & Ors. Vs. State of Maha. & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

None appears for the applicant. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. Learned C.P.O. seeks time for filing affidavit in reply of the respondents. Time granted.

3. In the circumstances, S.O. to 7.12.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 580/2021
(Dr. Santram M. Rathod Vs. State of Maha. & Ors.)

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

DATE : **18.11.2021**

ORAL ORDER :

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

2. Learned P.O. seeks time for filing affidavit in reply of the respondents. Time granted as a last chance.

3. In the circumstances, S.O. to 20.12.2021.

MEMBER (A)

MEMBER (J)

**M.A. 614/2019 IN O.A. ST. 2365/2019
(Hanuman P. Jarare Vs. State of Maha. & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

2. Learned P.O. has filed affidavit in reply on behalf of respondent nos. 1, 2 & 4 in M.A. It is taken on record and copy thereof has been supplied to other side.

3. In the circumstances, S.O. to 23.12.2021 for filing rejoinder, if any, and for further consideration.

MEMBER (A)

MEMBER (J)

**C.P. 16/2021 IN O.A. 211/2018
(Dilip K. Mankeshwar Vs. State of Maha. & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri M.S. Mahajan, learned Presenting Officer for the respondents.

2. Learned C.P.O. for the respondents seeks some more time regarding compliance of the order of this Tribunal dated 3.8.2020 passed in O.A. no. 211/2018. Time granted.

3. S.O. to 22.12.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 715/2021
(Baliram V. Sahare Vs. State of Maha. & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that he is under instructions to withdraw the present O.A. Therefore, he prayed for withdrawal of the O.A.

3. In view of above, the present O.A. stands disposed of as withdrawn with no order as to costs.

MEMBER (A)

MEMBER (J)

**MA 361/2021 IN M.A. 362/2021 IN O.A. ST. 1052/2021
(Arvind D. Gaikwad & Ors. Vs. State of Maha. & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. M.A. No. 361/2021 has been filed by the applicants for permission to sue jointly the O.A. St. no. 1052/2021.

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.

5. Accordingly, M.A. No. 361/2021 stands disposed of without any order as to costs.

MEMBER (A)

MEMBER (J)

O.A. ST. 1052/2021

(Arvind D. Gaikwad & Ors. Vs. State of Maha. & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 24.12.2021.

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.

::-2-::

O.A. ST. 1052/2021

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 24.12.2021.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

C.P. 40/2019 IN O.A. 798/2018
(Rajendrakumar P. Barhate Vs. State of Maha. & Ors.)

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

DATE : **18.11.2021**

ORAL ORDER :

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

2. With the consent of both the sides, S.O. to 5.1.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 582/2017
(Sanjay B. Kokate & Ors. Vs. State of Maha. & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri G.R. Jadhav, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time. Time granted.

3. S.O. to 16.12.2021.

MEMBER (A)

MEMBER (J)

**M.A. 271/2021 WITH M.A. 95/2021 IN O.A. 170/2021
(Shivkumar V. Chivde Vs. State of Maha. & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Ms. Angha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 to 4 and Shri J.P. Legal, learned Advocate for respondent nos. 5 to 7.

2. With the consent of both the sides, S.O. to 25.11.2021 along with M.A. 272/2021 with M.A. 96/2021 in O.A. NO. 171/2021 filed by the applicant himself.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.261/2021
(Ratan Suradkar Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

2. Learned Counsel for the applicant invited our attention to the averments in paragraph 5 of the affidavit in reply filed by the State. Perusal of the said paragraph makes it abundantly clear that the Government has held the present applicant eligible for the relief claimed in the present O.A. In that view of the matter, respondents are directed to submit compliance report within a month so that the present O.A. can be disposed of.

3. S.O. to 22-12-2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.368/2017 WITH 369/2017
(Bapu Lad & Anr. Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

2. At the request and consent of both the parties, S.O. to 10-12-2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.517/2017
(Anup Kulkarni Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

2. At the request and consent of both the parties, S.O. to 13-12-2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.57/2018
(Uttam Dabhade & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : **18.11.2021**

ORAL ORDER :

Heard Shri S.D.Dhongde, learned Advocate for the applicants and Shri M.P.Gude, learned Presenting Officer for the respondents.

2. Learned P.O. has filed affidavit in reply countering short affidavit filed by the applicant.

3. S.O. to 14-12-2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.189/2018
(Dhiraj Salve Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri Rahul Awsarmol, learned Advocate for the applicant, Smt. M.S.Patni, learned Presenting Officer for the respondent nos.1 to 3 and Shri V.B.Wagh learned Advocate for respondent nos.4 to 8.

2. At the request and consent of both the parties, S.O. to 15-12-2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.488/2018
(Dattu Kolpe Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri S.D.Joshi, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents.

2. At the request and consent of both the parties, S.O. to 15-12-2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.638/2018
(Rajkumar Barwal Vs. State of Maharashtra & Ors.)

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

DATE : **18.11.2021**

ORAL ORDER :

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

2. At the request and consent of both the parties, S.O. to 16-12-2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.762/2018
(Sahebrao Deshmukh & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : **18.11.2021**

ORAL ORDER :

Heard Shri S.D.Joshi, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents.

2. At the request and consent of both the parties, S.O. to 16-12-2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.76/2019
(Nilesh Badgujar Vs. State of Maharashtra & Ors.)

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

DATE : **18.11.2021**

ORAL ORDER :

Heard Shri H.V.Patil, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents.

2. At the request and consent of both the parties, S.O. to 09-12-2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.384/2019
(Vinayak Kapse & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : **18.11.2021**

ORAL ORDER :

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

2. At the request and consent of both the parties, S.O. to 03-12-2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.1030/2019
(Dr. Jaya Dighe Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Ku. Anagha Pandit learned Advocate holding for Shri S.B.Talekar, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondent nos.1 to 4, Shri Ashish B. Rajkar learned Advocate for respondent nos.5 to 12 and 14, Shri N.S.Choudhary learned Advocate for respondent no.13 and Shri A.S.Shelke learned Advocate for the respondent no.15.

2. Today, learned Advocate for the applicant has taken circulation of this matter though it was already fixed for final hearing on 01-12-2021.

3. At the request of learned P.O., S.O. to 01-12-2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.28/2020
(Anil P. Salve Vs. State of Maharashtra & Ors.)

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

DATE : **18.11.2021**

ORAL ORDER :

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

2. At the request and consent of both the parties, S.O. to 17-12-2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.79/2020
(Dr. Naser Ahmed Razvi Vs. State of Maharashtra & Ors.)

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

DATE : **18.11.2021**

ORAL ORDER :

Heard Shri M.R.Kulkarni, learned Advocate for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondents.

2. At the request and consent of both the parties, S.O. to 17-12-2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 720 OF 2021
(Ramchandra G. Sawant Vs. State of Maharashtra & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. The present Original Application is filed by the applicant challenging the Corrigendum dated 03.08.2021 (Annexure A-6) to the previous transfer order dated 01.07.2021 (Annexure A-3).

3. By previous transfer order dated 01.07.2021 (Annexure A-3) issued by the respondent No. 3 i.e. the Joint Director, Vocational Education and Training, Regional Office, Aurangabad, the applicant was transferred from the Government Technical School, Jalna to the Government Technical School, Osmanabad on the post of Full Time Teacher (Practical) Scooter Motor Cycle Servicing Bifocal. The applicant joined on the said transferred post at Osmanabad on 03.07.2021 with the respondent No. 4. The respondent No. 4 submitted the joining report vide letter dated 06.07.2021 (Annexure A-5) to the

respondent No. 3. As on today, the applicant is working on the said post at Osmanabad and he is not relieved. However, all of a sudden, by the impugned Corrigendum dated 03.08.2021 (Annexure A-6), the applicant has been transferred from the Government Technical School, Osmanabad to the Government Technical School, Parbhani on the same post.

4. Learned Advocate for the applicant seeks interim stay to the said impugned order of transfer dated 03.08.2021 (Annexure A-6) contending that the said impugned transfer order is not passed in accordance with law, as there is no mention of any provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short "the Transfer Act 2005").

5. Learned Presenting Officer apposed the submissions made on behalf of the applicant. However, he stated that the applicant has not been relieved from his present post.

6. After having perused the impugned order of transfer dated 03.08.2021 (Annexure A-6), which is in

//3// O.A. No. 720/2021

the form of Corrigendum, it appears that there is no mention of any exceptional circumstance or special reason as contemplated under Section 4(4) and 4 (5) of the Transfer Act, 2005 in the impugned order. Prima-facie, it appears that the impugned order is passed in contravention of the provisions of the Transfer Act, 2005. Hence, this is a fit case to grant interim stay to the impugned order of transfer. Accordingly, interim relief of stay to the impugned order of transfer dated 03.08.2021 (Annexure A-6) is hereby granted till filing of the affidavit in reply by the respondents.

7. Issue notice to the respondents, returnable on 23.12.2021.

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

9. 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.

//4// O.A. No. 720/2021

10. 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.

11. 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.

12. S.O. to 23.12.2021.

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

14. The present matter be placed on separate board.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1084 OF 2019
(Ravindra M. Garje Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

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

3. S.O. to 10.12.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 522 OF 2020
(Prakash D. Bharambe Vs. State of Maharashtra & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri Dilip Mutalik, learned Advocate holding for Shri J.B. Choudhay, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

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

3. S.O. to 20.12.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO. 597 OF 2020
(Amol S. Shindore Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri Govind B. Chate, learned Advocate holding for Shri S.R. Andhale, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 23.12.2021 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 83 OF 2021
(Ashok R. Tonde & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri G.K. Kshirsagar, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Record shows that the pleadings up to affidavit in rejoinder are complete. The present matter is pertaining to pay protection. Hence, the O.A. is admitted and it be kept for final hearing on 22.12.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 351 OF 2021
(Kautik Y. Kachole Vs. State of Maharashtra & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

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

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record and copy thereof has been served on the other side.

3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent No. 4.

4. S.O. to 20.12.2021.

MEMBER (J)

**M.A. No. 194/2020 in O.A. St. No. 174/2020
(Ravindra P. Bibekar Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri Avinash Khande, learned Advocate for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri G.N. Patil, learned Advocate for respondent No. 4.

2. At the request of learned Advocate for the applicant, S.O. to 16.12.2021.

MEMBER (J)

M.A. No. 43/2021 in O.A. St. No. 72/2021

(Khan Mohammad Arbaz Mohammad Kazim Khan Vs. State of Maharashtra & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri Shaikh Wajeed Ahmed, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

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

3. S.O. to 17.12.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 415 OF 2019
(Rajendra S. Jagdale Vs. State of Maharashtra & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 14.12.2021 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 513 OF 2019
(Yousufuddin Qamruddin Vs. State of Maharashtra & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri Asif Ali, learned Advocate holding for Smt. A.N. Ansari, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. S.O. to 20.12.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 514 OF 2019
(Samkau V. Magamwad Vs. State of Maharashtra & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

Heard Smt. A.N. Ansari, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 20.12.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.310 OF 2019
(Durgesh M. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

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

2. At the request of learned P.O., time is granted as a last chance for filing affidavit-in-sur-rejoinder on behalf of the respondents.

3. S.O. to 10.12.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.1073 OF 2019
(Abdul Jabbar Abdul Rahim Shaikh & Ors. Vs. State of
Maharashtra & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

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

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

3. S.O. to 21.12.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO.111 OF 2020
(Rajendra S. Buwa Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

2. Affidavit-in-reply filed on behalf of the respondent No.2 is taken on record.

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

4. S.O. to 21.12.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO.350 OF 2020
(Ramraje G. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

2. Affidavit-in-reply is filed on behalf of respondents.

3. Learned Advocate for the applicant submits that the applicant does not wish to file affidavit-in-rejoinder.

4. The matter is pertaining to minor punishment. It is admitted and fixed for final hearing on 13.12.2021.

5. The learned P.O. submits that he will keep the record on the next date.

MEMBER (J)

**ORIGINAL APPLICATION NO.351 OF 2020
(Ramraje G. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 13.12.2021 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO.352 OF 2020
(Ramraje G. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 13.12.2021 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO.433 OF 2020
(Ajay R. Lahot Vs. State of Maharashtra & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

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

2. Record shows that pleadings are complete upto affidavit-in-rejoinder.

3. The matter is pertaining to regularization of suspension period. It is admitted and fixed for final hearing on 17.12.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO.353 OF 2021
(Sunil J. Kamble Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

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

3. S.O. to 20.12.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.354 OF 2021
(Saraswati M. Gudmewad Vs. State of Maharashtra & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

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

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

3. S.O. to 17.12.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.388 OF 2021
(Navnath L. Dhande Vs. State of Maharashtra & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

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

2. Affidavits-in-reply filed on behalf of the respondent Nos.1 to 3 jointly and respondent No.4 separately are taken on record and copies thereof have been served on the other side.

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

4. S.O. to 22.12.2021. Interim relief granted earlier to continue till then.

MEMBER (J)

**ORIGINAL APPLICATION NO.396 OF 2021
(Vilas D. Nikam Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri Joslyn Menezes, learned Advocate holding for Smt. Amruta Paranjape-Menezes, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 16.12.2021 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO.436 OF 2021
(A.V. Mundhe Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

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

3. S.O. to 23.12.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO.508 OF 2021
(Navanath N. Sabale Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

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

3. S.O. to 16.12.2021. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO.521 OF 2021
(Vijay S. Ghodake Vs. State of Maharashtra & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri O.D. Mane, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of respondent Nos.1 & 2 is taken on record and copy thereof has been served on the other side.

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

4. S.O. to 23.12.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO.522 OF 2021
(R.D. Raut Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri O.D. Mane, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of respondent Nos.1 & 2 is taken on record and copy thereof has been served on the other side.

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

4. S.O. to 23.12.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO.536 OF 2021
(D.S. Andhale Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

None present on behalf of the applicant.

Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

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

3. S.O. to 24.12.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO.543 OF 2021
(Sanjay G. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent Nos.1 & 2. None present on behalf of the respondent No.3, though duly served.

2. Affidavit-in-reply filed on behalf of respondent No.2 is taken on record and copy thereof has been served on the other side.

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

4. S.O. to 10.12.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.148 OF 2020
(Gorakhnath J. Bhalerao Vs. State of Maharashtra & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

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

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

3. At the request of learned Advocate for the applicant, S.O. to 07.12.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.617 OF 2021
(Kiran P. Chaudhari Vs. State of Maharashtra & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos.1 to 3.

2. Smt. Smita Nagarkar, learned Advocate holding for Shri Kiran M. Nagarkar, learned Advocate files VAKALATNAMA on behalf of respondent No.4. It is taken on record.

3. Affidavit-in-reply filed on behalf of respondent Nos.1 & 2 is taken on record and copy thereof has been served on the other side.

4. Learned Advocate for the applicant submits that by order dated 08.10.2021, the respondent Nos.1 to 3 were directed to decide the representation dated 10.08.2021 made by the applicant.

5. Learned P.O. to seek instruction and place on record compliance report by the next date.

//2//

O.A.617/2021

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

7. Learned Advocate for the applicant also seeks time for filing affidavit-in-rejoinder, if any, to the affidavit-in-reply filed by the respondent Nos.1 & 2. Time is granted.

8. S.O. to 09.12.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.297 OF 2019
(Balaji M. Shinde & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicants, Shri M.P. Gude, learned Presenting Officer for the respondent No.1 and Shri S.B. Mene, learned Advocate for the respondent Nos. 2 & 3.

2. At the request of learned P.O., S.O. to 09.12.2021 for compliance of order dated 24.09.2021.

MEMBER (J)

**M.A.NO.407 OF 2019 IN O.A.ST.NO.1458 OF 2019
(Savita U. Gaikwad @ Sangita S. Wagh Vs. State of
Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

None present on behalf of the applicant.

Heard Smt. Sanjivani K. Deshmukh-Ghate,
learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of the respondent
Nos.1 to 3 is taken on record.

3. At the request of learned P.O., time is granted for
filing affidavit-in-reply on behalf of the respondent
No.4.

4. S.O. to 23.12.2021.

MEMBER (J)

**M.A.NO.591 OF 2019 IN M.A.NO.308 OF 2018 IN
O.A.ST.NO.1257 OF 2018
(Baburao D. Pattewale Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

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

3. S.O. to 15.12.2021.

MEMBER (J)

**M.A.NO.609 OF 2019 IN O.A.ST.NO.2372 OF 2019
(Smt. Radhabai K. Kedare Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

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

3. S.O. to 17.12.2021.

MEMBER (J)

**M.A.NO.218 OF 2020 IN O.A.ST.NO.456 OF 2020
(Ashok B. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

2. Affidavit-in-reply filed on behalf of the respondent Nos.1 to 3 is taken on record and copy thereof has been served on the other side.

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

4. S.O. to 17.12.2021.

MEMBER (J)

**M.A.NO.313 OF 2021 IN O.A.NO.900 OF 2019
(A.R. Bhingardive Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that the amendment application is having some short come and, therefore, he seeks permission to withdraw the present Misc. Application with liberty to file fresh application on same cause of action.

3. In view of above, permission to withdraw the present Misc. Application is granted with liberty to file fresh application on same cause of action.

4. Accordingly, the Misc. Application No.313/2021 stands disposed of as withdrawn with liberty as prayed for by the applicant. No order as to costs.

MEMBER (J)

**M.A.NO.354 OF 2021 IN M.A.NO.355 OF 2021 IN
O.A.ST.NO.1528 OF 2021
(Gopalrao V. Thmpe & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. By this Misc. Application, the applicants are seeking permission to sue the respondents jointly.

3. All the applicants were appointed as Van Majoor on daily-wages in the years, 1990, 1991 & 1993. They all have completed 240 days in each calendar year or completed continuous five years service.

4. In view of same, they are entitled for regularization of their services as Van Majoor as per G.R. dated 31.1.1996 (Annex. 'A-5').

5. In the circumstances as above, it is contended that all the applicants are having common cause of action and having same type of grievance against the respondents.

//2//

6. In the circumstances, in order to avoid the multiplicity of litigation, it would be just and proper to grant permission to the applicant to sue the respondents jointly, subject to payment of court fee stamps, if not paid.

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

MEMBER (J)

**M.A.NO.355 OF 2021 IN O.A.ST.NO.1528 OF 2021
(Gopalrao V. Thmpe & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Issue notice to the respondents in M.A.No.355/2021, returnable on 23.12.2021.

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.

//2//

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 23.12.2021.

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

9. The present matter is placed on separate board.

MEMBER (J)

]

**M.A.NO.356 OF 2021 IN M.A.NO.357 OF 2021 IN
O.A.ST.NO.1531 OF 2021**

**(Smt. Shantabai B. Thombre & Anr. Vs. State of Maharashtra
& Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

2. By this Misc. Application, the applicants are seeking permission to sue the respondents jointly.

3. All the applicants were appointed as Van Majoor on daily-wages in the years, 1990 and 1991. They all have completed 240 days in each calendar year or completed continuous five years service.

4. In view of same, they are entitled for regularization of their services as Van Majoor as per G.R. dated 31.1.1996 (Annex. 'A-4').

5. In the circumstances as above, it is contended that all the applicants are having common cause of action and having same type of grievance against the respondents.

//2//

6. In the circumstances, in order to avoid the multiplicity of litigation, it would be just and proper to grant permission to the applicant to sue the respondents jointly, subject to payment of court fee stamps, if not paid.

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

MEMBER (J)

**M.A.NO.357 OF 2021 IN O.A.ST.NO.1531 OF 2021
(Smt. Shantabai B. Thombre & Anr. Vs. State of Maharashtra
& Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

2. Issue notice to the respondents in M.A.No.357/2021, returnable on 23.12.2021.

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.

//2//

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 23.12.2021.

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

9. The present matter is placed on separate board.

MEMBER (J)

**M.A.ST.NO.1483/2021 IN O.A.ST.NO.1484/2021
(Ramdas L. Patil & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Dr. K.P. Bharaswadkar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. By this Misc. Application, the applicants are seeking permission to sue the respondents jointly.

3. All the applicants have retired on 30th June in different years. All of them are aggrieved due to reason that they have been deprived of increment payable on 1st July by the respondents. They are seeking the said relief in the Original Application.

4. In the circumstances as above, the interest of all the applicant are common and common question of law is involved. In view of same, to avoid the multiplicity of litigation, it would be just and proper to grant permission to the applicant to sue the respondents jointly, subject to payment of court fee stamps, if not paid.

//2//

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

MEMBER (J)

**ORIGINAL APPLIATION ST.NO.1484 OF 2021
(Ramdas L. Patil & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Dr. K.P. Bharaswadkar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that in the limitation clause is it only mentioned that the Original Application is filed within the period of limitation as prescribed under Section 21 of the Administrative Tribunals Act, 1985.

3. It is apparent on record that nothing is said in the said limitation clause as to how the Original Application is filed within the period of limitation.

4. Learned Advocate for the applicant seeks liberty to amend the Original Application raising the pleadings that there is recurring cause of action.

5. In view of above, S.O. to 14.12.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1101 OF 2019
(Maruti I. Govindwar Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri Sujeet D. Joshi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The present case be treated as part heard. S.O. to 7.12.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO. 347 OF 2020
(Jitendra B. Raipure Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

Heard Smt. Asha N. Gore, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. S.O. to 20.12.2021.

MEMBER (J)

ORAL ORDERS 18.11.2021 - HDD

**ORIGINAL APPLICATION NO. 151 OF 2021
(Dattatraya A. Ubale Vs. State of Maharashtra & Ors.)**

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

DATE : 18.11.2021

ORAL ORDER :

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

2. S.O. to 9.12.2021.

MEMBER (J)

ORAL ORDERS 18.11.2021 – HDD

ORIGINAL APPLICATION NO. 286 OF 2021
(Sayyed Ubed Sayyed asif & Ors. Vs. State of Maha. & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

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

2. S.O. to 10.12.2021.

MEMBER (J)

ORAL ORDERS 18.11.2021 - HDD

ORIGINAL APPLICATION NO. 252 OF 2020
(Harikishan D. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent No. 4 and Shri Shamsundar B. Patil, learned Advocate for respondent Nos. 1 to 3.

2. During the course of the arguments, it transpires that as per the contentions of the applicant though by order dated 12.8.1991 he was reverted from the post of Junior Clerk to the post of Peon, in fact, he was relieved from the post of Junior Clerk on or about 8.2.1994 and since then only he was working as Peon till his retirement. The said contention of the applicant in O.A. is not specifically denied by the respondents in their affidavit in reply. In fact, the recovery order of the excess payment is of that period only. In view of the same, in my considered opinion, the respondents have to produce the original record in respect of the applicant. Therefore, the respondents are directed to produce the original record on the next date.

:: - 2 - :: O.A. NO. 252/2020

3. The present case be treated as part heard.
4. S.O. to 16.12.2021.

MEMBER (J)

ORAL ORDERS 18.11.2021 – HDD

CHAMBER APPEAL NO. 03 OF 2021
(Shri Pradeep P. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 18.11.2021

ORAL ORDER :

Heard Shri Hanumant P. Jadhav, learned Advocate for the applicant.

2. Vide order dated 25.02.2020 the Registrar of this Tribunal was pleased to refuse the registration under Rule 5 (4) of Maharashtra Administrative Tribunal (Procedural) Rules, 1988. On 15.1.2020 the office has raised the following office objection:-

1) M.A. for restoration is not filed within 30 days as per rule 16 (2) of Maharashtra Administrative Tribunal (Procedure) Rules, 1988.

3. Vide office note dated 17.02.2020 Registrar of this Tribunal at Aurangabad Bench noted that nobody appeared for the applicant and office objection is not removed.

4. The applicant has made prayer for condonation of delay of about 1 year, 8 months & 4 days caused in filing Chamber Appeal No. 3/2021.

5. The learned Advocate for the applicant appeared today and undertakes to remove the office objections within reasonable period.

6. Technically, the Registrar was right in refusing the registration since nobody appeared for the applicant in view of the objections in spite of repeated chances. The fact that the O.A. is filed for compassionate appointment and in order to give an opportunity to the applicant to prove his claim on merits, it will be in the interest of justice to allow the appeal by condoning delay of about 1 year, 8 months & 4 days caused in filing this Chamber Appeal as the applicant shall not suffer for the negligence of his Advocate. Hence, the following order:-

ORDER

(i) Delay caused in filing Chamber Appeal stands condoned. Consequently, the Chamber Appeal No. 03/2021 is allowed as the applicant undertakes to remove the office objections within a reasonable period.

(ii) Registrar of this Tribunal Bench at Aurangabad is directed to register the M.A. St. No. 98/2020 in M.A. No. 332/2018 after removing the office objections by the learned Advocate for the applicant and place the same before the appropriate bench for hearing.

MEMBER (J)

Date : 18.11.2021

ORIGINAL APPLICATION NO. 710 OF 2021

(Smt. Shivshakti M. Kendre V/s State of Maha. & Ors.)

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

1. Shri Pankaj A. Bharat, learned Advocate holding for Shri U.L. Momale, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents, are present.

2. Circulation is granted. Issue notices to the respondents, returnable on 13.12.2021. The case be listed for admission hearing on **13.12.2021**.

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

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

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

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

REGISTRAR

Date : 18.11.2021

ORIGINAL APPLICATION NO. 702 OF 2021

(Vivekanand P. Dhongade V/s State of Maha. & Ors.)

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

1. Shri Avinash S. Khedkar, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for respondents, are present.

2. Circulation is granted. Issue notices to the respondents, returnable on 14.12.2021. The case be listed for admission hearing on **14.12.2021**.

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

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

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

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

REGISTRAR