

DATE : 20.01.2023

ORIGINAL APPLICATION NO. 71 OF 2023

(Dattatrya D. Sonune Vs. The State of Maha. & Ors.)

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

1. Shri Amol R. Gaikwad, learned Advocate for the applicant and Shri S.K. Shirse, learned P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on **24.02.2023**. The case be listed for admission hearing on **24.02.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

**M.A. No. 38/2023 in O.A. No. 861/2022
(Shobha R. Tak Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 20.01.2023

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents in M.A., returnable on 15.02.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 15.02.2023.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 556 OF 2020
(Umakant L. Bedse Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

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

2. Record shows that on last date learned Advocate for the applicant has placed on record notes of submissions along with certain documents, which were not the part of earlier pleadings. The said notes of submissions are already taken on record now for convenient purposes they are giving page numbers. The paging is done after rejoinder affidavit.

3. From documents on record it is evident that the Senior Tribal Development Inspector is a new cadre created in the year 2014 which, did not have any defined channel of promotion. It has been clubbed together with the cadre of 'Warden' to bring the same in a defined channel of promotion to the post of Assistant Project Officer (Higher

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O.A. No. 556/2020

Grade) under provisions of Recruitment Rules called as Assistant Project Officer (Higher Grade), Statistics Officer, Manager, Chief Warden (Recruitment) Rules, 2017 (in short, 'Recruitment Rules, 2017').

4. The applicant has grievance of getting clubbed with the cadre of Wardens for the reason that Warden is a larger cadre, which reduces chances of promotion of those in relatively nascent cadre of Senior Tribal Development Inspectors. The applicant has, therefore, preference for clubbing the cadre of Senior Tribal Development Inspector along with relative small cadres comprising of Office Superintendent Cultural Officer, Junior Administrative Officer and Research Assistant.

5. Recruitment Rules, 2017 provides for ratio of recruitment to the post of Assistant Project Officer (Higher Grade) by promotion and nomination on 50:50 basis. Further distribution of 50% quota of promotion has been subdivided as follows :-

(37.5%)	(12.5%)
(a) Warden (b) Senior Tribal Development Inspectors	(a) Office Superintendent (b) Cultural Officer (c) Junior Administrative Officer (d) Research Assistant

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O.A. No. 556/2020

6. Learned Advocate for the applicant has pointed out that a few of employees from the cadre of Senior Tribal Development Inspectors have recently been given inter-cadre movement to the cadre of Office Superintendent to facilitate their faster promotion; even though there is no policy/Rule of inter-cadre Transfer.

7. In view above discussion, it is necessary for the respondents to clarify :-

(a) Rationale of clubbing of cadre under 37.5 quota and 12.5% quota categories as depicted in preceding para No. 5.

(b) Rationale of assigning a definite percentage of quota to each of the two quota categories as mentioned earlier.

(c) Not opting for method of promotion by preparing common seniority for all feeder cadres and give promotion on seniority cum merit basis or in alternative, though Limited Departmental Competitive Examination in order to resolve the issue.

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O.A. No. 556/2020

(d) If inter-cadre transfer as alleged, has been permitted in some cases, then the rules/policy under which the same has been effected.

8. The respondents shall not proceed with the promotion process to the cadre of Assistant Project Officer (Higher Grade), until further orders.

9. The present matter has already been treated as part heard.

10. S.O. to 10.02.2023. **High on board.**

MEMBER (A)

KPB ORAL ORDERS 20.01.2023

MEMBER (J)

ORIGINAL APPLICATION NO. 641 OF 2021
(Nilesh V. Salunke Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri Gajanan Kadam, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. The present matter is closed for orders.

MEMBER (A)

MEMBER (J)

**O.A. Nos. 377/2019, 378/2019, 379/2019,
381/2019, 382/2019, 565/2019, 630/2019,
660/2019, 661/2019, 988/2019, 108/2020,
109/2020 and 656/2022**
(Somnath A. Nande & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 20.01.2023

ORAL ORDER :

Heard Shri V.S. Panpatte and Shri R.C. Bramhankar, learned Advocates for the respective applicants in respective O.As. and Shri M.P. Gude, learned Presenting Officer for the respondents in all these O.As.

2. The present matters are already been treated as part heard.
3. S.O. to 03.02.2023. **High on Board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 891 OF 2018
(Dr. Uddhav S. Khaire Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Dr. Uddhav S. Khaire, party in person and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. S.O. to 03.02.2023 for re-hearing. **High on board.**

MEMBER (A)

MEMBER (J)

**CP 01/22 with MA 337/21 in TA 02/21 (W.P. 2612/21)
(Samiksha Chandrakar & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 20.01.2023

ORAL ORDER :

Shri Ajay Deshpade, learned Advocate for the applicants in C.P. and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present. Shri U.S. Patil, learned Advocate for applicant in M.A. 337/2021, **absent**.

2. S.O. to 10.02.2023 for further consideration.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 20.01.2023

ORIGINAL APPLICATION NO. 696 OF 2019
(Supadu K. Suwade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri R.P. Bhumkar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. As per the Circular No. MAT/MUM/JUD/1340/2022, dated 22.12.2022 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Single Bench. The present matter is pertaining to benefits of time bound promotion/ACPS/Recovery.

3. In view of the same, the present matter be placed before the Single Bench for further hearing.

4. S.O. to 08.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 734 OF 2019
(Shamsunder R. Pande Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. As per the Circular No. MAT/MUM/JUD/1340/2022, dated 22.12.2022 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Single Bench. The present matter is pertaining to benefits of time bound promotion/minor punishment.

3. In view of the same, the present matter be placed before the Single Bench for further hearing.

4. S.O. to 13.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 164 OF 2020
(Hemant M. Chhajer Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Ms. Jayashree Pathade, learned Advocate holding for Shri A.M. Hajare, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 411 OF 2020
(Ashfaq Shahnour Quraishi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri A.D. Sugdare, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. As per the Circular No. MAT/MUM/JUD/1340/2022, dated 22.12.2022 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Single Bench. The present matter is pertaining to benefits of time bound promotion/ACPS.

3. In view of the same, the present matter be placed before the Single Bench for further hearing.

4. S.O. to 09.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 412 OF 2020
(Omprakash H. Kothari Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri Avinash Deshmukh, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 & 4, are present.

2. S.O. to 15.02.2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 559 OF 2020
(Vishranti B. Giri Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 20.01.2023

ORAL ORDER :

Shri A.C. Deshpande, learned Advocate for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 17.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

O.A. No. 96/2021 with O.A. No. 127/2021
(Shriram P. Chavan & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri R.P. Bhumkar, learned Advocate for the applicants in both the O.As. and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities in both the O.As., are present.

2. As per the Circular No. MAT/MUM/JUD/1340/2022, dated 22.12.2022 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Single Bench. The present matters are pertaining to benefits of time bound promotion/ACPS.

3. In view of the same, the present matters be placed before the Single Bench for further hearing.

4. S.O. to 10.02.2023.

MEMBER (A)

MEMBER (J)

O.A. No. 275/2021 with O.A. No. 276/2021
(Prameshwar P. Pawar & Anr. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri D.B. Bhange, learned Advocate for the applicants in both the O.As. and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities in both the O.As.

2. Learned Presenting Officer to place on record the status report as regards observations made by this Tribunal in farad sheet order dated 26.04.2022.

3. S.O. to 06.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 88 OF 2022
(Ravi H. Kondar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri Krishna Bhosle, learned Advocate holding for Shri A.T. Kanwade, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Smt. R.R. Kulkarni, learned Advocate appeared on behalf of respondent No. 5 and submits that she will file Vakalatnama on behalf of respondent No. 5 on or before the next date of hearing.

3. S.O. to 20.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 167/2022
(Pravin K. Kokande Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri Jiwan Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 171/2022
(Madansingh S. Gusinge Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri Jiwan Patil, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 20.01.2023

ORIGINAL APPLICATION NO. 172/2022
(Suresh S. Bodade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri Jiwan Patil, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

**M.A. No. 609/2019 in O.A. St. No. 2372/2019
(Radhabai K. Kedare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 20.01.2023

ORAL ORDER :

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

2. S.O. to 13.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 20.01.2023

M.A. No. 219/2022 in O.A. No. 810/2021
(The Divisional Commissioner, Nashik & Ors. Vs. Ganesh B. Agale)

WITH

M.A. No. 220/2022 in O.A. No. 381/2021
(The Divisional Commissioner, Nashik & Ors. Vs. Manjushree S. Deokar)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri V.R. Bhumkar, learned Presenting Officer for the applicants in the present M.As. / respondents in O.As. and Shri V.B. Wagh, learned Advocate for the respondent No. 1 in both the M.A. / applicants in O.As., are present.

2. S.O. to 09.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

M.A. No. 269/2022 in O.A. No. 407/2022
(Vijaykumar S. Waghmare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri P.S. Anerao, learned Advocate for the applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 14.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 20.01.2023

M.A. No. 548/2022 in O.A. No. 926/2022
(Sandesh J. More & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri Avinash Deshmukh, learned Advocate for the applicants in the present M.A. / Intervenors, Shri Sayyed Tauseef Yaseen, learned Advocate for the applicant in O.A. and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., time is granted for filing affidavit in reply in O.A.

3. S.O. to 20.02.2023.

MEMBER (A)

MEMBER (J)

MA ST. 1274/22 in MA 35/19 in OA St. 47/2019
(Rajendra P. Ghanwat & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri A.B. Chalak, learned Advocate for the applicants in M.A. St. 1274/2022/ intervenors, Shri K.B. Jadhav, learned Advocate for the applicant in M.A. 35/2019 and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 15.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 385/2019
(Suresh U. Nande Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri P.B. Rakhunde, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 10.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 398/2019
(Dr. Anilkumar B. Momale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 738/2019
(Vikas V. Salve Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri P.B. Rakhunde, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 13.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1065/2019
(Dr. Jahagirdar D. Nizam Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 20.01.2023

**O.A. Nos. 246, 238, 239, 242, 243, 244, 245, 248
& 249 all of 2020**

(Dattatraya M. Devkate & Ors. Vs. State of Maharashtra & Ors.)

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

and

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri S.R. Sapkal, learned Advocate for the applicants in all these O.As. (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondent authorities in all these O.As. and Shri S.V. Khalse, learned Advocate holding for Shri S.Y. Shinde, learned Advocate for respondent Nos. 4 to 7 in all these O.As.

2. S.O. to 15.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 119 OF 2018
(Jyoti L. Rathod Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri G.J. Kore, learned Advocate holding for Shri S.N. Patne, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Record shows that the interim order was passed by this Tribunal in the present matter by the order dated 27.02.2019 in farad sheet. Thereafter, by the order dated 25.09.2021 in farad sheet, the parties were directed to produce on record the recruitment rules. However, no steps have been taken by either of the parties to produce the same.

3. In view of above, the parties are directed to take note of the above-said observations and directions and to comply it by the next date of hearing.

4. S.O. to 08.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 661/2017
(Shailendra S. Kapse Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri Ketan Pote, learned Advocate holding for Shri A.G. Ambetkar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. At the request of learned Advocate for the applicant, S.O. to 06.02.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 108/2017
(Kishor P. Shinde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri R.B. Bhosale, learned Advocate for the applicant (**Absent**). Heard Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Record shows that nobody is appearing on behalf of the applicant since last three dates i.e. on 18.10.2022, 30.11.2022 and 15.12.2022. In view of the same, it appears that the applicant is not interested in prosecuting the matter. Hence, the O.A. stands dismissed in default.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 285/2018
(Meera J. Dolas Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri Avinash Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. By consent of both the sides, S.O. to 08.02.2023 for peremptorily final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 851/2016
(Jagdish B. Pardeshi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. At the request of learned Advocate for the applicant, S.O. to 10.02.2023 for peremptorily final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 111/2013
(Gajanan M. Shikare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri S.S. Hulkude, learned Advocate for the applicant and Shri S.K. Sawangikar, learned Advocate for respondent No. 4, are **absent**.

Heard Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri G.J. Kore, learned Advocate for respondent No. 3.

2. As none present for the applicant, S.O. to 13.02.2023 for peremptorily final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 326/2016
(Changdeo G. Sawant Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 03.02.2023 for peremptorily final hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 20.01.2023

**ORIGINAL APPLICATION NO. 773 OF 2018
(Shivaji B. Satote Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 20.01.2023

ORAL ORDER :

Shri R.P. Bhumkar, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned Advocate for respondent No. 2, are present.

2. As per the Circular No. MAT/MUM/JUD/1340/2022, dated 22.12.2022 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Single Bench. The present matter is pertaining to benefits of time bound promotion/ACPS/benefits of G.R./Higher pay scale.

3. In view of the same, the present matter be placed before the Single Bench for further hearing.

4. S.O. to 13.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 248/2019
(Vikram B. Mate & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicants, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri S.D. Dhongde, learned Advocate for respondent Nos. 3 & 4.

2. The present matter is to be treated as part heard.

3. S.O. to 10.02.2023. **High on board.**

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 185 OF 2018
(Vasant S. Bagde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 20.01.2023

ORAL ORDER :

Heard S/shri M.B. Bharaswadkar along with Sunil B. Jadhav, learned Advocates for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Record shows that the Manager, Government Printing Press, Aurangabad is the disciplinary authority, who said to have issued charge-sheet against the applicant. However, the said authority is not joined as party respondent to the present Original Application. Instead the Junior Assistant Manager, Government Printing Press, Aurangabad is joined as respondent No.3. Hence, the learned Advocate for the applicant seeks permission to join the Manager, Government Printing Press, Aurangabad as respondent No. 4.

3. Permission as prayed for by the applicant is granted. The applicant shall carry out the necessary amendment in the O.A. forthwith.

4. Issue notice to the newly added respondent No. 4, returnable on 20.02.2023.

//2// O.A. No. 185/2018

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

6. 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.

7. 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.

8. 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.

9. S.O. to 20.02.2023.

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

MEMBER (A)

MEMBER (J)

C.P. 43/2019 IN M.A.97/2012 IN O.A.817/2011
(Dharampal U. Dethe Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri A.B. Rajkar, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned Advocate for the respondent No.3.

2. At the request of the learned Advocate for the applicant, one more last chance is granted for filing affidavit in rejoinder.

3. S.O. to 14.02.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 20.01.2023

ORIGINAL APPLICATION NO. 422 OF 2018
(Dr. Raghuvir B. Bhosale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Dr. Raghubir V. Bhosale, applicant in person
(**Absent**). Shri S.K. Shirse, learned Presenting
Officer for the respondent authorities, is present.

2. S.O. to 16.02.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 20.01.2023

ORIGINAL APPLICATION NO. 209 OF 2019
(Ramesh G. Verule Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri R.P. Bhumkar, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned Advocate for the respondent No. 2 & 4.

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

3. As per the Circular No. MAT / MUM/ JUD/ 1340/2022, dated 22.12.2022 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding voluntary retirement, counting of service for initial modified assured progress scheme by G.R. dated 01.07.2011, service benefit, pensionary other than pay scale, time bound promotion, ACPS and lien are to be dealt with by the Single Bench. The Original Application is pertaining to Time Bound Promotion/A.C.P.S.

4. In view of the same, the present matter be placed before the Single Bench.

5. S.O. to 17.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 349 OF 2019
(Dadasaheb M. Kewat Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri S.D. Dhongde, learned Advocate for the respondent No.4.

2. Affidavit in reply filed on behalf of the respondent Nos. 2 to 5 is taken on record and copy thereof has been served on the other side.

3. S.O. to 22.02.2023 for filing affidavit in rejoinder, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 448 OF 2019
(Anil T. Patil & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri S.D. Kotkar, learned Advocate for the applicants (**Absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned Advocate for the applicants, S.O. to 17.02.2023 as a last chance for filing affidavit in rejoinder.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1010 OF 2019
(Yusufkhan Gusher Khan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Smt. N.V. Borse, learned Advocate holding for Shri M.R. Wagh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Record shows that affidavit in reply is only filed on behalf of the respondent No.5.

3. Record shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondent Nos. 1 to 4. Hence, the matter will proceed further without affidavit in reply of the respondent Nos. 1 to 4.

4. In view of the same, fix the matter for hearing on 08.02.2023. The applicant is at liberty to file affidavit in rejoinder to the affidavit in reply filed on behalf of the respondent No.5.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 308 OF 2020
(Ranjeet T. Bhorje Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri Ameya N. Sabnis, learned Advocate for the applicant and Shri Mahesh B. Ubale, learned Advocate for the respondent No.3, are **absent**.

Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. Record shows that in spite of grant of opportunities, affidavit in rejoinder is not filed on behalf of the applicant.

4. In view of the same, fix the matter for hearing on 14.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 385 OF 2020
(Rajinder Singh Shobha Singh Kolhapure Vs. State of
Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, one more last chance is granted for filing affidavit in rejoinder.

3. S.O. to 13.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 423 OF 2020
(Rahul P. Deore Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri N.L. Choudhari, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Record shows that affidavit in reply is already filed on behalf of the respondent Nos. 1 to 4.

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

4. S.O. to 15.02.2023.

MEMBER (A)

MEMBER (J)

T.A. No. 04/2021 (W.P. No. 8018/2020)
(Pratik V. Phutane Vs. State of Maharashtra & Ors.)

WITH

T.A. No. 05/2021 (W.P. No. 8019/2020)
(Raviraj R. Manurwar Vs. State of Maharashtra & Ors.)

WITH

T.A. No. 06/2021 (W.P. No. 8020/2020)
(Syed Akhtar Syaed LalVs. State of Maharashtra & Ors.)

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

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri Abhay Rathod, learned Advocate for the applicants in all these cases. and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in all these cases.

2. Affidavit in rejoinder filed on behalf of the applicant in T.A.4/2021 is taken on record and copy thereof has been served on the other side.

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

4. Time is also granted to the applicant to file affidavit in rejoinder in remaining matters.

5. S.O. to 22.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 415 OF 2021
(Vivekanand V. Auti & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri S.S. Dambe, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 14.02.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 20.01.2023

ORIGINAL APPLICATION NO. 476 OF 2021
(Machindra K. Bhalerao Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri M.R. Deshmukh learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Affidavit in rejoinder filed on behalf of the applicant is taken on record and copy thereof has been served on the other side.

3. S.O. to 16.02.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 551 OF 2021
(Ram D. Anerao & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri R.P. Bhumkar, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 16.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 663 OF 2021
(Kiran K. Komwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Smt. Priay R. Bharaswadkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, last chance is granted for filing affidavit in rejoinder.

3. S.O. to 14.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 64 OF 2022
(Bhimrao K. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

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

2. Record shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondents. Hence, the matter will proceed further without affidavit in reply of the respondents.

3. In view of the same, fix the matter for hearing on 27.02.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 93 OF 2022
(Vidya S. Sudane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 27.02.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 198 OF 2022
(Sachin H. Bidkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri R.B. Ade, learned Advocate for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. Record shows that in spite of grant of opportunities, affidavit in rejoinder is not filed on behalf of the applicant.

3. In view of above, fix the matter for hearing on 10.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 212 OF 2022
(Shantilal M. More Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

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

3. As per the Circular No. MAT / MUM/ JUD/ 1340/2022, dated 22.12.2022 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding voluntary retirement, counting of service for initial modified assured progress scheme by G.R. dated 01.07.2011, service benefit, pensionary other than pay scale, time bound promotion, ACPS and lien are to be dealt with by the Single Bench. The Original Application is pertaining to A.C.P.S.

4. In view of the same, the present matter be placed before the Single Bench.

5. S.O. to 13.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 367 OF 2022
(Ikramoddin Khiyamoddin Khatib Vs. State of Maharashtra &
Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri R.A. Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of the respondent Nos. 1 & 2.

3. S.O. to 17.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 489 OF 2022
(Dattatraya D. Shinde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Smt. Priya R. Bharaswadkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Affidavit in rejoinder filed on behalf of the applicant is taken on record and copy thereof has been served on the other side.

3. S.O. to 15.02.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 670 OF 2022
(Dr. Rajeshree N. Agarwal Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

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

2. Record shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondents. Hence, the matter will proceed further without affidavit in reply of the respondents.

3. In view of the same, fix the matter for hearing on 13.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 785 OF 2022
(Bhaurao M. Ghane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri Krishna Bhosale, learned Advocate holding for Shri Ajay T. Kanawade, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Affidavit in rejoinder filed on behalf of the applicant is taken on record and copy thereof has been served on the other side.

3. S.O. to 20.02.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 828 OF 2022
(Shailendra G. Sasane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

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

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

3. S.O. to 20.02.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 927 OF 2022
(Ratan V. Kajale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 20.02.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 930 OF 2022
(Shagir Rustum Pathan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri P.D. Suryawanshi, learned Advocate for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. Await service of notice on respondent Nos. 4 to 6.

3. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of the respondent Nos. 1 to 3.

4. S.O. to 21.02.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 931 OF 2022
(Jubirruddin Hamidoddin Shaikh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri P.D. Suryawanshi, learned Advocate for the applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. Await service of notice on respondent No. 1.

3. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of the respondent Nos. 2 to 6.

4. S.O. to 21.02.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 947 OF 2022
(Nikita M. Rajput Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri Sayed Tauseef Yaseen, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 20.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 950 OF 2022
(Chaitali J. Katariya & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Sayed Tauseef Yaseen, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 20.02.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 20.01.2023

ORIGINAL APPLICATION NO. 957 OF 2022
(Manik S. Desale & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Smt. Suchita Dhongnde, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

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

3. As per the Circular No. MAT / MUM/ JUD/ 1340/2022, dated 22.12.2022 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding voluntary retirement, counting of service for initial modified assured progress scheme by G.R. dated 01.07.2011, service benefit, pensionary other than pay scale, time bound promotion, ACPS and lien are to be dealt with by the Single Bench. The Original Application is pertaining to Time Bound Promotion/A.C.P.S.

4. In view of the same, the present matter be placed before the Single Bench.

5. S.O. to 17.02.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 982 OF 2022
(Dr. Sanjitkumar M. Sant Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 31.01.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 20.01.2023

M.A.NO. 93/2017 IN O.A.NO. 801/2022
(Manjushree B. Deshpande Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri H.A. Joshi, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 13.02.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 20.01.2023

M.A.NO. 363/2021 IN O.A.ST.NO. 1149/2021
(Ramling M. Bansode Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri K.M. Nagarkar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Shri Ajinkya S. Reddy, learned Advocate filed **VAKALATNAMA** on behalf of the respondent No.3. It is taken on record.

3. At the request made on behalf of the respondents, one more last chance is granted for filing affidavit in reply in M.A.

4. S.O.to 10.02.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 20.01.2023

M.A.NO. 96/2022 IN O.A.ST.NO. 96/2022
(Panjabrao D. Bhosale & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri Vikram Kadam, learned Advocate for the applicants (**Absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. At the request of the learned P.O., one more last chance is granted for filing affidavit in reply on behalf of the respondent in M.A.

3. S.O. to 14.02.2023.

MEMBER (A)

MEMBER (J)

M.A.NO. 134/2022 IN O.A.ST.NO. 1419/2021
(Chate Shankar Dhondiba Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri K.M. Nagarkar, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned Advocate for the respondent Nos. 3 to 6.

2. At the request made on behalf of the respondents, one more last chance is granted for filing affidavit in reply in M.A.

4. S.O.to 28.02.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 20.01.2023

M.A.NO. 263/2022 IN O.A.ST.NO. 986/2022
(Vankat R. Potdar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri B.G. Deshmukh, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri V.V. Ingle, learned Advocate for the respondent No.4.

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

3. S.O. to 16.02.2023 for filing affidavit in reply on behalf of the respondent No.4 as well as for filing affidavit in rejoinder by the applicant, if any.

MEMBER (A)

MEMBER (J)

M.A.NO. 283/2022 IN O.A.ST.NO. 265/2022
(Gulab H. Imale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri H.C. Puse, learned Advocate holding for Shri Ramesh R. Imale, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 16.02.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 20.01.2023

M.A.NO. 555/2022 IN O.A.NO. 953/2022
(Somesh P. Nilkanth Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities. None present on behalf of the respondent No.3.

2. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of the respondent Nos. 1 & 2.

3. S.O. to 15.02.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 20.01.2023

T.A.NO. 20/2022 (W.P.NO. 9263/2022)
(Chandrakant S. Jagtap Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Shri D.R. Jaybhar, learned Advocate for the applicant (**Absent**). Shri M.P. Gude, learned Presenting Officer for the respondents, is present.

2. In view of absence of learned Advocate for the applicant, S.O. to 08.02.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 20.01.2023

M.A.NO.40/2023 IN T.A.21/2022 (W.P.10068/2022)
(Balasaheb Gangadhar Borhade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

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

2. Issue notice to the respondents in M.A., returnable on 22.02.2023.

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

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

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

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

7. S.O. to 22.02.2023.

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

MEMBER (A)

MEMBER (J)

M.A.NO. 23/2023 IN O.A.ST.NO. 3132/2022
(Sanjay V. Nagamwad & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri Jiwan J. Patil, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. S.O. to 30.01.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 20.01.2023

ORIGINAL APPLICATION NO. 48 OF 2023
(Shankar H. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri Jiwan J. Patil, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 23.02.2023.

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

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

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

//2// O.A.No. 48/2023

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. If any adverse decision taken against the applicant would be subject to outcome of this litigation.

8. S.O. to 23.02.2023.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 51 OF 2023
(Dr. Ravindra R. Mistry Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri Ketan D. Pote, learned Advocate holding for Shri A.G. Ambetkar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 23.02.2023.

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

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

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

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

7. S.O. to 23.02.2023.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 52 OF 2023
(Dr. Shakuntala L. Shelke Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri Ketan D. Pote, learned Advocate holding for Shri A.G. Ambetkar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 23.02.2023.

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

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

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

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

7. S.O. to 23.02.2023.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 62 OF 2023

(Dr. Bhushan B. Rao Vs. State of Maharashtra & Ors.)

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

and

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri Ketan D. Pote, learned Advocate holding for Shri A.G. Ambetkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 23.02.2023.

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

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

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

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

7. S.O. to 23.02.2023.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 68 OF 2023

(Dr. Rohini S. Deshmukh Vs. State of Maharashtra & Ors.)

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

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri K.J. Suryawanshi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. This Original Application is filed seeking main relief in terms of paragraph No. 15 (B) and interim relief in terms of paragraph No. 16 (A) as follows:-

"15(B). The impugned communication dated 10.01.2023 issued by respondent no.2 to the extent of clause No.3, disqualifying the applicant to appear for the examination of CHO from Jalna district may kindly be quashed and set aside and the respondent no.2 and 3 be directed to allow/permit the applicant to appear for the examination of CHO from Jalna district which is schedule on 22.1.2023.

16 (A). Pending hearing and final disposal of O.A., the impugned communication dated 10.1.2023 issued by respondent no.2 to the extent of clause No. 3, disqualifying the applicant to appear for the examination of CHO from Jalna

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district may kindly be stayed and the respondent no.2 and 3 be directed to allow/permit the applicant to appear for the examination of CHO from Jalna district which is schedule on 22.1.2023."

3. The applicant is having qualification of Bachelor in Aayurvedic Medicine and Surgery (BAMS). She was appointed as a Community Health Officer (CHO) on 20.07.2020 as per order dated 20.07.2020 (Annex. A-1). Thereby she is posted in district Yawatmal.

4. The respondent No.2 published an advertisement dated 09.12.2022 (Annex. A-2) for filling up the post of Community Health Officer (CHO). The applicant is having requisite qualification for the post of Community Health Officer under National Health Mission. As per advertisement, the employees appointed under Nation Health Mission were eligible to file application and they were given five years age relaxation. Accordingly, the applicant applied pursuant to the said advertisement.

5. The name of the applicant appeared in the eligible candidates list at Sr. No. 8 (page No. 23 of P.B.). That was provisional, as selection program

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contemplated objection if any in respect of such list of eligible candidates and non-eligible candidates.

6. Thereafter, final eligible and non-eligible candidates list were published. The name of the applicant appeared at Sr. No. 2 in the non-eligible candidates list on the ground that the applicant is presently working as Community Health Officer. According to the applicant the said alleged disqualification is not reflected in the advertisement dated 09.12.2022 (Annex. A-2). However, the same is introduced by subsequent public notification dated 10.01.2023 (Annex. A-4). Unnumbered clause No. 3 of the said public notification dated 10.01.2023 is as follows:-

“सामुदाय आरोग्य अधिकारी यांचे यापुर्वी प्रशिक्षणासाठी निवड होऊन किमान एक विद्या वेतन घेतलेल्या सदर उमेदवारांना या प्रक्रियेतून अपात्र करण्यात आले आहे. तसेच सदरील बाबतची त्रुटी आढळून आल्यास पुढील प्रक्रियेत सदरील उमेदवारास कोणत्याही टप्प्यावर अपात्र ठरविण्यात येईल याची उमेदवारांनी नोंद घ्यावी.”

7. Learned Advocate for the applicant therefore sought temporary relief of giving permission to appear in the written examination.

8. Learned P.O. appearing for the respondents opposed the submissions raised on behalf of the applicant and contended that the public notification dated 10.01.2023 is issued in accordance with law before written examination in view of the fact that the department has decided to make non-eligible to the candidates who are already in service and completed the training and got at list one month's stipend.

9. In order to substantiate the same, learned P.O. placed on record three page document under the heading of frequently asked questions. Prima-facie, however, it is pertinent to note that the candidates are not made aware of such reason in the process and there is no whisper of the said reason in the public notification dated 10.01.2023.

10. In the circumstances as above, in our considered opinion, if the interim relief is refused at this stage, the cause of justice is likely to be defeated at the threshold.

11. Learned Advocate for the applicant submitted that if the applicant is permitted to appear in the examination and got selected, the applicant is ready

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to comply with the bond condition as reflected in the advertisement at page No. 15 as follows:-

“On selection, candidates has to sign a bond of Rs.1,03,000/- lakhs if he/she leaves the training in between or discontinue from the services within three years of appointment”.

Hence, following order:-

Interim relief in terms of paragraph No. 16 (A) is granted on the condition that the applicant if selected will abide the condition of bond of Rs. 1, 03,000/- as reflected in advertisement dated 09.12.2022 (part of advertisement) and result of the applicant may be kept in sealed cover and may not be declared without prior permission of this Tribunal.

12. Issue notice to the respondents, returnable on 23.02.2023.

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

14. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of

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O.A.68/2023

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.

15. 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.

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

17. S.O. to 23.02.2023.

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

MEMBER (A)

MEMBER (J)

T.A.NO. 22/2022 (W.P.NO. 12575/2022)
(Shankar P. Dange Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri R.R. Kale, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant submits that he would file service affidavit during the course of the day.

3. Shri V.G. Pingle, learned Advocate filed **VAKALATNAMA** on behalf of the respondent No.4. It is taken on record.

4. At the request made on behalf of the respondents, time is granted for filing affidavit in reply.

5. S.O. to 03.02.2023. **High on Board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 168 OF 2022
(Shirish R. Yadav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri J.J. Patil, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

Shri S.S. Chapalgaonkar, learned Special Counsel for the respondent No.3, is **absent**.

2. Hearing of this Original Application is expedited.

3. S.O. to 02.02.2023. **High on Board**. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

C.P.NO. 10/2022 IN O.A.NO. 191/2021
(Sandip W. Khadse Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 20.01.2023

ORAL ORDER :

Heard Shri A.W. Khadse, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

Shri M.D. Lonkar, learned Special Counsel for the respondents, is **absent**.

2. S.O. to 10.02.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 20.01.2023

**ORIGINAL APPLICATION NO. 1106 OF 2022
(Pandurang A. Joshi Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

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

2. Await service.

3. S.O. to 7.2.2023 for filing affidavit in reply by the respondents.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**ORIGINAL APPLICATION NO. 935 OF 2022
(Pooja M. Patil & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

Shri K.G. Salunke, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has submitted that respondent Nos. 3 & 4 have filed their affidavit in reply. It is further submitted that respondent Nos. 1 & 2 may not be filing any affidavit in reply and affidavit in reply filed on behalf of respondent Nos. 3 & 4 is adopted by respondent Nos. 1 & 2.

3. In the circumstances, list the matter for hearing on 17.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**ORIGINAL APPLICATION NO. 706 OF 2022
(Sahas T. Waghmare Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

Shri Pratap G. Rodge, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri S.V. Bhopi, learned counsel holding for Shri Vaibhav B. Dhage, learned counsel for respondent No. 4, are present.

2. Learned Presenting Officer has again sought time to file affidavit in reply. Time granted by way of one more last chance. It is made clear that if the affidavit in reply is not filed on or before the next date, the matter will be heard without affidavit in reply of the respondents.

3. S.O. to 6.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

ORIGINAL APPLICATION NO. 652 OF 2022
(Dinesh R. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 20.1.2023

ORAL ORDER :

Shri P.D. Patil, learned counsel for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri B.V. Thombre, learned counsel for respondent No. 3, are present.

2. S.O. to 24.1.2023 for filing affidavit in reply on behalf of respondent Nos. 1 & 2.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**ORIGINAL APPLICATION NO. 494 OF 2020
(Yashwant L. Mohite Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

Shri Suhas B. Ghute, learned counsel for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri Hanumant P. Jadhav, learned counsel for respondent No. 5, are present.

2. S.O. to 24.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**M.A.NO. 360/2022 IN O.A.ST.NO. 712/2022 WITH
M.A.NO. 361/2022 IN O.A.ST.NO. 713/2022 WITH
M.A.NO. 362/2022 IN O.A.ST.NO. 714/2022 WITH
M.A.NO. 363/2022 IN O.A.ST.NO. 766/2022
(Murlidhar G. Rathod & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

Heard Shri A.R. Gaikwad, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities in all these matters.

2. Learned counsel for the applicants seeks leave of this Tribunal to place on record fresh address of respondent No. 3 in all these matters. Leave as prayed for is granted.

3. After placing on record fresh address of respondent No. 3, reissue notice to respondent No. 3 in all these matters, returnable on 27.2.2023.

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

5. Applicants are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly

:: - 2 - :: M.A. 360/22 IN O.A.ST. 712/22 & Group

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 27.2.2023.

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

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**ORIGINAL APPLICATION NO. 2 OF 2021
(Kiran S. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

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

2. S.O. to 24.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

ORIGINAL APPLICATION NO. 772 OF 2021
(Prakash J. Salve & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 20.1.2023

ORAL ORDER :

Smt. Neha B. Kamble, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer again sought time for filing affidavit in reply. Time granted by way of one more last chance.

3. S.O. to 24.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**ORIGINAL APPLICATION NO. 83 OF 2022
(Jitendra D Gaurav Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

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

2. Learned counsel for the applicant sought time for filing rejoinder affidavit. Time granted.
3. S.O. to 24.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

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

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

DATE : 20.1.2023

ORAL ORDER :

Ms. R.L. Jakhade, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer sought time for filing affidavit in reply. Time granted by way of last chance.

3. S.O. to 20.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**ORIGINAL APPLICATION NO. 649 OF 2022
(Prema S. Gadve Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant has filed leave note. Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 23.2.2023 for filing affidavit in reply.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**ORIGINAL APPLICATION NO. 671 OF 2022
(Kiran S. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

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

2. Learned Presenting Officer seeks time by way of one more last chance for filing affidavit in reply. Time granted.

3. S.O. to 24.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**ORIGINAL APPLICATION NO. 858 OF 2022
(Asif Abdul Rauf Mulla Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

Shri P.G. Rodge, learned counsel holding for Shri Ganesh V. Mohekar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 4 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 24.2.2023 for filing rejoinder affidavit by the applicant, if any.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**ORIGINAL APPLICATION NO. 1088 OF 2022
(Dr. Gautam B. Sawase Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for respondent No. 3, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 1 and the same is taken on record and copy thereof has been served on the other side.

3. List the matter for further consideration on 23.1.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**M.A.NO. 300/2022 IN O.A.ST.NO. 855/2022
(Tukaram S. Pawar Vs. State of Maharashtra & Ors.)**

W I T H

**M.A.NO. 301/2022 IN O.A.ST.NO. 856/2022
(Uttam V Bhumre Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

Shri M.M. Patil, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities in both these matters, are present.

2. Learned counsel for the applicants has sought time for filing rejoinder affidavit. Time granted.

3. S.O. to 3.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

M.A.NO. 303/2022 IN O.A.ST.NO. 708/2022
(Nagnath M. Adamankar Vs. State of Maharashtra & Ors.)

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

DATE : 20.1.2023

ORAL ORDER :

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

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 20.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**M.A.NO. 358/2022 IN O.A.ST.NO. 1093/2022
(Shriram G. Kulkarni Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant has filed leave note. Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent NOs. 3 & 4, are present.

2. Await service.
3. S.O. to 20.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**M.A.NO. 382/2022 IN O.A.ST.NO. 1465/2022
(Madhukar S. Muneshwar Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

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 Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 24.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**M.A.NO. 567/2022 IN O.A.NO. 1100/2022
(Dr. Namita B. Korwate Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

Ms. Preeti R. Wankhade, 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 24.1.2023 for hearing.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**M.A.NO. 568/2022 IN O.A.NO. 1099/2022
(Dr. Sapna H. Tallarwar Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

Ms. Preeti R. Wankhade, 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 24.1.2023 for hearing.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**M.A.ST.NO. 19/2023 IN O.A.ST.NO. 3130/2022
(Govind D. Marewad & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

Dr. (Smt.) Kalpalata Patil Bharaswadkar, learned counsel for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel submits that though the application for condonation of delay is prepared by her, the applicant could not come today for swearing the said application. Time is, therefore, sought. Granted.

3. S.O. to 3.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

ORIGINAL APPLICATION NO. 1143 OF 2022
(Uttam Prabhu Tumbewad Vs. State of Mah. & Ors.)

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

DATE : **20.1.2023**

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 10.2.2023.

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

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

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

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

7. S.O. to 10.2.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 45 OF 2023
(Sanjay D. Shinde Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 25.1.2023.

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

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

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

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

7. S.O. to 25.1.2023.

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

VICE CHAIRMAN

**M.A.NO. 30/2023 IN O.A.ST.NO. 3018/2022
(Vaibhav D Wagh & Anr. Vs. State of Maharashtra &
Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

Heard Shri K.B. Jadhav, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

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

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

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

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**ORIGINAL APPLICATION ST.NO. 3018/2022
(Vaibhav D Wagh & Anr. Vs. State of Mah. & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

Heard Shri K.B. Jadhav, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 27.2.2023.

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

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

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

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

7. S.O. to 27.2.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 46 OF 2023
(Hanuman H. Khedkar Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 10.2.2023.

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

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

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

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

7. S.O. to 10.2.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 57 OF 2023
(Shaikh Mohd. Aslam Rahimshamiya Vs. State of
Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 27.2.2023.

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

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

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

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

7. S.O. to 27.2.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 67 OF 2023
(Nilesh C. Nemane Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 13.2.2023.

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

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

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

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

7. S.O. to 13.2.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION ST. NO. 57 OF 2023
(Bapurao M. Suryakar Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

Heard Shri P.G. Rodge, learned counsel holding for Shri K.P. Rodge, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Objections raised by the office of this Tribunal about limitation is sustainable objection. Hence, the present case be removed from the board.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**ORIGINAL APPLICATION ST. NO. 58 OF 2023
(Iqbal Ahmed Jangi Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

Heard Shri P.G. Rodge, learned counsel holding for Shri K.P. Rodge, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Objections raised by the office of this Tribunal about limitation is sustainable objection. Hence, the present case be removed from the board.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

ORIGINAL APPLICATION NO. 568 OF 2019
(Dnyanoba K. Oval Vs. State of Maharashtra & Ors.)

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

DATE : 20.1.2023

ORAL ORDER :

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

2. At the request and by consent of both the parties, S.O. to 16.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**ORIGINAL APPLICATION NO. 387 OF 2021
(Shankar B. Ghogare Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

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

2. S.O. to 27.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**M.A.NO. 166/2022 IN O.A.ST.NO. 644/2022
(Shaikh Mohseen Shaikh Khadar Vs. State of Maharashtra
& Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

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

2. Delay of 2 years apparently appears to be a longer period. However, after having considered the reasons as are assigned in the Misc. Application, I am inclined to allow the same. Hence, the following order: -

O R D E R

- (i) The Misc. Application is allowed. Delay caused in filing accompanying O.A. is condoned.
- (ii) Accompanying O.A. be registered in accordance with law.
- (iii) There shall be no order as to costs.

VICE CHAIRMAN

**ORIGINAL APPLICATION ST. NO. 644 OF 2022
(Shaikh Mohseen Shaikh Khadar Vs. State of
Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 28.2.2023.

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

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

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

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

7. S.O. to 28.2.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 99 OF 2021
(Shrikant V. Mundhe Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

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

2. At the request and by consent of both the parties, S.O. to 25.1.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

ORIGINAL APPLICATION NO. 185 OF 2020
(Baliram Babunath Mahale Vs. State of Maharashtra &
Ors.)

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

DATE : 20.1.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 20.2.2023

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**M.A.NO. 201/2020 IN O.A.ST.NO. 464/2020
(Satish Shantilal Gugale Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

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

2. By filing the accompanying Original Application the applicant is seeking the following reliefs: -

“A. To allow this Original Application.

B. To direct the respondent No. 1 and 2 to pay the salary of applicant for the period from 01.01.2000 to 21.08.2002 to the extent of total amount of Rs. 3,58,999/-, forthwith and for that purpose necessary directions may be issued.

C. To grant any other relief to which the applicant entitled to.”

3. Since the delay of more than 4 years has occurred in filing accompanying O.A., the present M.A. is filed seeking condonation of delay. Learned counsel submitted that the applicant retired on 31st May, 2014 on attaining the age of superannuation from the post of Deputy Engineer, Public Works Regional Special Project Division No. 1, Fort, Mumbai. It is further contended

that since verification of pay fixation was not done within time the applicant was requesting for such pay fixation/ pay verification. Learned counsel submits that in doing the said efforts the delay has occurred. Learned counsel submits that otherwise also there is continuing cause of action, since the applicant is deprived from his regular pension. Learned counsel in the circumstances has prayed for condoning the delay, which has occurred in preferring the accompanying O.A.

4. Learned Presenting Officer has opposed the Misc. Application on two grounds; first on the ground of territorial jurisdiction and other for want of sufficient reasons to condone the delay. Learned P.O. submitted that the applicant retired from Mumbai and pension papers are also prepared by the said office. In the circumstance, the applicant must have approached the Principal Bench of this Tribunal at Mumbai. Insofar as the delay is concerned, the learned P.O. submitted that it has not been appropriately explained by the applicant. The applicant should not have waited for such a long time in approaching the Tribunal.

5. Both the objections cannot be sustained. After retirement the applicant seems to have settled at Ahmednagar and will be receiving the pension at

:: - 3 - :: M.A. 201/20 IN O.A.ST. 464/20

Ahmednagar. Moreover, the applicant has made 'Office of Executive Engineer, Mumbai', as party respondent. In the circumstances, there may not be any difficulty for this Tribunal to entertain the accompanying O.A. In view of the fact that the matter pertains to pension, the delay though appears of 4 years has to be condoned, otherwise the applicant will lose his right to prosecute the matter on merit. In the circumstances, I am inclined to allow the present Misc. Application. Hence, the following order: -

ORDER

- (i) The Misc. Application is allowed. The delay occurred in filing accompanying O.A. is condoned.
- (ii) O.A. be registered in accordance with law.
- (iii) It is clarified that the applicant shall not herein after claim interest on the ground that the delay has occurred in processing his pension proposal for regular pension.
- (iv) There shall be no order as to costs.

VICE CHAIRMAN

**ORIGINAL APPLICATION ST.NO. 464 OF 2020
(Satish Shantilal Gugale Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 28.2.2023.

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

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

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

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

7. S.O. to 28.2.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 110 OF 2021
(Dr. Namdeo R. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

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

2. S.O. to 24.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

ORIGINAL APPLICATION NO. 24 OF 2022
(Jayant R. Ambhore Vs. State of Maharashtra & Ors.)

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

DATE : 20.1.2023

ORAL ORDER :

Shri K.A. Ingle, learned counsel for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri D.K. Dagadkhair, learned counsel for respondent No. 3, are present.

2. S.O. to 28.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

ORIGINAL APPLICATION NO. 438 OF 2022
(Sunita S. Gaikwad & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 20.1.2023

ORAL ORDER :

Shri V.G. Pingle, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 28.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

ORIGINAL APPLICATION NO. 481 OF 2022
(Dhanwantsing H. Saini Vs. State of Maharashtra & Ors.)

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

DATE : 20.1.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant has filed leave note. Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note filed by the learned counsel for the applicant, S.O. to 17.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

ORIGINAL APPLICATION NO. 522 OF 2022
(Shobha B. Parodwad & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 20.1.2023

ORAL ORDER :

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

2. S.O. to 20.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

ORIGINAL APPLICATION NO. 538 OF 2022
(Narendra L. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 20.1.2023

ORAL ORDER :

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

2. S.O. to 6.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**M.A.NO. 505/2022 IN O.A.NO. 327/2022
(Muzaffar Abdul Sayeed Shaikh Vs. State of Maharashtra &
Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

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

2. S.O. to 20.2.2023.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

ORIGINAL APPLICATION NO. 158 OF 2018
(Dr. Yogesh U. Sathe Vs. State of Maharashtra & Ors.)

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

DATE : 20.1.2023

ORAL ORDER :

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

2. S.O. to 28.2.2023 for final hearing.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

ORIGINAL APPLICATION NO. 85 OF 2019
(Mahadeo P. Ghuge Vs. State of Maharashtra & Ors.)

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

DATE : 20.1.2023

ORAL ORDER :

Shri H.A. Joshi, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 28.2.2023 for final hearing.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

ORIGINAL APPLICATION NO. 434 OF 2019
(Namdeo S. Ghone Vs. State of Maharashtra & Ors.)

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

DATE : 20.1.2023

ORAL ORDER :

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

2. S.O. to 27.2.2023 for final hearing.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**O.A.NOS. 1015, 1016, 1017 & 1019 ALL OF 2019
(Sakharam P. Ranbavle Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities in all these matters, are present.

2. S.O. to 27.2.2023 for final hearing.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**ORIGINAL APPLICATION NO. 128 OF 2020
(Pandit V. Sonawane Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

Shri Manoj M. Kadtu, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 1.3.2023 for final hearing.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

ORIGINAL APPLICATION NO. 496 OF 2020
(Mohd. Akif Abrar Mohd. Abdul Rauf Vs. State of Maharashtra & Ors.)

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

DATE : 20.1.2023

ORAL ORDER :

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

2. S.O. to 1.3.2023 for final hearing.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

ORIGINAL APPLICATION NO. 575 OF 2020
(Kondabai R. Ghadge & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 20.1.2023

ORAL ORDER :

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

2. S.O. to 6.2.2023 for final hearing.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

ORIGINAL APPLICATION NO. 109 OF 2021
(Ashok D. Shiradkar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 20.1.2023

ORAL ORDER :

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

2. S.O. to 1.3.2023 for final hearing.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**ORIGINAL APPLICATION NO. 319 OF 2021
(Netaji G. Shinde Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

Ms. Angha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.2.2023 for final hearing.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

ORIGINAL APPLICATION NO. 359 OF 2021
(Hajrabee & Nurbee Shaikh Nijam Vs. State of Maharashtra
& Ors.)

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

DATE : 20.1.2023

ORAL ORDER :

Shri Ravindra V. Gore, learned counsel for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent authorities, Shri D.T. Devane, learned counsel for respondent Nos. 2 to 4 and Shri Abed M. Pathan, learned counsel for respondent No. 7, are present.

2. S.O. to 13.2.2023 for final hearing.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD

**ORIGINAL APPLICATION NO. 425 OF 2021
(Kirtimal M. Sonwale Vs. State of Maharashtra & Ors.)**

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

DATE : 20.1.2023

ORAL ORDER :

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

2. S.O. to 21.2.2023 for final hearing.

VICE CHAIRMAN

ORAL ORDER 20.1.2023-HDD