

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

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

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

Date: -19/12/2023

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	TA05/22 W6437/22	O'bad	Adv S B Bhosale (Babita V Pawar) <u>Adv Amol S Gandhi For R-6</u>	Appointment on Compassionate Ground	06.02.2024	
2	OA229/22	P'rbn	Adv R L Jakhade/ Adv S A Kulkarni (Suresh K Bharati)	Posting	<u>13.02.2024</u>	
3	OA688/22	Nanded	Adv Amruta Paranjape Menezes (Ashok K Ghuge)	Recovery	06.02.2024	
4	OA572/22	A'bad	Party in Person (Naseeb Khan Maheboob Khan Singal)	Joining/ Charge		
5	OA913/22	A'nagar	Adv V B Wagh (Varsha V Gaikwad) <u>Adv D T Devane For R-3 & R-4</u>	Absorption	09.02.2024	
6	OA1043/22	A'bad	Adv R N Bharaswadkar <u>Adv R N Bharaswadkar has Filed leave not From 15.12.2023 to 20.12.2023</u> (Smt. Bhagubai J Gangawane)	Refund of Recovered Amount	06.02.2024	
7	OA86/23	Nanded	Adv D K Rajput (Shyam M Yesmod)	Suspension/ Re-instatement	12.02.2024	
8	OA97/23	Latur	Adv Vivek G Pingle (Kailash V Udate)	Benefits of T.B.P	12.02.2024	
9	OA122/23	Dhule	Adv J S Deshmukh (Dr. Teli Shaikh Emaram Shaikh Ismail)	Recovery	06.02.2024	
10	OA276/23	Beed	Adv V B Wagh (Dr. Shivaji G Mundhe) <u>Adv Umesh S Mote For R-4</u>	Refixation of Pay/ Time Bound Promotin/ Pension	23.01.2024	

11	OA327/23	Nanded	Adv P P Uttarwar (Dr. Hanmant V Bainwad)	Payment of Bills	16.02.2024	
12	OA543/23	A'bad	Adv Dhananjay Mane (Shaikh Abdul Rizwan Mannan)	Transfer	31.01.2024	
13	OA544/23	A'nagar	Adv S S Jadhavar (Umesh D Palve)	Transfer	24.01.2024	
14	OA591/23	A'nagar	Adv P B Umrani (Sanjay P Shinde)	Tansfer	17.01.2024	
15	OA694/23	Jalgaon	Adv C V Dharurkar (Rosemerry M Walvi)	Pension/ Provisional Pension	06.02.2024	
16	OA773/23	Latur	Adv Kiran G Salunke (Prasad K Kamble)	Compassionate Appointment	29.01.2024	
17	OA810/23	Nanded	Adv Uttam Telgaonkar/ Adv Nitin Telgaonkar (Ramkishan G Jakulwar)	Pensionery Benefits	15.02.2024	
18	OA834/23	P'rbn	Adv S S Thombre (Dr. Balasaheb S Nagargoje)	Suspension	12.01.2024	
19	OA882/23	Latur	Adv A N Ansari (Dr. Hiralal G Nimbalkar) Adv P R Tandle For R-3 & R-4	Counting Service	31.01.2024	
20	OA983/23	Jalna	Adv Anant Devkate Adv K B Jadhav (Anil L Uphad)	Suspension	03.01.2024	
21	OA1036/23	Beed	Adv O D Mane/ Adv A O Mane (Vishwas R Patil)	Transfer	09.01.2024	
Order Matters						
22	MA373/19 In OA980/18	A'bad	Adv A S Deshpande (Narayan K Vyas)	M.A. For Amendment	20.02.2024	
23	MA368/23 In OAS1513/23	A'nagar	Adv A G. Ambetkar (Shankar N. Narawale)	M.A For Condonation of Delay	18.01.2024	
24	MA470/23 In OAS1971/23	Nanded	Adv R N Bharaswadkar Adv R N Bharaswadkar has Filed Leave not From 15/12/2023 to 20/12/2023 (Amogh S. Moharil)	M.A For Condonation of Delay	06.02.2024	

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

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

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

Date:- 19/12/2023

Sr. No	Case No.	Distri ct	Advocate's & Applicant's Name	Subject	Remarks	NEXT DATE
Order Matters						
1	MA93/17 In OA801/22	A'bad	Adv.H.A. Joshi (Manjushree B Deshpande)	M.A. For Amendment	For Hearing	31.01. 24
2	MA601/19 In OAST2211/1 9	A'bad	Adv.A.S. Khedkar (Maharashtra Rajya Rekhachitra Shakha Karmachari Sanghatna through its President Zaki Ahmed Jafri)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1	23.02. 24
3	MA55/22 In OA604/21	Nanded	Adv.G.N. Kulkarni (Sarang K Gorge)	M.A. For Condonation of Delay	For Hearing	26.02. 24
4	MA308/23 In OA190/22	A'bad	Adv.A.S. Deshapnde (Anuradha D Gunde & Ors. Died Through LRs.Devendra S Gunday)	M.A. For Bringing Legal Heirs on record		02.01. 24
5	MA561/23 In OA707/19	A'bad	Adv S K Mathpati (Rama M Shinde (Died) Through its leagal Heirs Vimal Rama Shinde	M.A For Bringing Legal Heirs on record		02.01. 24
Due Admission Matters						
6	CP20/21 In OA200/16	O'bad	Adv.R.P. Bhumkar (Shaikh Rahim Shaikh Chand)	Contempt Petition	For Hearing Reply Filed by R-2 & R-5	12.01. 24

7	OA797/16	A'nagar	Adv.Party in Person (Gaurav A Chavan)	Appointment	For Hearing Reply Filed by R-2 & R-5	18.01. 24
8	OA650/18	Hingoli	Adv.S.D. Dhongde (Shivaji R Phalegaonkar)	Promotion/ Seniority	For Hearing Reply Filed by R-3	13.02. 24
9	OA78/19	Latur	Adv.S.B. Solanke (Dr.Mamata R Chincholikar)	Challenging G.R.	For Hearing Reply Filed by R-1 to R-3	21.02. 24
10	OA768/19	Nanded	Adv.Avinash S Deshmukh (Balasaheb T Deshmukh)	Departmental Enquiry	For Hearing Reply Filed by R-1 & R-2	16.01. 24
11	OA246/19	Latur	Adv.S.B. Solanke (Shriniwas S Kulkarni & Ors.)	Appointment	For Hearing Reply Filed by R-1 to R-4	21.02. 24
12	OA274/19	Dhule	Adv.M.R. Wagh (Prashant S Sapkale)	Discharge from Service	For Admission Reply Filed by R-1 & R-2	01.03. 24
13	OA850/19	Hingoli	Adv.D.G. Kamble/ Adv.K.N. Farooqui (Shrikant K Madilwar)	Departmental Enquiry/ Promotion/ Suspension Allowance	For Hearing Reply Filed by R-2 to R-4	05.02. 24
14	OA944/19	O'bad	Adv.Shamsunder B Patil (Dr. Anita A Kadam)	Voluntary Retirement/ Exdraordinary Leave	For Hearing Reply Filed by R-1 to R-4	05.02. 24
15	OA1021/19	A'bad	Adv.C.V. Dharurkar (Dr. Prashant D Warkari)	Deemed Date of Appointment/ Seniority	For Hearing	27.02. 24
16	OA146/20	Jalna	Adv.Avinash S Deshmukh (Ankush H Manbhare) <u>Adv.S.A. Deshmukh for R.No.4</u>	Appointment	For Hearing Reply Filed by R-1, R-3 & R-4	19.01. 24

17	OA157/20	Dhule	Adv.Avinash S Deshmukh (Rohidas T Shinde)	Departmental Enquiry/ Pensionary Benefits	For Hearing Reply Filed by R-1 to R-3	22.01. 24
18	OA504/20	O'bad	Adv.Shamsunder B Patil (Dr. Anita A Kadam)	Break In Service	For Hearing Reply Filed by R-1 to R-4	05.02. 24
19	OA564/20	J'gaon	Adv.Suchita A Dhongde (Shantaram P Patil & Ors.) <u>Adv.Sunita D Shelke for R.No.3</u>	Challenging G.R.	For Admission	31.01. 24
20	OA582/20	J'gaon	Adv.D.B. Shinde (Muktar F Tadvi)	Promotion	For Admission Reply Filed by R-1, R-3 & R-4	15.02. 24
21	OA24/21	Beed	Adv.S.B. Patil (Dr.Vaishali S Garjewar)	Challengin Conditions of G.R.	For Hearing Reply Filed by R-1 to R-6	05.02. 24
22	OA29/21	Beed	Adv.Santosh S Dambe (Vijay N Khawane)	Appointment/ Transfer	For Hearing Reply Filed by R-2 to R-4	
23	OA60/21	J'gaon	Adv.Digamber B Shinde (Ishwar B Baviskar)	Direction/ Promotion	For Hearing Reply Filed by R-1 to R-3	15.02. 24
24	OA61/21	Dhule	Adv.D.B. Shinde (Shantilal H Deore)	Promotion	For Hearing Reply Filed by R-1 to R-4	15.02. 24
25	OA569/21	Beed	Adv.K.B. Jadhav (Jagannath M Jadhav)	Show Cause Notice (Dismissal)	For Hearing Reply Filed by R-1 to R-4	15.02. 24
26	OA600/21	Nanded	Adv.K.B. Jadhav (Subhash G Dhuture)	Promotion	For Hearing Reply Filed by R-1 to R-6	07.02. 24

27	OA608/21	A'nagar	Adv.Avinash S Deshmukh (Pawansing R Bightot)	Termination	For Hearing Reply Filed by R-1 to R-4	11.01. 24
28	OA679/21	Jalna	Adv.K.B. Jadhav (Mahesh G Satkar)	Rmoval From Service	For Hearing Reply Filed by Respondents	12.02. 24
29	OA751/21	Hingoli	Adv. M.R. Jamdhade/ Adv.K.R. Jamdhade (Santosh N Harne)	Seniority/Wa it List	For Hearing Reply Filed by R-2 to R-4	23.02. 24
30	OA374/22	A'bad	Adv.K.B. Jadhav (Vijay D Dehade)	Major Punishment/ Compulsory Retirement	For Hearing Reply Filed by R-1 & R-3	07.02. 24
31	OA386/22	A'bad	Adv.K.B. Jadhav (Lata D Dehade)	Major Punishment/ Compulsory Retirement	For Hearing Reply Filed by R-1 & R-3	07.02. 24
32	OA614/22 with	Beed	Adv.V.P. Golewar/ Adv.A.D. Sugdare (Dr.Deepak N Kawale) <u>Adv.M.B. Kolpe for R.No.3</u>	Recruitment Process/ Interview	<u>For Further Consideratio n</u> For Hearing Reply Filed by R-3	23.01. 24
33	OA666/22 with	A'bad	Adv.A.D. Sugdare (Dr.Archana B Dhavale) <u>Adv.M.B. Kolpe for R.No.3</u>	Appointment	For Hearing Reply Filed by R-1 & R-2	23.01. 24
34	OA693/22 with	Nanded	Adv.A.D. Sugdare (Dr.Aayesha Munwar Mohammed Ayub) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing Reply Filed by R-1 & R-2	23.01. 24
35	OA737/22 with	A'bad	Adv.A.D. Sugdare (Dr.Monali T Bhorge) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing Reply Filed by R-1 & R-2	23.01. 24

36	OA780/22 with	A'bad	Adv.A.D. Sugdare/ Adv.V.P. Golewar (Dr.Kailash P Kagne) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	23.01. 24
37	OA747/22 with	A'bad	Adv.Jayant S Deshmukh (Dr. Sanjyot G Giri) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	For Hearing	23.01. 24
38	OA748/22 with	Latur	Adv.J.S. Deshmukh (Drf.Abhijeet M Yadav) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	For Hearing	23.01. 24
39	OA769/22 with	Nanded	Adv.J.S. Deshmukh (Dr.Omprasad B Damkondwar) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing Reply Filed by R-1 & R-2	23.01. 24
40	OA749/22 with	A'bad	Adv.V.S. Kadam (Dr.Sphoorti P Bende) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	For Hearing	23.01. 24
41	OA750/22 with	A'bad	Adv.V.S. Kadam (Dr.Pragati S Kadam) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	For Hearing	23.01. 24
42	OA751/22 with	A'bad	Adv.V.S. Kadam (Dr.Dipti K Bhagat) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	For Hearing	23.01. 24

43	OA777/22 with	J'gaon	Adv.V.S. Kadam (Dr.Shital S Patil) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	23.01. 24
44	OA778/22 with	Latur	Adv.V.S. Kadam (Dr.Sharada U Sonkhedkar) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	23.01. 24
45	OA787/22 with	Nanded	Adv.V.S. Kadam (Dr.Krishna T Pawar) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview (M.P.S.C.)	For Hearing	23.01. 24
46	OA788/22 with	Beed	Adv.V.S. Kadam (Dr. Vaibhav V Deshmukh) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	23.01. 24
47	OA796/22 with	O'bad	Adv.V.S. Kadam (Dr.Amol A Kapse) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview (M.P.S.C.)	For Hearing	23.01. 24
48	OA803/22 with	A'bad	Adv.A.D. Sugdare (Dr Syeda Muneza Nasusheen Mohammad Ali) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	23.01. 24
49	OA790/22 with	A'bad	Adv.A.S. Deshmukh (Dr.Pravin G Ranvir) <u>Adv.M.B. Kolpe for R.No.2 & R-4</u>	Selection Process	For Hearing Reply Filed by R-1	23.01. 24

50	OA791/22 with	Latur	Adv.Vikrant S Valse (Rajshekhar L Mengule) <u>Adv.M.B. Kolpe for R.No.2 R-3 & 4</u>	Selection Process/ Interview	For Hearing	23.01. 24
51	OA832/222	Jgaon	Adv.S.N. Pagare (Dr. Harshal M Mahajan) <u>Adv.M.B. Kolpe For R.No.3</u>	Interview	For Filing Affidavit in Reply	23.01. 24
52	OA740/22	A'bad	Adv.K.B. Jadhav (Shashikant N Tidke) <u>Adv.C.K. Shinde/ Adv.Tushar Shinde for R.No.4</u>	Promotion	For Hearing Reply Filed by R-1 to R-4	20.02. 24
53	OA771/22	Jalna	Adv.V.S. Kadam (Mulani Manzura Rustum) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Further Consideration Await Service For R-1	23.01. 24
54	OA821/22	Latur	Adv.Jayant S Deshmukh (Dr.Sonali B Totod) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	23.01. 24
55	OA822/22	Beed	Adv.Jayant S Deshmukh (Dr. Jyoti A Dawale) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	23.01. 24
56	OA838/22	Nanded	Adv.A.D. Sugdare (Dr. Shrikant S Shingarwad) <u>Adv.M.B. Kolpe for R.No.2</u>	Interview	For Hearing	23.01. 24
57	OA839/22	A'bad	Adv.A.D. Sugdare (Dr. Gorakh V Suramwad) <u>Adv.M.B. Kolpe for R.No.2</u>	Interview	For Hearing	23.01. 24

58	OA1139/22	A'nagar	Adv.A.S. Khedkar (Vitthal M Kakade & Ors.)	Promotion	For Hearing Short Affidavit of Reply Filed by R-1 & R-2	23.02.24
59	OA11/23	P'bhan i	Adv.V.G. Pingle (Gangadhar K Yelhare) <u>Adv R K Asthekar For R-6 to R-8</u> <u>Adv A N Nagargoje For R-5</u>	Final Seniority List/ Promotion	For Hearing Reply Filed By R-2 R-3 & R-5	07.02.24
60	OA142/23	Beed	Adv.A.N. Nagargoje (Deelipkumar B Khedkar)	Reversion	For Hearing Reply Filed by R-1 to R-3	26.02.24
61	OA689/23	Beed	Adv.A.D. Sugdare (Dr. Ganesh L Khandarkar)	Selection Process	For Hearing	24.01.24
Final Hearing Mattes						
62	OA363/10	Hingol i	Adv.J.B. Choudhary (Dileep W Chaoure)	Reversion	<u>Pending Before Hon'ble High Court</u> Reply Filed by R-1 to R-4	18.01.24
63	OA774/18 With	O'bad	Adv.Manish P Tripathi (Narayan D Nagtilak)	Seniority/ Promotion	Reply filed By R-2	08.01.24
64	OA777/18	O'bad	Adv.Manish P Tripathi (Suhas S Jewalikar)	Seniority list/ Promotion	Reply filed By R-2	08.01.24
65	OA374/19	A'bad	Adv.V.B. Wagh (Dr. Mohammad Sharif Bismilla Khan Pathan)	Voluntary Retirement	Reply Filed by R-1 to R-4	23.01.24

66	MA112/21 In OA386/20	Nanded	Adv.Santosh C Bhosle (Ganga S Suryawanshi)	M.A. For I.R.	Reply Filed by R-3	26.02. 24
67	OA572/21	A'nagar	Adv.V.M. Maney (Babasaheb E Jakate)	Qualifying Service/ Condonation of Degiciency in Service	Reply Filed by R-2	26.02. 24

Assistant Registrar
M. A. T. Bench at A' bad

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

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

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

Date: -19/12/2023

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	NEXT DATE
1	CP43/22 In OA519/21	Beed	Adv.J.M. Murkute (Usha A Gaikwad & Ors.)	Contempt Petition	Await Service	24.01.24
2	OA1007/19	O'bad	Adv.K.R. Doke/ Adv.S.K. Doke (Mustafa D Khonde)	Promotion/ Declaration	For Filing Affidavit in Reply	13.02.24
3	OA554/21	A'bad	Adv R B Ade (Harshal N Yevle)	Termination	As a last chance For Filing Rejoinder affidavit	05.01.24
4	OA504/22	A'bad	Adv.A.S. Deshpande (Kiran S Pawar)	De Novo Enquiry	For Filing affidavit in Rejoinder	18.01.24
5	OA613/22	A'bad	Adv.R.D. Khadap (Rahul D Sathe) <u>Adv.A.S.Deshmukh</u> <u>R-6,8,11To</u> <u>13,15,17,22,24& 26</u> <u>To 28 &</u> <u>Adv.A.D.Sugdare</u> <u>R-03,14,29</u>	Examination/ Appointment	Reply Filed By R-2	23.01.24

6	OA.842/22	Latur	Adv.Jayant S. Deshmukh (Dr.Ramdas B. Panchal)	Interview	As one more last chance For Filing Rejoinder Affidavit Order <u>Dtd:-22.06.2023</u>	23.01.24
7	OA857/22	Latur	Adv.J.S. Deshmukh (Dr.Chandrajyoti R Dhange)	Interview	As one more last chance For Filing Rejoinder Affidavit Order <u>Dtd:-22.06.2023</u>	23.01.24
8	OA863/22	A'bad	Adv.D.M. Hange (Dr. Vinod G Jogdand)	Selection Process/ Intertview	For Filing Rejoinder affidavit Order <u>Dtd:-23.03.2023</u>	23.01.24
9	OA1053/22	Dhule	Adv.R.L. Jakhade/ Adv.S.A. Kulkarni (Vilas R Malche)	Dismissal Period	As a last chance For Filing affidavit in Reply On R-1&R-3 Order Dtd:- <u>19.06.2023</u>	25.01.24
10	OA130/23	Nanded	Adv.I.D. Maniyar (Baban S Ghodge)	Seniority List/ Promotion	For Filing Affidavit in Reply	31.01.24
11	OA132/23	A'bad	Adv.A.S. Deshpande (Haridas G Kamble & Ors.)	Promotion (Kotwal)	Await Service	29.01.24
12	OA148/23	Beed	Adv.S.S. Jadhavar (Arun U Gholve)	Appointment	For Filing Affidavit in Reply R-3& R-4 Order Dtd:- <u>25.09.2023</u>	19.01.24
13	OA182/23	J'gaon	Adv.Ashish B Rajkar (Umesh B Jadhav)	Resignation/ Reinstated in Service	For Filing Affidavit in Reply	15.02.24
14	O.A.	Jalna		Direction/	For Filing Affidavit	15.02.24

	193/23		Adv.S.S. Jadhavar (Vinayak U Banchod)	Seniority List	in Reply	
15	OA326/23	A'bad	Adv.Ganesh M Hiwale (Deepak B Navgire & Ors.) <u>Adv.K.B. Jadhav</u> <u>for R.No.6</u>	Promotion	For Filing Affidavit in Reply	27.02.24
16	OA622/23	J'gaon	Adv.A.S. Deshmukh (Shobha B Jadhav)	Promotion	Reply Filed By R-2 &For Filing Reply of other respondents and Rejoinder by applicant	18.01.24
17	OA666/23	Latur	Adv.S.K. Mathpati (Sanjay S Panchagalle)	Continuation of Service	For Filing Affidavit in Reply	21.02.24
18	OA680/23	Nanded	Adv.Preeti R.Wankhade (DR.Vandana B Dudhamal& Others.)	Appointment	For Filing Affidavit in Reply –R-3	08.01.24
19	O.A.871/23	A'nagar	Adv.V.B.Wagh (Bapusaheb V Patore)	Major Punishment	Await Service	31.01.24
20	OA891/23	Latur	Adv.A.S. Khedkar/ Adv.P.R. Karpe (Nagesh A Hippargekar)	Selection Process	Await Service R-1	04.01.24

Order Matters						
21	MA518/22 In OA884/22	Latur	Adv. M.B. Kolpe In MA518/22 (The Maharashtra Public Service Commission, through its Secretary) Adv.S.S. Panale/Adv.S.S. Dambe in OA884/22 (Dr. Piyusha U Naragude)	M.A. For Modifying the Order dtd.03.10.2022 in OAS1691/22	For Filing Affidavit in Rejoinder Order Dtd:- <u>03.02.2023</u>	24.01.24
22	MA450/23 In OA626/19 with	A'nagar	Adv.S.K. Mathpati (Sheshrao R Giri)	M.A. For Amendment	For Filing Affidavit in Reply	31.01.24
23	MA477/23 In OA641/19	A'nagar	Adv.S.K. Mathpati (Vinod S Wadekar & Ors.)	M.A. For Amendment	For Filing Affidavit in Reply	31.01.24

Assistant Registrar
M. A. T. Bench at A' bad

ORIGINAL APPLICATION NO.751/2021
(Santosh Nivrutti Harne Vs. State of Maharashtra & Ors.)

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

[This case is placed before Single Bench due to non-availability of Division Bench]

DATE : 19.12.2023

ORAL ORDER :

Smt. Pratibha Jamdhade, learned Counsel holding for Smt. Maya Jamdhade, learned counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned Counsel for the applicant files affidavit in rejoinder. It is taken on record. Copy thereof be supplied to the other side.

3. S.O. to 23-02-2024.

VICE CHAIRMAN

YUK ORAL ORDER 18.12.2023

ORIGINAL APPLICATION NO.771/2022
(Mulani Manzura Rustum Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
[This case is placed before Single Bench due
to non-availability of Division Bench]

DATE : 19.12.2023

ORAL ORDER :

Shri A.D.Sugdare, learned Counsel holding for
Shri V.S.Kadam, learned counsel for the applicant,
Smt. Deepali Deshpande, learned Presenting Officer
for the respondent authorities and Shri M.B.Kolpe,
learned Counsel for respondent no.3, are present.

2. S.O. to 23-01-2024. Interim relief granted
earlier to continue till then.

VICE CHAIRMAN

YUK ORAL ORDER 18.12.2023

ORIGINAL APPLICATION NO.613/2022
(Rahul D. Sathe Vs. State of Maharashtra & Ors.)

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

[This case is placed before Single Bench due to non-availability of Division Bench]

DATE : 19.12.2023

ORAL ORDER :

Shri R.D.Khadap, learned counsel for the applicant, Smt. M.S.Patni, learned Presenting Officer for the respondent authorities, Shri Saket Joshi, learned Counsel holding for Shri A.S.Deshmukh, learned Counsel for the respondent nos.6, 8, 11 to 13, 15 17, 22, 24 & 26 to 28 and Shri A.D.Sugdare, learned Counsel for respondent no.29, are present.

2. Learned Counsel has filed affidavit in reply on behalf of respondent nos.8, 15, 17, 22, 24 & 26 to 28. It is taken on record. Copy thereof be supplied to the other side.

3. S.O. to 23-01-2024.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.326/2023
(Deepak B. Navgire & Ors. Vs. State of Maharashtra & Ors.)

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

[This case is placed before Single Bench due to non-availability of Division Bench]

DATE : 19.12.2023

ORAL ORDER :

Shri Ganesh M. Hiwale, learned counsel for the applicant is **absent**. Shri M.P.Gude, learned Presenting Officer for the respondent authorities, Shri Kakasaheb B. Jadhav, learned Counsel for respondent no.6 and Shri V.G.Pingle, learned Counsel for respondent nos.3 to 5, 7, 8, 10 to 23 & 15 to 20, are present.

2. Learned P.O. files affidavit in reply on behalf of respondent no.2. It is taken on record. Copy thereof be supplied to the other side.

3. S.O. to 27-02-2024.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.1007/2019
(Mustafa Dastagir Khonde Vs. State of Maharashtra & Ors.)

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

[This case is placed before Single Bench due to non-availability of Division Bench]

DATE : 19.12.2023

ORAL ORDER :

Shri K.R.Doke, learned counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.5 and 6. It is taken on record. Copy thereof has been supplied to the other side.

3. S.O. to 13-02-2024.

VICE CHAIRMAN

YUK ORAL ORDER 18.12.2023

ORIGINAL APPLICATION NO.680/2023
(Dr. Vandana B. Dudhamal Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
[This case is placed before Single Bench due
to non-availability of Division Bench]

DATE : 19.12.2023

ORAL ORDER :

Ku. Preeti Wankhade, learned counsel for the applicant, Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities and Shri M.R.Kulkarni, learned Counsel for respondent no.3, are present.

2. Shri M.R.Kulkarni, learned Counsel has filed affidavit in reply on behalf of respondent no.3. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 08-01-2024.

VICE CHAIRMAN

YUK ORAL ORDER 18.12.2023

**O.A. Nos. 614, 666, 693, 737, 780, 747, 748, 769
749, 750, 751, 777, 778, 787, 788, 796, 803,
790, 791 & 832 all of 2022**
(Dr. Deepak N. Kawale & Ors. Vs. State of Maharashtra & Ors.)

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

[This case is placed before Single Bench due
to non-availability of Division Bench]

DATE : 19.12.2023

ORAL ORDER :

Shri A.D. Sugdare, learned Counsel holding for S/Shri J.S. Deshmukh, V.S. Kadam, Avinash Desmukh, V.S. Valse and S.N. Pagare, learned counsel for the respective applicants in respective O.As., Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these O.As. and Shri M.B. Kolpe, learned Advocate for respondent Nos.2, 3 & 4 in respective O.As., are present.

2. S.O. to 23.01.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

YUK ORAL ORDER 18.12.2023

ORIGINAL APPLICATION NO.504/2022
(Kiran S. Pawar Vs. State of Maharashtra & Ors.)

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

[This case is placed before Single Bench due to non-availability of Division Bench]

DATE : 19.12.2023

ORAL ORDER :

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

2. S.O. to 18.01.2024. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

YUK ORAL ORDER 18.12.2023

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

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

DATE : 19.12.2023

ORAL ORDER :

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

2. At the request of learned counsel for the applicants, S.O. to 08.02.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

**M.A. No. 265/2023 in O.A. St. No. 1088/2023
(Dinkar V. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

Shri P.D. Bodade, learned counsel holding for Shri J.B. Choudhary, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 08.02.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 637 OF 2021
(Ravindra G. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri P.D. Bodade, learned counsel holding for Shri J.B. Choudhary, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 08.02.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 956 OF 2022
(Vijay R. Shringare Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri P.D. Bodade, learned counsel holding for Shri J.B. Choudhary, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 08.02.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

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

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

DATE : 19.12.2023

ORAL ORDER :

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

2. Learned Presenting Officer submits that during the course of the day affidavit in reply on behalf of respondent No. 3 will be filed.

3. Learned P.O. on instructions submits that no separate affidavit in reply on behalf of respondent Nos. 1 and 2 will be filed and the affidavit in reply filed on behalf of Respondent No. 3 will be adopted.

4. In view of the same, pleadings are complete. List the matter for admission hearing on 03.01.2024.

MEMBER (J)

**O.A. Nos. 189, 214, 336, 365, 222 & 223 all of 2021
(Sakharam C. Kashid & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

Shri Pankaj Raibole, learned counsel holding for Shri Avinash Khedkar, learned counsel for the applicants in all these O.As. and S/shri B.S. Deokar & D.R. Patil, learned Presenting Officers for the respondent authorities in respective O.As., are present. Shri Shamsunder B. Patil, learned counsel for respondent Nos. 2 and 3 in all these O.As., is **absent**.

2. At the request of learned counsel for the applicants, S.O. to 12.02.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 591 OF 2023
(Sanjay P. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri K.B. Jadhav, learned counsel holding for Shri P.B. Umrani, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. It appears that the respondents have not filed the affidavit in reply.

3. In view of the same, list the matter for admission hearing on 17.01.2024. In case, if the affidavit in reply is filed till the next date, the copy thereof shall be given to learned counsel for the applicant in advance.

MEMBER (J)

ORIGINAL APPLICATION NO. 86 OF 2023
(Shyam M. Yesmod Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

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

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

3. Learned counsel for the applicant submits that the identical matter bearing O.A. No. 73/2023 is not listed along with the present O.A. Office to list the O.A. No. 73/2023 along with the present matter on the next date of hearing.

4. S.O. to 12.02.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 97 OF 2023
(Kailash V. Udate Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

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

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 and 2. Same is taken on record and copy thereof is given to the learned counsel for the applicant today itself.

3. Learned counsel for the applicant seeks time to file rejoinder affidavit, if necessary. Time granted.

4. S.O. to 12.02.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 572 OF 2022

(Naseeb Khan Meheboob Khan Singal Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri R.S. Gangakhedkar, has filed **VAKALATNAMA** on behalf of the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant, who has filed the present Original Application in person on instructions in writing dated 16.05.2023 submits that all the grievances of the applicant (party in person) have been redressed by the respondents /department and in view of the same nothing survives in the present Original Application for consideration. Same is taken on record and marked as document 'X' for identification. Learned counsel for the applicant seeks leave to withdraw the present Original Application.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 913 OF 2022
(Varsha V. Gaikwad Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri Archana Therokar, learned counsel for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned counsel for respondent Nos. 3 & 4, are present.

2. Learned counsel for the applicant submits that through the last chance is given; no affidavit in reply has been filed.

3. Learned counsel for respondent Nos. 3 and 4 submits that respondent Nos. 3 & 4 are the formal respondents and respondent Nos. 1 & 2 are contesting respondents.

4. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1 and 2. Time granted as a last chance.

5. S.O. to 09.02.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 265 OF 2019
(Taher Ali Sayed Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Smt. Vidya Taksal, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 12.02.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 97 OF 2023
(Kailash V. Udate Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

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

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 and 2. Same is taken on record and copy thereof is given to the learned counsel for the applicant today itself.

3. Learned counsel for the applicant seeks time to file rejoinder affidavit, if necessary. Time granted.

4. S.O. to 12.02.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 834 OF 2023
(Dr. Balasaheb S. Nagargoje Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the respondents have been served with the notice and the service affidavit will be filed within short while.

3. Learned P.O. seeks time to file affidavit in reply on behalf of respondents. Time granted.

4. S.O. to 12.01.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 502 OF 2018
(Bansilal C. Jaiswal Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri A.D. Raut, learned counsel for the applicant (**Absent**).

Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, Shri S.D. Joshi, learned counsel for respondent No. 2 and Ms. Anagha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for respondent No. 3, are present.

2. By consent, S.O. to 13.02.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 544 OF 2023
(Umesh D. Palve Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks time to file affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 24.01.2024. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 229 OF 2022
(Suresh K. Bharati Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Smt. R.L. Jakhade/Shri S.A. Kulkarni, learned counsel for the applicant (**Absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present.

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

3. Learned P.O. on instructions submits that the affidavit in reply of other respondents may not be necessary.

4. In view of above, pleadings are complete. List the matter for filing rejoinder affidavit, if any and for admission hearing on 13.02.2024.

MEMBER (J)

M.A. 487/2023 in T.A. 18/2023 (W.P. 8916/2023)
(Ankush V. Sontake Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Heard Shri K.R. Doke, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents in M.A., returnable on 13.02.2024.

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

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

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

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

7. S.O. to 13.02.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 202 OF 2017
(Ashok B. Wagh Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 12.02.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 1080 OF 2023
(Swapnil S. Parvekar Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Heard Ms. Anagha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Shri I.S. Thorat, learned P.O. for the respondent authorities.

2. Issue notices to the respondents, returnable on 08.02.2024.

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

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

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

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

7. S.O. to 08.02.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 1087 OF 2023
(Pramod M. Kathane Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri Y.B. Pathan, learned counsel for the applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 16.01.2024.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

**ORIGINAL APPLICATION NO. 649 OF 2021
(Janak B. Puri Vs. State of Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

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

2. Learned C.P.O. submits that during the course of the day affidavit in reply on behalf of respondent No. 5 will be filed and copy thereof will be given to the learned counsel for the applicant.

3. At the request of learned counsel for the applicant, S.O. to 09.02.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 186 OF 2021
(Namdeo A. Fad Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 09.02.2024 for final hearing. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 903 OF 2023
(Veena A. Kamble Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Heard Smt. P.R. Arakh, learned counsel holding for Shri M.L. Wankhade, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer on instructions in writing submits that the applicant has been transferred from Ahmednagar City to Ahmednagar-West. It appears from the instructions received from Shri Mahadeo Shahadeo Jaybhaye, Child Development Project Office, Ahmednagar City that if the applicant is posted in Ahmednagar-West, she supposed to look after two Talukas out of four Talukas attaches to Ahmednagar-West. The applicant is present in person and she submits that due to some problem in brain, it is not possible for her to make visit of the said Taluka places.

3. In view of the same, I do not find any urgency in the present matter. The applicant may join at her transferred post in response to the transfer order dated 13.02.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 1051 OF 2023
(Dr. Prakash M. Shivnikar Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Heard Shri Ajay Deshpande, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 and 2. Same is taken on record and copy thereof is given to learned counsel appearing for the applicant.

3. Not before the Bench of which Justice Shri V.K. Jadhav, Member (J) is the party.

MEMBER (J)

ORIGINAL APPLICATION NO. 1076 OF 2023
(Sunil P. Wakhchaure Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

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

2. Despite the order passed by this Tribunal in O.A. No. 442/2017 dated 17.07.2018, which is confirmed by the Hon'ble High Court of Bombay, Bench at Aurangabad by the order dated 02.03.2020 in W.P. No. 1738/2020, thereby dismissed the W.P. preferred by the State against the applicant, by the order dated 03.07.2023 issued by respondent No. 3, as well as, communication dated 12.09.2023 issued by respondent No. 4 and letter dated 10.10.2023 issued by respondent No. 5, the claim of the applicant for regularization of his service on the basis of G.R. dated 19.10.1996 came to be rejected. The orders referred as above are annexed to the present O.A.

3. In view of above, issue notices to the respondents, returnable on 31.01.2024.

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

//2//

O.A. No. 1076/2023

5. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
8. S.O. to 31.01.2024.
9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 1077 OF 2023
(Dr. Yashwant B. Khose Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Heard Smt. Vijaya Adkine, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. The present matter pertains to fixation of pension and other consequential benefits.
3. In view of same, issue notices to the respondents, returnable on 08.02.2024.
4. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
8. S.O. to 08.02.2024.
9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 1083 OF 2023
(Dilip R. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

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

2. The present matter pertains to transfer order. The applicant has been transferred from Aurangabad City to Beed on completion of tenure; however son of the applicant is suffering from mental disorder so also suffering from other health issues. Though the applicant has submitted representation before the respondent authorities and as per the query made by the respondent authorities, the applicant has submitted the relevant medical certificates; no order has been passed on the said representation. Meanwhile, the applicant has joined the place of transfer at Beed.

3. In view of above, issue notices to the respondents, returnable on 30.01.2024.

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

//2//

O.A. No. 1083/2023

5. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
8. S.O. to 30.01.2024.
9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 521 OF 2020
(Laxman B. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

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

2. Learned counsel for the applicant is requested to file written notices of arguments.
3. 21.012.2023.

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 2236 OF 2023
(Rajeev U. Saxena Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

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

2. Despite the order passed by this Tribunal on 05.12.2023 permitting the applicant to amend the Original Application, so also prayer clause 15(B) thereof, the office is not permitting the applicant to carry out the amendment.

3. It is pertinent to note here that by the order dated 05.12.2023, this Tribunal has granted leave to the applicant to amend the Original Application, so also the prayer clause 15(B) thereof. The said order came to be passed after learned counsel for the applicant was heard at length.

4. Learned counsel for the applicant pointed out order dated 05.07.2005 passed in MA 181/2004 in C.P. 90/2001 in O.A. 578/2000 and order dated 02.03.2009 passed in O.A. No. 335/2008. Learned counsel for the applicant has pointed out that in terms of the order dated 02.03.2009 passed in O.A. No. 335/2008, the

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O.A. ST. 2236/2023

applicant has submitted representation before the concerned authority and in terms of the order dated 22.06.2023 (Annexure A-9) and communication dated 02.09.2023 (Annexure A-11), the applicant has not been paid interest on delayed payment.

5. In view of the above backdrop, the applicant is permitted to carry out the amendment in the O.A., as well as, to amend the prayer clause 15(A). I do not find any reason to refuse the applicant to carry out the amendment in terms of the order passed by this Tribunal. The applicant shall carry out necessary amendment in the O.A. forthwith.

6. Office to take note of above and shall not repeat the mistake in future.

7. Issue notices to the respondents, returnable on 20.02.2024.

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

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O.A. ST. 2236/2023

case would be taken up for final disposal at the stage of admission hearing.

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 20.02.2024.

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

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 88 OF 2019
(Kashinath G. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Ms. Preeti Wankhade, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 20.02.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 810 OF 2023
(Ramkishan G. Jakulwar Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri Uttam Telgaonkar, learned counsel for the applicant (**Absent**). Shri N.U. Yadav, 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. Await service of notice upon the respondents.

4. S.O. to 15.02.2024 for filing rejoinder affidavit, if any.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 682 OF 2022
(Bhimrao N. Doiphode Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

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

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

3. S.O. to 19.02.2024 for hearing.

MEMBER (J)

**M.A. No. 373/2019 in O.A. No. 980/2018
(Narayan K. Vyas Vs. State of Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

Shri Ajay Deshpande, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicant is not going to file rejoinder affidavit to the affidavit in reply filed in M.A.

3. In view of above, list the M.A. for hearing on 20.02.2024.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 630 OF 2021
(Babasaheb H. Dahifale Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

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

2. The present matter is reserved for orders.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 188 OF 2022
(Gorakh M. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri G.L. Awale, learned counsel for the applicant (**Absent**). Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 21.02.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 274 OF 2022
(Vajnath P. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

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

2. Part heard.

3. Learned Presenting Officer is requested to take specific instructions as to the present status of Co-operative Societies Election of village Borgaon, Tq. Loha, Dist. Nanded.

4. S.O. to 22.12.2023 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 53 OF 2023
(Satish K. Marathe Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Smt. R.L. Jakhade/ Shri S.A. Kulkarni, learned counsel for the applicant (**Absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 20.02.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 56 OF 2023
(Uma G. Rajput Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri D.B. Pawar-Pathrekar, learned counsel for the applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 20.02.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 210 OF 2023
(Ganesh D. Chhabilwad Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

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

2. In continuation of the order passed by this Tribunal on 05.12.2023, learned Presenting Officer is directed to file short affidavit of the concerned respondent/s.

3. S.O. to 20.02.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 329 OF 2023
(Anil K. Pathode Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

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

2. S.O. to 10.01.2024 for hearing. **High on board.**

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 669 OF 2023
(Manojkumar A. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

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

2. Learned Presenting Officer submits short affidavit on behalf of respondent No. 3. Same is taken on record and copy thereof is given to learned counsel for the applicant.

3. Learned counsel for the applicant seeks time to go through the short affidavit and file rejoinder affidavit, if any. Time granted.

4. S.O. to 17.01.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 718 OF 2023
(Pallavi P. Baglane Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri P.D. Suryawanshi, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.01.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 139 OF 2017
(Shaikh Liyakat Shaikh Dildar Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

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

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

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 174 OF 2017
(Dr. Madhav F. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

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

2. S.O. to 07.02.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 688 OF 2018
(Premnath G. Kamble Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri A.D. Gadekar, learned counsel for the applicant (**Leave Note**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note filed by learned counsel for the applicant, S.O. to 09.02.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 689 OF 2018
(Prakash G. Kamble Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri A.D. Gadekar, learned counsel for the applicant (**Leave Note**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note filed by learned counsel for the applicant, S.O. to 09.02.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 921 OF 2018
(Shriram B. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri V.G. Salgare, learned counsel for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 20.02.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 922 OF 2018
(Hanshraj M. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri V.G. Salgare, learned counsel for the applicant (**Absent**). Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 20.02.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 923 OF 2018
(Shivaji M. Shelke Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri V.G. Salgare, learned counsel for the applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 20.02.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 924 OF 2018
(Dhananjay P. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri V.G. Salgare, learned counsel for the applicant (**Absent**). Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 20.02.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 858 OF 2019
(Annarao L. Bhosale & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri S.B. Kakde, learned counsel for the applicants (**Absent**). Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicants, S.O. to 21.02.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

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

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

DATE : 19.12.2023

ORAL ORDER :

Shri Avinash Deshmukh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 21.02.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 512 OF 2020
(Subhash L. Kadam Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri S.C. Bhosale, learned counsel for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 22.02.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 482 OF 2022
(Ganesh V. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri S.R. Patil, learned counsel for the applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 22.02.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 484 OF 2022
(Jayendra P. Ahire Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Shri S.U. Chaudhari, learned counsel for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 22.02.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 19.12.2023

ORIGINAL APPLICATION NO. 114 OF 2022
(Dr. Bhausahab S. Randhe Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned counsel for the applicant, Shri I.S. Thorat, learned P.O. for the respondent authorities and Shri U.S. Mote, learned counsel for respondent No. 3.

2. Learned counsel for the applicant has vehemently argued that in violation of the G.R. dated 28.03.2012, the respondent No. 3 has relieved the applicant unilaterally directing him to report the headquarter.

3. Learned counsel for respondent No. 3 submits that in contemplation of Departmental Enquiry on account of some serious allegations made against the applicant, the respondent No. 3 after waiting for reasonable time for the appropriate orders from the Government, in terms of the G.R. dated 28.03.2012 passed the aforesaid order relieving the applicant and directing him to report the headquarter. Learned counsel submits that neither the applicant has reported the headquarters nor has made any

//2//

O.A. No. 114/2022

representation. Consequently from the date of passing of the said order dated 14.12.2021 till the date of retirement on superannuation i.e. 31.05.2023, the applicant remained absent on duty without reporting headquarter.

4. On perusal of the G.R. dated 28.03.2012, order dated 03.12.2021/06.12.2021 (Annexure A-4) and impugned order dated 14.12.2021 (Annexure A-1), *prima-facie* I find substance in the submissions made on behalf of the applicant.

5. Hence, admit.

6. Learned counsel for respondent No. 3 and learned P.O. waives notice for admission.

7. S.O. to 20.02.2024 for final hearing.

MEMBER (J)

**M.A.NO. 563 OF 2019 IN O.A.ST.NO. 1421 OF 2019
(Manoj Ashok Dusane Vs. State of Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

Heard Shri S.B. Ghute, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that the applicant was appointed initially at Brihanmumbai Police Force as a Police Constable by order dated 23.11.2006. The applicant, however, came to be transferred inter-district from Mumbai to Jalgaon Region in the month of July, 2023. Thus for the first time the applicant came to now that his year of birth is incorrectly mentioned as 1982 instead of 1984 in his service book. Thus the applicant had applied for correction of date of birth by his first representation dated 16.08.2013. In terms of the said representation, by communication dated 30.01.2014, the office of Superintendent of Police, Jalgaon sought information from concerned department of the Mumbai Police Force about the documents annexed with the service record of the

//2// M.A. 563/2019 in
O.A.St. 1421/2019

applicant. By communication dated 20.06.2015, the office of Mumbai Police Force has communicated the applicant to directly apply to the Government for correction in the date of birth. In consequence of which the applicant made reminder representations dated 11.08.2015 and 21.07.2016 respectively.

3. Learned counsel for the applicant submitted that by communication dated 31.01.2017 (Annexure 'A-7'), the Special Inspector General of Police, Mumbai along with communication received from the office of Superintendent of Police, Jalgaon submitted the proposal to the respondent No.1 for sanction. However, till this date the respondent No.1 has not accorded sanction and as such the applicant is constrained to approach this Tribunal by filing Original Application for direction to respondent No. 1 to decide the said proposal submitted by the respondent No.2 in this regard.

4. Learned counsel for the applicant submits that in the background of the aforesaid facts there is no delay as such and there is continuous cause of

//3// M.A. 563/2019 in
O.A.St. 1421/2019

action as long as respondent No.1 has not taken decision.

5. Learned P.O. has strongly resisted the application seeking condonation of delay and submitted that the delay has not been satisfactorily explained. There is an inordinate delay. Hence, the Misc. Application is liable to be rejected.

6. On perusal of the annexures as pointed out by the learned counsel for the applicant it appears that in terms of the representation submitted by the applicant and on examinations of the documents submitted by the applicant at the time of his appointment for pressing it in the service book, the date of birth appears to have not been mentioned correctively. In the result, the respondent No.2 i.e. the Special Inspector General of Police, Mumbai has submitted the report to the respondent No.1 for sanction to carry out the correction as sought by the applicant. However, it appears that the respondent No.1 has not decided the said proposal till this date. In view of same, I agree with the submissions made on behalf of the applicant that there is a continuous

//4// M.A. 563/2019 in
O.A.St. 1421/2019

cause of action as long as the said proposal (Annexure -'A-7') is under consideration of the respondent No.1. In view of same, the delay as shown in the application appears to be a technical and not intentional and hence, I am inclined to condone the same. Hence the following order:-

ORDER

- (i) M.A. No. 563/2019 is allowed.
- (ii) The delay of 1 year, 5 months and 17 days caused in filing the accompanying O.A. is hereby condoned.
- (iii) Accompanying O.A. be registered and numbered in accordance with law.
- (iv) No order as to costs.

MEMBER (J)

**ORIGINAL APPLICATION ST.NO. 1421 OF 2019
(Manoj Ashok Dusane Vs. State of Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

Heard Shri S.B. Ghute, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 13.02.2024.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

//2// O.A.St. 1421/2019

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. The learned P.O. appears for all the respondents and respondents and seeks time for taking instructions.
8. S.O. to 13.02.2024.
9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

**M.A.NO. 299 OF 2020 IN O.A.ST.NO. 1286 OF 2020
(Ram S. Bajulge Vs. State of Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

Shri Amol A. Kokad, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 14.02.2024 for filing of the synopsis of the events.

MEMBER (J)

ORAL ORDER 19.12.2023 sas

**M.A.NO. 227 OF 2021 IN O.A.ST.NO. 901 OF 2021
(Anil V. Mahajan Vs. State of Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri V.G. Pingle, learned counsel for respondent No.6, are present.

2. At the request of learned counsel for the applicant, S.O. to 14.02.2024 for filing of the synopsis of the events.

MEMBER (J)

ORAL ORDER 19.12.2023 sas

**M.A.NO. 78 OF 2022 IN O.A.ST.NO. 293 OF 2022
(Vaishali B. Tote Vs. State of Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

Shri A.D. Gadekar, learned counsel for the applicant has filed a **leave note**. Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note of learned counsel for the applicant, S.O. to 15.02.2024 for hearing.

MEMBER (J)

ORAL ORDER 19.12.2023 sas

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

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

DATE : 19.12.2023

ORAL ORDER :

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

2. Learned counsel for the applicant submits that so far as the applicant Nos. 1 & 2 are concerned, they are retired on superannuation in the year 2021 and the applicant No.3 is retired in the year 2017 on superannuation.

3. Learned counsel for the applicant submits that in view of Circular dated 28.06.2023 issued by the Finance Department, the applicants are entitled for the notional increments. Learned counsel for the applicants submits that in terms of the order dated 16.02.2023 passed by the Hon'ble High Court of Bombay, Bench at Aurangabad in Writ Petition No. 1881 of 2023, the aforesaid Circular dated 28.06.2023 has been issued by the Finance Department. In terms of the order passed by the

//2// O.A. 485/2022 in
O.A.St. 1748/2022

Hon'ble High Court in the aforesaid W.P., the applicants were not called upon by the respondents to submit the applications for grant of the notional increments and as such, the delay has occurred.

4. Learned P.O. for the respondents has submitted that the appropriate order may be passed.

5. It appears that technically there is delay of near about 4 years. However, only in terms of the order passed by the Hon'ble High Court dated 16.02.2023 in W.P.No. 1881/2023, the Finance Department has issued Circular dated 28.06.2013 and the applicant No.1 has submitted an application on 06.07.2023, the applicant No.2 has submitted an application on 28.07.2023 and the applicant No.3 has not submitted any application. It is however clear that despite the direction given by the Hon'ble High Court of Bombay, Bench at Aurangabad in the aforesaid W.P., the concerned department has not informed in writing to the applicants to tender the applications however, the applicant Nos. 1 & 2 on their own have submitted the applications when they came to know about the said

//3// O.A. 485/2022 in
O.A.St. 1748/2022

circular and the order passed by the Hon'ble High Court in this regard.

6. It is also clear that till this date, the applicant No.3 has not given any information by the concerned department about the said circular dated 28.06.2023 issued on the basis of the order passed by the Hon'ble High Court of Bombay, Bench at Aurangabad. In view of same, I am inclined to condone the delay. Hence, the following order:-

ORDER

- (i) M.A. No. 485/2022 is allowed.
- (ii) The delay of 4 years caused in filing the accompanying O.A. is hereby condoned.
- (iii) Accompanying O.A. be registered and numbered in accordance with law.
- (iv) No order as to costs.

MEMBER (J)

**ORIGINAL APPLICATION ST.NO. 1748 OF 2022
(Gangadhar N. Fasale & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

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

2. Learned P.O. waives notices for all the respondents.

3. The Hon'ble High Court of Bombay, Bench at Aurangabad by order dated 16.02.2023 in Writ Petition No. 1881/2023 has given the following directions:-

“[a] We direct the Chief Secretary of the State of Maharashtra and Principal Secretary (Finance Department), State of Maharashtra, to issue appropriate directions to all the concerned departments to appeal to such candidates, who fall in such category having retired on 30th June of the particular years and who have earned the annual increment on account of performing work for 12 months ending on 30th June, to tender their applications to the concerned Authorities.

[b] After such applications are received, the concerned authorities would grant the reliefs as are being granted by the various High Courts by

restricting the arrears of payments to 3 years preceding the dates of the applications or preceding the date of actual retirement as per actuals, whichever is less. With these guidelines, the concerned authorities shall not reject a single application if it fits into the parameters of the judgments delivered by this Court.

[c] In the alternative, let the concerned authorities suo-moto dig out such cases and after scrutinizing the same as regards their entitlement, proceed to grant the benefits as per the judgments of this court, within 120 days.

[d] While undertaking the above exercise, the gratuity/pay fixation/ pension will be re-calculated, so as to be paid to the candidates with arrears as directed above.”

4. In terms of the aforesaid directions given by the Hon’ble High Court, the Finance Department has issued Circular dated 28.06.2023 with the specific direction to the concerned departments to decide all such matters as per information available with the department. However, though specifically directed by the Hon’ble High court in the aforesaid W.P., applicants have not been communicated to submit applications for seeking their notional increments along with the arrears which fell due on 1st July of their respective dates of retirement.

//3// O.A.St.1748/2022

5. It appears from the direction issued by the Hon'ble High court in the aforesaid W.P. and in the light of the Circular issued by the Finance Department on 28.06.2023 and considering the dates of retirement of the applicants, the applicants are entitled for the aforesaid benefits. The applicants are seeking direction to respondent No.2 to grant the last annual increment of the applicants along with all the consequential benefits.

6. Learned P.O. on instructions from the respondent No.2 submits that in the light of the said Circular dated 28.06.2023, the department is ready to decide the applications of the applicant Nos. 1 & 2 and also the application of the applicant No. 3 if submitted to the department.

7. In view of above, nothing survives for consideration in the presenting Original Application. The Original Application is accordingly disposed of. No order as to costs.

MEMBER (J)

**ORIGINAL APPLICATION NO. 292 OF 2023
(Sameer H. Umralkar Vs. State of Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

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

2. Learned counsel for the applicant submits across the bar the affidavit in rejoinder on behalf of applicant. The same is taken on record and copy thereof is given to learned P.O.

3. S.O. to 08.01.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 209 OF 2023
(Sabirabi Harun Shaikh Vs. State of Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

Shri D.R. Irale Patil, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

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

MEMBER (J)

ORAL ORDER 19.12.2023 sas

**ORIGINAL APPLICATION NO. 464 OF 2021
(Vilas K. Hiwale Vs. State of Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

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

2. Part heard.
3. S.O. to 11.01.2024 for further hearing.

MEMBER (J)

ORAL ORDER 19.12.2023 sas

- 1. ORIGINAL APPLICATION NO. 49 OF 2021
(Vandana P. Sarode Vs. State of Maharashtra & Ors.)**
- 2. ORIGINAL APPLICATION NO. 585 OF 2021
(Latabai D. Avhad Vs. State of Maharashtra & Ors.)**
- 3. ORIGINAL APPLICATION NO. 76 OF 2022
(Ashok R. Jawale Vs. State of Maharashtra & Ors.)**
- 4. ORIGINAL APPLICATION NO. 246 OF 2022
(Dilip Y. Rupekar Vs. State of Maharashtra & Ors.)**
- 5. ORIGINAL APPLICATION NO. 652 OF 2018
(Indira A. Maind & Ors. Vs. State of Maharashtra & Ors.)**
- 6. ORIGINAL APPLICATION NO. 586 OF 2021
(Prakash I. Sarode Vs. State of Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

Shri D.K. Dagadkhair, learned counsel for the applicants in all the matters and Smt. Sanjivani K. Deshmukh-Ghate, M.S. Patni, S/Shri B.S. Deokar, N.U. Yadav, learned Presenting Officers for the respondent authorities in respective matters, are present.

2. The present matters are identical involving the same issue and hence all the matters be listed together for final hearing.

3. In view of above, S.O. to 19.02.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 407 OF 2021
(Aziz Imman Shaikh Vs. State of Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

Shri Amol Kokad, learned counsel holding for Shri G.L. Deshpande, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 20.02.2024.

MEMBER (J)

ORAL ORDER 19.12.2023 sas

**ORIGINAL APPLICATION NO. 209 OF 2020
(Akhil Ahmed Mukheed Ahmed Kazi Vs. State of
Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

Shri A.R. Jadhav, learned counsel holding for Shri R.B. Ade, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

None present for respondent No. 7.

2. At the request of learned counsel for the applicant, S.O. to 19.02.2024 for hearing.

MEMBER (J)

ORAL ORDER 19.12.2023 sas

**ORIGINAL APPLICATION NO. 1061 OF 2019
(Kerba N. Jetewad Vs. State of Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

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

2. In view of absence of learned counsel for the applicant, S.O. to 16.02.2024.

MEMBER (J)

ORAL ORDER 19.12.2023 sas

**ORIGINAL APPLICATION NO. 1036 OF 2023
(Vishwas R. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

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

2. At the request of learned P.O., S.O. to 09.01.2024 for filing affidavit in reply on behalf of the respondents.

MEMBER (J)

ORAL ORDER 19.12.2023 sas

ORIGINAL APPLICATION NO. 327 OF 2023
(Dr. Hanmant V. Bainwad Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Ms. Pooja S. Mundhe, learned counsel holding for Shri P.P. Uttarwar, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits that she has instructions to appear on behalf of respondent Nos. 4 & 5. In view of same, there is no need to re-issue notice to said respondents.

3. Learned counsel for the applicant has pointed out that the respondent Nos. 2 & 3 are duly served and the service affidavit is filed to that effect.

4. None present on behalf of respondent Nos. 2 & 3, though duly served.

5. Learned P.O. seeks time to file affidavit in reply on behalf of respondent Nos. 1, 4 & 5. Time granted.

6. S.O. to 16.02.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 1084 OF 2023
(Nilesh Raychand Patil Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Heard Shri P.B. Patil (Borse), learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that despite of the objection raised by the applicant, the respondent No. 6 was appointed as Police Patil. The applicant has raised objection that the applicant is suffering from locomotor disability to the extent of 30% and even though the Medical Board noticed the said disability, considered the respondent No.6 suitable for the post of Police Patil.

3. In view of same, issue notice to respondents, returnable on 16.02.2024.

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

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

//2// O.A. 1084/2023

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

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

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

8. The learned P.O. seeks time for taking instructions.

9. S.O. to 16.02.2024.

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

MEMBER (J)

**M.A.NO. 559 OF 2023 IN O.A.NO. 865 OF 2023
(Dhananjay E. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

Heard Shri Rajesh Mewara, learned counsel learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities. Shri Chetan B. Chaudhari, learned counsel for respondent No.4, is **absent**.

2. Learned counsel for the applicant submits that in view of subsequent development, the applicant needs to amend the Original Application as per the proposed amendment paragraph Nos. 16-A to 16-H and so also prayer clause 'F to H'. Learned counsel for the applicant also seeks addition of the party who has been appointed as Police Patil despite the objection raised by the applicant as party respondent No.5.

3. The Original Application is yet to be admitted. Further the respondents have not filed any affidavit in reply. Thus considering the same and for the reason stated in the application, the application seeking amendment is allowed in terms of prayer clause 'A'.

//2// M.A. 559/2023 In
O.A.865/23

4. The applicant to carry out amendment in the O.A. as per the proposed amendment paragraph Nos. 16- A to 16-H along with amendment in the prayer clause in proposed form 'F to H' and to add Smt. Chhaya Sandip Patil as party respondent No.5. The amendment be carried out within two weeks and to serve the amended copy on the other side.
5. The Misc. Application is accordingly disposed of. No order as to costs.

MEMBER (J)

ORAL ORDER 19.12.2023 sas

ORIGINAL APPLICATION NO. 865 OF 2023
(Dhananjay E. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 19.12.2023

ORAL ORDER :

Heard Shri Rajesh Mewara, learned counsel learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities. Shri Chetan B. Chaudhari, learned counsel for respondent No.4, is **absent**.

2. After carried out amendment, issue fresh notice to respondents, returnable on 16.02.2024.

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

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

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

//2// O.A. 865/2023

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. The learned P.O. appears for respondent Nos. 1 to 3 and seeks time for taking instructions.
8. S.O. to 16.02.2024.
9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORAL ORDER 19.12.2023 sas

**M.A.NO. 187 OF 2023 IN O.A.ST.NO. 696 OF 2023
(Bapu M. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

Shri S.R. Patil, learned counsel for the applicant, is **absent**. Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 15.02.2024 for hearing.

MEMBER (J)

ORAL ORDER 19.12.2023 sas

**ORIGINAL APPLICATION NO. 1096 OF 2019
(Vikas D. Wagh Vs. State of Maharashtra & Ors.)**

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

DATE : 19.12.2023

ORAL ORDER :

Heard Shri D.K. Dagadkhair, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities finally at admission stage.

2. Learned counsel for the applicant seeks leave to insert the prayer clause 'B-1'. Leave as prayed for is granted. The applicant shall carry out amendment forthwith.

3. Learned counsel for the applicant submits that the applicant is working with the respondents, Police Department as a Police Inspector at Police Station Amalner, Tq. Amalner, Dist. Jalgaon. This Original Application is filed in connection with the Annual Performance Appraisal Report (in short 'A.P.A.R.') for the year 2017-2018.

4. Learned counsel for the applicant submits that the respondent No.4 i.e. the Sub-Divisional Police Officer, Amalner, Tq. Amalner Dist. Jalgaon being a reporting authority has written the aforesaid

//2//

O.A. 1096/2019

A.P.A.R. of the applicant for the said year and recorded gradation of the applicant as 9.14 out of 10. However, the reviewing authority i.e. respondent No.3 –the District Superintendent of Police, Jalgaon, Tq. and Dist. Jalgaon has reduced the said gradation from 9.14 to 4.57.

5. Learned counsel for the applicant submits that being aggrieved by the same, the applicant has preferred the representation dated 07.06.2019 (Annexure 'C') before the respondent No. 2 i.e. the Director General of Police, Maharashtra State Mumbai, however, the said representation is still pending. The applicant is seeking direction against the respondent No.2 to decide the said representation as expeditiously as possible in a time bound manner.

6. Learned P.O. submits that the respondent No.2 has separately filed the affidavit in reply and in paragraph No. 3 (v) it is stated as follows:-

“(v) This office has obtained the remarks of the Respondent No.3, i.e. the then the S.P. Jalgaon and now Additional Commissioner of Police, (East Region), Kalyan. The same have been received on 4.2.2020 and the same now put up before the Director General of Police,

Maharashtra State, Mumbai through the Additional Director General of Police (Establishment) for taking an appropriate view of the representation made by the applicant herein on 7.6.2019 and its decision would be communicated to the applicant at the earliest. It is submitted that because of the aforesaid position, only this short affidavit is being filed, without admitting the contentions raised in this Original Application by the applicant.”

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

8. It appears that the representation filed by the applicant against the review of his gradation by respondent No.3 is pending before the respondent No.2 since 2019. As informed by the learned P.O., the respondent No.2 has called the remarks from the respondent No.3 and also from the Additional Commissioner of Police (East Region), Kalyan and the said information was received on 4.2.2020. I find no justifiable reasons in not considering the representation submitted by the applicant for such a long period. In view of same, it would be just and proper to direct the respondent No.2 to decide the representation submitted by the applicant as

//4// O.A. 1096/2019

expeditiously as possible in time bound manner.
Hence, the following order:-

ORDER

- (A) The Original Application is hereby partly allowed.
- (B) The respondent No.2 is hereby directed to decide the representation filed by the applicant dated 07.06.2019 (Annexure 'C') as expeditiously as possible preferably within a period of four weeks from the date of this order.
- (C) The Original Application is accordingly disposed of. No order as to costs.

MEMBER (J)