

ORIGINAL APPLICATION NO. 114 OF 2024
(Gangasagar B. Kokate Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri M.V. Thorat, learned counsel for the applicant, is **absent**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities and Shri D.Y. Nandedkar, learned counsel for respondent No.4, are present.

2. In view of absence of learned counsel for the applicant, S.O. to 21.06.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 137 OF 2024
(Ravindra S. Gaikwad Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the minutes of the meeting of Police Establishment Board are not placed on record.

3. Learned Presenting Officer is directed to make available the record including the minutes of the meeting of Police Establishment Board.

4. S.O. to 23.04.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 297 OF 2023
(Prashant B. Kahhawa Vs. State of Maharashtra & Ors.)

WITH

O.A.No. 44 OF 2023 With Caveat No. 03 of 2023
(Prashant B. Kahhawa Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Heard Shri K.G. Salunke learned counsel for the applicants in both the O.As. and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities in in both the O.As., are present. Shri R.R. Imale, learned counsel for respondent No.4 in O.A. 297/2023, is **absent**.

2. Learned C.P.O. submits that in compliance with the order dated 01.04.2024, the noting in sealed envelope is received. Learned C.P.O. has opened the sealed envelope before the Tribunal. Learned C.P.O. thus seeks time to go through the same. Time granted.

3. Learned counsel for the applicant is permitted to go through the noting and make appropriate submissions on the next date.

4. S.O. to 26.04.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 82 OF 2020
(Sharad M. Panchange Vs. State of Maharashtra & Ors.)**

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

DATE : 18.04.2024

ORAL ORDER :

Heard Shri A.D. Gadekar, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. Part heard.
3. S.O. to 26.04.2024 for further hearing.

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 : 18.04.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 21.06.2024 for final hearing.

MEMBER (J)

SAS ORAL ORDER 18.04.2024

ORIGINAL APPLICATION NO. 1050 OF 2023
(Manish Mohan Patil Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions seeks leave to withdraw the present Original Application.

3. Leave granted. The Original Application stands disposed of as withdrawn. No order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 812 OF 2023
(Dr. Ravindra K. Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri S.V. Suryawanshi, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer seeks leave to file affidavit in reply on behalf of respondent Nos. 1 to 5. Leave granted. The affidavit in reply on behalf of respondent Nos. 1 to 5 is taken on record and copy thereof is given to learned counsel for the applicant.

3. Learned counsel for the applicant submits that today itself he has received copy of the affidavit in reply and thus seeks time to file rejoinder affidavit, if any.

4. S.O. to 30.04.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 713 OF 2023
(Dr. Waman N. Bahatre Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri M.R. Kulkarni, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 30.04.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 18.04.2024

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

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

DATE : 18.04.2024

ORAL ORDER :

Shri H.M. Shaikh, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 08.05.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 518 OF 2022
(Ganesh A. Mundhe Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Heard Shri H.M. Shaikh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that the applicant is already reinstated in service and the grievance of the applicant is only to the extent of regularization of suspension period as provided under Rule 72 of the Maharashtra Civil Services (Joining Time, Foreign Service and Payments during Suspension, Dismissal and Removal) Rules, 1981.

3. Last time the learned Presenting Officer was directed to take specific instructions about the same. Learned P.O. seeks time for taking instructions. Time granted.

4. S.O. to 08.05.2024 for hearing as a last chance. In case the instructions are not taken, learned counsel for the applicant shall workout the matter on the next date of hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 501 OF 2022
(Jayvant B. Gaikwad Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present. Shri Vilas Mande, learned counsel for respondent No. 3, is **absent**.

2. None present for respondent No. 3, though learned counsel for the applicant is ready to work out the matter.

3. As none present for respondent No. 3, S.O. to 18.06.2024 for hearing. Interim relief granted earlier to continue till then.

MEMBER (J)

M.A. St. No. 438/2024 in O.A. No. 118/2024
(Balaji N. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri V.M. Maney, learned counsel for the applicant in the present M.A. / intervenor (**absent**).

Shri Avinash Deshmukh, learned counsel for the applicant in O.A. and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. None present for the applicant seeking intervention. This is a transfer matter. The present M.A. seeking intervention be heard along with the O.A.

3. At the request of learned Presenting Officer, S.O. to 03.05.2024. Interim relief, if any, to continue till then.

MEMBER (J)

M.A. No. 346/2023 in O.A. St. No. 359/2023
(Pandurang V. Misal Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Heard Smt. Mayuri Kasturkar, learned counsel holding for Shri S.A. Deshmukh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that by order dated 06.03.2024 this Tribunal has condoned the delay of 11 months caused in filing the accompanying Original Application subject to payment of costs of Rs. 200/- to be paid by the applicant within a period of one month from the date of the order. Learned counsel submits that inadvertently, he has not deposited the said amount.

3. In view of the same and since the delay has been condoned subject to payment of costs of Rs. 200/- to be paid by the applicant within a period of one month, time for depositing the amount of costs before this Tribunal is extended by two weeks.

MEMBER (J)

M.A. 214/2023 in O.A. St. No. 612/2023
(Babasaheb D. Puri Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri M.V. Dhongde, learned counsel for the applicant, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned counsel for respondent Nos. 2 to 5, are present.

2. Learned counsel for the applicant seeks time place on record the synopsis of events of delay caused in filing the accompanying O.A. Time granted.

3. S.O. to 10.05.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 18.04.2024

M.A. No. 167/2022 in O.A. St. No. 553/2022
(Agatrao N. Kolekar Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri R.V. Haiknavare/H.P. Jadhav, learned counsel for the applicant (**Absent**). Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 01.07.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 18.04.2024

ORIGINAL APPLICATION NO. 751 OF 2023
(Sakharam M. Ghodke Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Heard Shri V.P. Savant, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer submits that the complete original record is now received. Learned Presenting Officer submits that in terms of the order dated 05.04.2024, representative of respondent No. 4 Shri Sachin Madhavrao Zinzurde, Senior Prison Officer Class-1, Dhule District Prison Class-1, Dhule is present before this Tribunal. He need not be present before this Tribunal on the next date of hearing.

3. Learned counsel for the applicant is directed to go through the original record and make appropriate submissions on the next date of hearing.

4. Learned P.O. is requested to keep original record with him.

5. It is a part heard matter. S.O. to 24.04.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 717 OF 2023
(Rajendra D. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits that in compliance with the order dated 05.03.2024, he has communicated to the concerned department and also called upon the officer of the department for instructions, however, the same is awaited. Learned P.O. thus seeks time. Time granted.

3. It is a part heard matter. At the request of learned P.O., S.O. to 06.05.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 478 OF 2022
(Deepak A. Mudiraj Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri Shaikh Wajeed Ahmed, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. It is a part heard matter. At the request of learned Presenting Officer, S.O. to 26.04.2024 for compliance of the orders dated 21.02.2024 and 28.03.2024.

MEMBER (J)

KPB ORAL ORDER 18.04.2024

ORIGINAL APPLICATION ST. NO. 754 OF 2024
(Kamalkishor S. Jaiswal Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri C.V. Bodkhe, learned counsel holding for Shri R.V. Gore, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 02.05.2024.

MEMBER (J)

KPB ORAL ORDER 18.04.2024

ORIGINAL APPLICATION NO. 449 OF 2024
(Uttamrao S. Joshi Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri R.A. Joshi, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicant has deposited the amount of costs belatedly and therefore, returnable date came to be expired.

3. In view of above, returnable date is extended by six weeks.

4 S.O. to 19.06.2024.

MEMBER (J)

**M.A. St. No. 1850/2023 in O.A. St. No. 1851/2023
(Kishan S. Ghuge & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 18.04.2024

ORAL ORDER :

Shri R.R. Chandanse, learned counsel holding for Shri V.U. Rathod, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 02.05.2024.

MEMBER (J)

KPB ORAL ORDER 18.04.2024

M.A. St. No. 1852/2023 in O.A. St. No. 1853/2023
(Bismilla Khan Murtuja Khan Pathan & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri R.R. Chandanse, learned counsel holding for Shri V.U. Rathod, learned counsel for the applicants and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 02.05.2024.

MEMBER (J)

KPB ORAL ORDER 18.04.2024

**M.A. St. No. 307/2024 in O.A. St. No. 308/2024
(Mukund K. Waikar & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 18.04.2024

ORAL ORDER :

Shri R.R. Chandanse, learned counsel holding for Shri V.U. Rathod, learned counsel for the applicants and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 02.05.2024.

MEMBER (J)

KPB ORAL ORDER 18.04.2024

O.A. Nos. 990, 991, 995 & 993 all of 2023
(Rakesh M. Shirsath & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicants in all these O.As. and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. Learned counsel for the applicants submits rejoinder affidavit in all these O.As. Same is taken on record and copy thereof is given to learned Presenting Officer.

3. Pleadings completed. List the matters for admission hearing on 07.05.2024. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 234 OF 2024
(Somnath B. Birkhade Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri A.P. Avhad, learned counsel for the applicant (**Absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits separate affidavits in reply on behalf of respondent Nos. 2 & 3 to 5 respectively. Same are taken on record along with the spare copies for the applicant. Learned P.O. submits that the respondent No. 1 may adopt the affidavit in reply filed on behalf of respondent Nos. 2 to 5.

3. List the matter for filing rejoinder affidavit, if any and for admission hearing on 19.06.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 310 OF 2024
(Rajesh D. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri Kiran Salunke, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel Shri Shambhuraje Deshmukh, submits that he has instructions to appear for respondent No. 3 and thus seeks time to file affidavit in reply. Time granted.

3. S.O. to 09.05.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 309 OF 2024
(Sanjay C. Gaikwad Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel Smt. Archana Therokar, submits that she has instructions to appear for respondent No. 3 and thus seeks time to file affidavit in reply. Time granted.

3. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 1. Same is taken on record and copy thereof is given to other side. Learned P.O. submits that the respondent No. 2 is adopting the affidavit in reply filed on behalf of respondent No. 1.

4. S.O. to 19.06.2024 for filing affidavit in reply on behalf of respondent No. 3.

MEMBER (J)

ORIGINAL APPLICATION NO. 604 OF 2023
(Bhagwan S. Avhad Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 605 OF 2023
(Bhausahab N. Falke Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 606 OF 2023
(Sudhir B. Markad Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri A.D. Sugdare, learned counsel for the applicants in all these O.As. and Shri D.M. Hange, learned Presenting Officers for the respondent authorities in all these O.As., are present

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 4 in all these O.As. Same is taken on record and copy thereof is given to learned counsel for the applicants.

3. List the matters for filing rejoinder affidavit, if any and for admission hearing on 21.06.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 713 OF 2022
(Gorakh D. Pathade Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Ms. Preeti Wankhade, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits rejoinder affidavit. Same is taken on record and copy thereof is given to learned Presenting Officer today itself.

3. Pleadings completed. List the matter for admission hearing on 21.06.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 100 OF 2024
(Padmakar G. Pathak Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri M.R. Deshmukh, learned counsel for the applicant (**Absent**). Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 3. Same is taken on record along with spare copy for the applicant.

3. S.O. to 09.05.2024 for filing affidavit in reply on behalf of respondent Nos. 1 & 2.

MEMBER (J)

ORIGINAL APPLICATION NO. 101 OF 2024
(Satish V. Zade Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri M.R. Deshmukh, learned counsel for the applicant (**Absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 3. Same is taken on record along with spare copy for the applicant.

3. S.O. to 09.05.2024 for filing affidavit in reply on behalf of respondent Nos. 1 & 2.

MEMBER (J)

ORIGINAL APPLICATION NO. 887 OF 2023
(Babasaheb B. Karjatkar Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

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 learned counsel for the applicant.

3. List the matter for filing rejoinder affidavit, if any and for admission hearing on 21.06.2024.

MEMBER (J)

KPB ORAL ORDER 18.04.2024

ORIGINAL APPLICATION NO. 461 OF 2023
(Pravin Y. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri V.P. Savant, learned counsel holding for Shri Dhananjay Mane, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 09.05.2024. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 522 OF 2023
(Mahesh E. Vispute Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri V.P. Savant, learned counsel holding for Shri Dhananjay Mane, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 09.05.2024. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDER 18.04.2024

ORIGINAL APPLICATION NO. 460 OF 2023
(Manisha T. Gite Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri V.P. Savant, learned counsel holding for Shri Dhananjay Mane, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer appears for respondent No. 1 and seeks short time for filing affidavit in reply on behalf of all the respondents. Time granted.

3. S.O. to 09.05.2024. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 465 OF 2023
(Kuldip P. Ambhore Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Even though the last chance is granted, no affidavit in reply has been filed.

3. List the matter for admission hearing on 07.05.2024 with liberty to the other side to file affidavit in reply, if any till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 847 OF 2022
(Keshav G. Lohar Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri A.D. Gadekar, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Even though the last chance is granted, no affidavit in reply has been filed.

3. List the matter for admission hearing on 19.06.2024 with liberty to the other side to file affidavit in reply, if any till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 305 OF 2024
(Ankita S. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Smt. Manisha Dalave, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel Shri G.R. Jadhav, submits that he has instructions to appear for respondent No. 3 and thus seeks time to file affidavit in reply. Time granted.

3. S.O. to 20.06.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 786 OF 2022
(Bapusaheb Bhikaji Warale vs. the State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Heard Shri Ajay S. Deshpande, learned counsel for applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Arguments are partly heard. List the matter on 29.04.2024 for further consideration.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 704 OF 2023
(Ramdas H. Lohakare vs. the State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned counsel for applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 14.06.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 18.04.2024-hdd

ORIGINAL APPLICATION NO. 828 OF 2022
(Shailendra Gangadhar Sasane vs. the State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 03.05.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 18.04.2024-hdd

ORIGINAL APPLICATION NO. 12 OF 2018
(Khandu Trimbak Chavan vs. the State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Heard Shri M.P. Tripathi, learned counsel for applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Arguments of both the parties are heard at length.
Reserved for orders.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 562/2021
(Alka B. Naigaonkar vs. the State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri S.D. Joshi, learned counsel for applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks leave to file on record copy of order of appointment issued in favour of the applicant. Leave granted. Learned Chief Presenting Officer submits that he will go through the papers in the matter and will make his submissions on the next date.

3. S.O. to 22.4.2024.

MEMBER (A)

VICE CHAIRMAN

C.P. NO. 03/2024 IN O.A. NO. 950/2019
(Jayshree T. Thakur vs. the State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

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

2. On request of learned counsel for the applicant, re-issue notice to respondent no. 02, returnable on 20.06.2024.

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. S.O. to 20.06.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 850/2019
(Shrikant K. Madilwar vs. the State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri K.N. Farooqui, learned counsel for applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Today the learned counsel for the applicant has placed on record the final order passed in the Departmental Enquiry. It is taken on record. Learned counsel seeks time to work out the matter. Granted.

3. S.O. to 12.06.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 973/2023
(Kiran S. Giri vs. the State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri A.V. Thombre, learned counsel for applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer has tendered affidavit in reply on behalf of respondent nos. 01 to 05. Same is taken on record. Learned P.O. undertook to supply copy of reply to other side.

3. S.O. to 13.06.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 71/2024

(Dr. Dadasaheb W. Salunke vs. the State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 48/2024

(Dr. Dadasaheb W. Salunke vs. the State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 61/2024

(Dr. Dadasaheb W. Salunke vs. the State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE : 18.04.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for applicant in O.A. No. 71/2024 (**present**), Shri J.S. Deshmukh, learned counsel for the applicants in O.A. Nos. 48/2024 & 61/2024 (**absent**) and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in all the matters, are present.

2. S.O. to 30.04.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 98/2023
(Pandit N. Jadhav vs. the State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Shri Omkar Joshi, learned counsel holding for Shri J.J. Patil, learned counsel for applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 13.06.2024 for haring.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDER 18.04.2024

ORIGINAL APPLICATION NO. 448/2024
(Kiran B. Patil vs. the State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Heard Shri I.K. Wagh, learned counsel holding for Shri N.V. Dhake, learned counsel for applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Issue notice to respondents, returnable on 13.06.2024.

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. S.O. to 13.06.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO. 963/2024
(Sailata K. Samleti vs. the State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Heard Shri Sachin Deshmukh, learned counsel holding for Shri Harish Bali, learned counsel for applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Subject to office objections, issue notice to respondents, returnable on 09.05.2024.

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. S.O. to 09.05.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 425/2024
(Urmila B. Chothe vs. the State of Maharashtra & Ors.)

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

DATE : 18.04.2024

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. The applicant had applied for the post of Craft Instructor in Fashion Design and Technology, however, she has been held non-eligible for to be considered for appointment on the said post on the ground that she is not having non-creamy layer certificate for the year 2022-23. Learned counsel for the applicant submitted that the applicant is at sr. no. 01 in the merit list. Learned counsel has further tendered Government Resolution dated 04.05.2023, whereby the Government has resolved to dispense with the non-creamy layer certificate for to be eligible in securing the appointment on the Open Female post. Learned counsel submits that the respondents may issue the appointment orders in favour of other candidate and if so happens, the claim of the applicant will be prejudicially affected.

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O.A. NO. 425/2024

3. Learned Chief Presenting Officer has invited our attention to the Non-creamy layer certificate filed on record by the applicant and pointed out that it is obtained on 15.03.2024.

4. After having considered the submissions and after having gone through the G.R. dated. 04.05.2023, we find that prima-facie case is certainly made out by the applicant. Hence, we deem it appropriate to pass the following order:-

ORDER

(i) Issue notice to respondents, returnable on 13.06.2024. **Till then the respondents shall not issue order of appointment against the Open Female seat in Nashik Region.**

(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.

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O.A. NO. 425/2024

(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 13.06.2024.

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

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDER 18.04.2024

M.A.NO.563/2023 IN O.A.NO.526/2023
(Angad R. Shinde Vs. State of Maharashtra & Ors.)

**O.A.NOS.1037, 1038, 1055 TO 1067, 1072 TO 1075 ALL
OF 2023**
(Sanjay S. Patil & Ors. Vs. State of Maharashtra & Ors.)

O.A.NO.757/2023
(Yashwant Katkar & Anr. Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 18.04.2024

ORAL ORDER :

Shri R.P.Bhumkar, learned Counsel for the applicant in M.A. M.A.NO.563/2023 (**absent**). Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities and Shri U.L.Momale, learned Counsel for applicant in O.A.526/23, are present.

Shri U.L.Momale, learned Counsel for the applicants in O.A.No.1037, 1038, 1055 TO 1067, 1072 TO 1075 ALL OF 2023 & Ors. & 757/2023 and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned CPO submits that para-wise remarks have already been received. He will go through the same and will file affidavit in reply in the matters within a week.

3. S.O. to 30-04-2024. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

