

C.P.NO. 12 OF 2022 IN O.A.NO. 265 OF 2017
(Dr. Suresh M. Karamunge Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 20.03.2023

ORAL ORDER:

Heard Shri R.R. Bangar, learned Advocate holding for Shri I.D. Maniyar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

Shri P.R. Tandale, learned Advocate for the respondent No.4, is **absent**.

2. Learned P.O. for the respondents has submitted a copy of communication dated 03.10.2022 issued by the Public Health Department by which interest amount of Rs. 2,81,250/- has been granted on G.I.S., G.P.F. and Leave Encashment.

3. Learned Advocate for the applicant submitted that the applicant has received part of amount. He seeks time for taking instructions from the applicant.

4. In the facts and circumstances, no further action is required from the respondent Nos. 1 to 3. However, compliance report has to submit by the respondent No.4.

5. S.O. to 06.04.2023.

MEMBER (A)

ORIGINAL APPLICATION 418 OF 2022
(Ramhari S. Khade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 20.03.2023

ORAL ORDER:

Heard Shri D.K. Dagadkhair, learned Advocate for the applicant and Smt. Deepali S. Deshpande, 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 05.06.2023.

MEMBER (A)

ORIGINAL APPLICATION 690 OF 2022
(Sachin J. Gadekar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 20.03.2023

ORAL ORDER:

Heard Ms. P.V. Bodke Patil, learned Advocate for the applicant and Smt. Deepali S. Deshpande, 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 19.04.2023

MEMBER (A)

ORIGINAL APPLICATION 926 OF 2022
(Biradar Adil Turab Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 20.03.2023

ORAL ORDER:

Heard Shri Jitendra S. Jain, learned Advocate holding for Shri Sayyed Tauseef Yaseen, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant one week's additional time is given for carrying out amendment in the Original Application giving effect to Misc. Application No. 548/2022 which has been allowed.

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

4. S.O. to 27.04.2023.

MEMBER (A)

ORIGINAL APPLICATION NO. 233 OF 2023
(Bhagwat B. Garje Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 20.03.2023

ORAL ORDER:

Heard Shri Sachin S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The applicant is apprehending coercive action in terms of direction issued by paragraph No.10, (page no.111 of P.B) of the communication from Public Health Department dated 30.01.2023 addressed to Commissioner, commissionerate, Health Service, Mumbai and seeking interim relief in terms of prayer clause -I(C).

3. Learned C.P.O. for the respondents seeks time for taking instructions. So no coercive action should be taken till filing of reply by the respondents.

4. Issue notices to the respondents, returnable on 19.04.2023.

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

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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 19.04.2023.

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

MEMBER (A)

ORIGINAL APPLICATION NO. 234 OF 2023

(Navnath B. Anwane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 20.03.2023

ORAL ORDER:

Heard Shri Sachin S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The applicant is apprehending coercive action in terms of direction issued by paragraph No.10, (page no.111 of P.B) of the communication from Public Health Department dated 30.01.2023 addressed to Commissioner, commissionerate, Health Service, Mumbai and seeking interim relief in terms of prayer clause -I(C).

3. Learned C.P.O. for the respondents seeks time for taking instructions. So no coercive action should be taken till filing of reply by the respondents.

4. Issue notices to the respondents, returnable on 19.04.2023.

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

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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 19.04.2023.

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

MEMBER (A)

ORIGINAL APPLICATION NO. 235 OF 2023
(Devendra T. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 20.03.2023

ORAL ORDER:

Heard Shri Sachin S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The applicant is apprehending coercive action in terms of direction issued by paragraph No.10, (page no.111 of P.B) of the communication from Public Health Department dated 30.01.2023 addressed to Commissioner, commissionerate, Health Service, Mumbai and seeking interim relief in terms of prayer clause -I(C).

3. Learned C.P.O. for the respondents seeks time for taking instructions. So no coercive action should be taken till filing of reply by the respondents.

4. Issue notices to the respondents, returnable on 19.04.2023.

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

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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 19.04.2023.

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

MEMBER (A)

ORIGINAL APPLICATION 217 OF 2023
(Prakash H. Bhamare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 20.03.2023

ORAL ORDER:

Heard Shri T.R. Daware, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. S.O. to 28.03.2023.

MEMBER (A)

ORIGINAL APPLICATION 1069 OF 2019
(Prabhakar M. Kathar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 20.03.2023

ORAL ORDER:

Heard Shri V.G. Pingle, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

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

3. S.O. 06.04.2023. **High on board.**

MEMBER (A)

ORIGINAL APPLICATION 69-A OF 2023
(Afroj Jabbar Shekh & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 20.03.2023

ORAL ORDER:

Heard Shri Amol B. Chalak, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned C.P.O. for the respondents assures to submit affidavit in reply during the course of the day and serve the copy on the other side.

3. S.O. to 24.03.2023. **High on board.**

MEMBER (A)

C.P.NO. 44 OF 2022 IN O.A.NO. 959 OF 2022
(Rahul D. Sathe & Anr. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 20.03.2023

ORAL ORDER:

Shri R.D. Khadap, learned Advocate for the applicants (**Absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 29.03.2023.

MEMBER (A)

M.A.NO.119 OF 2023 IN O.A.ST.NO. 267 OF 2023
(Subhangi S. Shinde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 20.03.2023

ORAL ORDER:

Heard Smt. Poonam V. Bodke Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. This is an application filed by the applicant seeking condonation of delay.

3. In the interest of justice, the Misc. Application No. 119/2023 is allowed condoning the delay of 2 years and 7 days in terms of prayer clause -7 (B).

4. Accordingly, the Misc. Application stands disposed of. No order as to costs.

MEMBER (A)

ORIGINAL APPLICATION ST.NO. 267 OF 2023
(Subhangi S. Shinde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 20.03.2023

ORAL ORDER:

Heard Smt. Poonam V. Bodke Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 06.06.2023.

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 06.06.2023.

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

MEMBER (A)

ORIGINAL APPLICATION NO. 204 OF 2023
(Ashish P. Paithankar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 20.03.2023

ORAL ORDER:

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

2. Issue notices to the respondents, returnable on 08.06.2023.

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 08.06.2023.

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

MEMBER (A)

ORIGINAL APPLICATION NO. 215 OF 2023
(Ratnaraj R. Jawalgekar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 20.03.2023

ORAL ORDER:

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

2. The applicant has challenged exclusion of his name for promotion to the post of Joint Director, Maharashtra Finance & Accounts Services by the Departmental Promotion Committee held on 22.02.2023.

3. Thereafter, by communication dated 24.02.2023, the Directorate of Accounts & Treasury, Government of Maharashtra had called for options for allotment of Review Division upto 05.03.2023.

4. The applicant has prayed for interim relief in terms of prayer clause – 'G' (page No. 20 of p.B.) which reads as follows:-

"G) Pending the admission, hearing and final disposal of this Original Application the Resp. Nos. 1 and 2 may kindly be

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directed to keep one post of Joint Director in the Maharashtra Finance & Accounts Services from the Aurangabad Revenue Division vacant and not to fill up the same.”

5. Keeping one post vacant from the Revenue Division, Aurangabad at this stage when it is not known for which division the applicant choice may be considered in case the Original Application is allowed, **it is just and proper to direct the respondents not to allot Revenue Division till filing of affidavit in reply by the respondents.**

6. Learned C.P.O. assures to submit affidavit in reply within 15 days time.

7. Issue notices to the respondents, returnable on 12.04.2023.

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

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

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

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

12. S.O. to 12.04.2023.

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

MEMBER (A)

ORIGINAL APPLICATION ST. NO. 296 OF 2023
(Waseem Ayaz Baig Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 20.03.2023

ORAL ORDER:

Heard Shri Sayyed Tauseef Yaseen, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The applicant has filed this application without by accompanying copy of notification that Maharashtra State of Secondary and Higher Secondary Education, Board has been notified to come under the jurisdiction of this Tribunal.

3. The matter is pertaining to recruitment on the post of Junior Clerk. The Maharashtra State, Secondary and Higher Secondary Education, Board has issued advertisement for the post of Junior Clerk. The copy of said advertisement is at page No. 32 to 48 of P.B. System of on-line application is being supported by www.mahapariksha.gov.in.

4. Learned C.P.O. is also not able to file copy of notification to that effect therefore before taking a

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final call, the matter will be placed before the
Division Bench.

5. S.O. to 17.04.2023.

MEMBER (A)

SAS ORAL ORDERS 20.03.2023

ORIGINAL APPLICATION NO. 88 OF 2022

(Ravi H. Kondar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 20.03.2023

ORAL ORDER:

Heard Shri Ajay T. Kanwade, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant seeks liberty to correct the title cause of respondent No.3 to the extent of word "Backward Class Development Department".

3. Liberty as prayed for is granted to apply correction replacing the word "Backward Class Development Department" by "Backward Class Cell." The applicant to carry out correction forthwith.

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

5. S.O. to 25.04.2023 for hearing.

MEMBER (A)

O.A.ST.NO. 495/2023 AND O.A.ST.NO. 496/2023
(Kishor A. Patil & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 20.03.2023

ORAL ORDER:

Heard Shri Jiwan J. Patil, learned Advocate for the applicants in both the O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in both the O.As.

2. There is office objection of limitation.
3. Learned Advocate for the applicant clarified that representation dated 05.01.2023 was made in O.A.St.No. 495/2023 claiming promotion on the ground of disability. Such representation has not been made in on O.A.St.No. 496/2023. These facts reveal that alternate remedy has not been availed to the applicant. At the same time, the applicant is seeking relief for grand of promotion w.e.f. of year 2014. Therefore, the limitation clause becomes operative in the matter. The matter may be kept for hearing on these two points of alternate remedy and limitation.
4. Learned Advocate for the applicant seeks permission to effect amendment in respect of

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typographical error on page Nos. 5 to 10 in respect
of Sr. Nos. as tabulated below:-

KISHOR APPARAO PATIL

| Sr. No. | DPC Held on | Candidates under zone of Consideration | Open category | Applicant Sr. No. | Remarks |
|---------|-------------|--|---------------|-------------------|-----------|
| 1 | 30.07.2013 | 107 | 06 | 101 | No reason |
| 2 | 13.05.2014 | 116 | 07 | 107 | No reason |
| 3 | 17.03.2015 | 109 | 05 | 92 | No reason |
| 4 | 30.07.2016 | 119 | 05 | 93 | No reason |
| 5 | 28.09.2017 | 111 | 04 | 78 | No reason |
| 6 | 29.09.2018 | 120 | 03 | 75 | No reason |
| 7 | 03.09.2019 | 152 | 02 | Included | No reason |
| 8 | 11.12.2020 | 182 | 04 | Name excluded | No reason |
| 9 | 22.09.2021 | 29 | 09 | Name excluded | No reason |
| 10 | 31.11.2022 | 25 | 08 | Name excluded | No reason |

5. Permission as prayed for is granted. The applicant to carry out amendment forthwith.

6. S.O. to 08.06.2023.

MEMBER (A)

DATE : 20.03.2023

ORIGINAL APPLICATION NO. 238 OF 2023

**(Shaikh Mukhtar Shaikh Chand Vs. The State of
Maha. & Ors.)**

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

1. Shri S.B. Solanke, learned Advocate for the applicant and Shri M.S. Mahajan, learned C.P.O. for the respondents, are present.

2. Circulation is granted. Issue notices to the respondents, returnable on **19.04.2023**. The case be listed for admission hearing on **19.04.2023**.

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

ORIGINAL APPLICATION NO. 16 OF 2022
(Vd. Piyush K. Gandhi & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 20.03.2023

ORAL ORDER :

Shri Avinash Deshmukh, learned Advocate for the applicants, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri M.R. Kulkarni, learned Advocate for respondent Nos. 4 to 7, are present.

2. S.O. to 10.04.2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

ORIGINAL APPLICATION NO. 564 OF 2020
(Shantaram P. Patil & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 20.03.2023

ORAL ORDER :

Smt. Suchita A. Dhongde, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present. Smt. Sunita D. Shelke, learned Advocate for respondent No. 3, absent.

2. Record shows that in spite of grant of opportunities, the affidavit in reply is not filed on behalf of respondent Nos. 1 and 2. Hence, the present matter will proceed further without affidavit in reply of the respondent Nos. 1 and 2 in accordance with law.

3. S.O. to 19.04.2023 for admission.

MEMBER (A)

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

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 20.03.2023

ORAL ORDER :

Shri R.N. Bharaswadkar, learned Advocate holding for Smt. Priya Bharaswadkar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Record shows that in spite of grant of opportunities, the rejoinder affidavit is not filed on behalf of applicant. Hence, the present matter will proceed further without rejoinder affidavit of the applicant in accordance with law.

3. S.O. to 20.04.2023 for admission.

MEMBER (A)

ORIGINAL APPLICATION NO. 665 OF 2022
(Kalpana P. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 20.03.2023

ORAL ORDER :

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

2. As none present for the applicant, S.O. to 19.04.2023 as one more last chance for filing rejoinder affidavit, if any.

MEMBER (A)

ORIGINAL APPLICATION NO. 789 OF 2022
(Sukhdeo R. Solankar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 20.03.2023

ORAL ORDER :

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

2. Record shows that in spite of grant of opportunities, the affidavit in reply is not filed on behalf of respondents. Hence, the present matter will proceed further without affidavit in reply of the respondents in accordance with law. The respondents are directed to submit records relating to appointment of the applicant in order to ascertain whether the applicant had availed benefits based on caste at the time of appointment or at subsequent stage.

3. S.O. to 05.04.2023 for admission.

MEMBER (A)

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

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 20.03.2023

ORAL ORDER :

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

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

3. S.O. to 27.04.2023 for filing rejoinder affidavit, if any.

MEMBER (A)

ORIGINAL APPLICATION NO. 1019 OF 2022
(Indrakant H. Shendurkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 20.03.2023

ORAL ORDER :

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

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

3. S.O. to 17.04.2023.

MEMBER (A)

ORIGINAL APPLICATION NO. 184 OF 2018
(Swamidas V. Chobe Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 20.03.2023

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned Advocate for the applicant filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 11.04.2023 for final hearing.

MEMBER (A)

ORIGINAL APPLICATION NO. 694 OF 2021
(Avinash G. Chonde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 20.03.2023

ORAL ORDER :

Shri A.B. Chalak, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 20.04.2023 for admission. Interim relief granted earlier to continue till then.

MEMBER (A)

ORIGINAL APPLICATION NO. 532 OF 2020
(Hemant J. Kinhikar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 20.03.2023

ORAL ORDER :

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

2. S.O. to 05.04.2023 for hearing. **High on board.**

MEMBER (A)

C.P. No. 29/2020 in O.A. No. 1014/2019
(Bade R. Shridhar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 20.03.2023

ORAL ORDER :

Shri C.V. Dharurkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 06.04.2023. **High on board.**

MEMBER (A)

KPB/ORAL ORDERS 20.03.2023

ORIGINAL APPLICATION NO. 380 OF 2022
(Bhaskar D. Patil Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 20.03.2023

ORAL ORDER :

Shri M.D. Swami, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 06.04.2023 for hearing. **High on board.**

MEMBER (A)

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

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 20.03.2023

ORAL ORDER :

Dr. Uddhav Khaire, applicant in person and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. The present matter has already been treated as part heard.
3. S.O. to 28.03.2023 for re-hearing. **High on board.**

MEMBER (A)

ORIGINAL APPLICATION NO. 420 OF 2020
(Anish S. Patil Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 20.03.2023

ORAL ORDER :

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

2. The present matter has already been treated as part heard.
3. S.O. to 27.03.2023 **High on board.**

MEMBER (A)

**M.A. No. 340/2022 in O.A. No. 588/2022
WITH
M.A. No. 341/2022 in O.A. No. 589/2022
WITH
M.A. No. 342/2022 in O.A. No. 590/2022
WITH
M.A. No. 343/2022 in O.A. No. 591/2022
WITH
M.A. No. 344/2022 in O.A. No. 592/2022
(Ramesh M. Chavan & ors. Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 20.03.2023

ORAL ORDER :

Shri A.V. Lavte, learned Advocate for the applicants in all these cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these cases, are present.

2. S.O. to 10.04.2023 for hearing. **High on board.**

MEMBER (A)

ORIGINAL APPLICATION NO. 701 OF 2022
(Raosaheb Anantrao Pallewad Vs. State of Maharashtra & Ors.)

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

DATE : 20.3.2023

ORAL ORDER :

Heard Shri S.D. Joshi, learned counsel for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri V.G. Pingle, learned counsel for respondent No. 5.

2. After the matter was heard for some time, it is noticed that perusal of the region-wise seniority list of the officers working in ASI cadre in the State Excise Department will be necessary. In the circumstances, learned P.O. is directed to place on record the concerned regional seniority list concerning to the present applicant on or before the next date.

3. S.O. to 24.3.2023.

VICE CHAIRMAN

ORAL ORDER 20.3.2023-HDD

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

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

DATE : 20.3.2023

ORAL ORDER :

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

2. List the matter for hearing on 25.4.2023.

VICE CHAIRMAN

ORAL ORDER 20.3.2023-HDD

ORIGINAL APPLICATION NO. 522 OF 2021
(Ravindra Dashrath Raut Vs. State of Maharashtra & Ors.)

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

DATE : 20.3.2023

ORAL ORDER :

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

2. S.O. to 11.4.2023. **High on board.**

VICE CHAIRMAN

ORAL ORDER 20.3.2023-HDD

M.A.NO. 15/2023 IN O.A.NO. 97/2020
(Tukaram Vithalrao Sanap Vs. State of Maharashtra & Ors.)

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

DATE : 20.3.2023

ORAL ORDER :

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

2. By filing present Misc. Application the applicant is seeking to amend his O.A., thereby including one more prayer in the prayer clause seeking quashment of the communication dated 28.12.2017.

3. Learned Presenting Officer has opposed the request so made by the applicant. He submitted that the order which is challenged in respect of regularization of the suspension period and the said prayer is covered in the prayer already made by the applicant seeking quashment of the order dated 20.12.2019. He, therefore, prayed for rejecting the application.

4. It is true that the contents of both the letters are almost same. However, as an abundant precaution the applicant is intending to challenge the said order also. If the application is allowed, it is not going to change the original nature of the application. The amendment is,

:: - 2 - :: M.A. 15/23 IN O.A. 97/20

therefore, allowed. The necessary amendment be carried out within a week. The matter thereafter be posted for hearing and if the respondents want to file any additional reply to the amended portion of O.A., it would be open for them to file such reply. There shall be no order as to costs.

5. S.O. to 13.6.2023.

VICE CHAIRMAN

ORAL ORDER 20.3.2023-HDD

**M.A.NO. 89/2022 IN O.A.ST.NO. 340/2022
(Prakash Narayan Thorat Vs. State of Maharashtra & Ors.)**

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

DATE : 20.3.2023

ORAL ORDER :

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

2. List the matter for hearing on 13.6.2023.

VICE CHAIRMAN

ORAL ORDER 20.3.2023-HDD

**M.A.NO. 472/2022 IN O.A.ST.NO. 1845/2022
(Harishchandra Shaligram Fulpagare Vs. State of
Maharashtra & Ors.)**

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

DATE : 20.3.2023

ORAL ORDER :

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

2. The applicant has questioned the order of suspension passed on 11.8.2017 in the accompanying O.A. Since the accompanying Original Application is filed in the month of October, 2022, the applicant has filed the present separate application seeking condonation of delay, which has occasioned in filing the present O.A. Learned counsel for the applicant submitted that the applicant had time to time made a request to reconsider his order of suspension, however, the same has not been considered. Thereafter circular came to be issued on 9.7.2019, wherein certain directions came to be issued by the Government in this regard. Learned counsel submits that thereafter the period of pandemic started and the applicant could not file the present application within time.

:: - 2 - :: M.A. 472/22 IN O.A.ST. 1845/22

3. The request is strongly opposed by the learned Presenting Officer stating that inordinate delay has occasioned in filing accompanying Original Application. It is further contended that the pandemic in fact started in March, 2020 and before that it was very well possible for the applicant to file the present M.A. He, therefore, prayed for rejecting the request of the applicant.

4. After having heard the arguments of the learned counsel for the applicant and learned Presenting Officer, it is revealed that the applicant is still under suspension. It is further revealed that the respondents have never taken any review of the said order of suspension till date, according to me this is prominent ground for which the delay deserves to be condoned. Hence, the following order: -

ORDER

- i) The Miscellaneous Application is allowed.
- ii) The delay caused in filing accompanying O.A. is condoned.
- iii) The Original Application be registered and numbered in accordance with law.
- iv) There shall be no order as to costs.

VICE CHAIRMAN

**ORIGINAL APPLICATION ST.NO. 1845 OF 2022
(Harishchandra Shaligram Fulpagare Vs. State of
Maharashtra & Ors.)**

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

DATE : 20.3.2023

ORAL ORDER :

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

2. After registration of O.A., issue notice to the respondents, returnable on 21.4.2023.

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 21.4.2023.

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

VICE CHAIRMAN

**M.A.NO. 518/2019 IN O.A.NO. 976/2022
(Shripad Kisanrao Marakwar Vs. State of Maharashtra &
Ors.)**

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

DATE : 20.3.2023

ORAL ORDER :

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

2. No one has caused appearance for the applicant. List the matter for passing further necessary orders on 24.4.2023.

3. S.O. to 24.4.2023.

VICE CHAIRMAN

ORAL ORDER 20.3.2023-HDD

**M.A.NO.574/2022 IN O.A.ST.NO.3090/2022
(Popat Sonwane Vs. State of Maharashtra & Ors.)**

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

DATE : 20-03-2023

ORAL ORDER :

Heard Shri A.D.Sugdare, learned Counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities.

2. Reply of the respondents on the application for condonation of delay is not yet filed. The delay as is stated in the application is of the period of 1 year and 11 months. Learned Counsel for the applicant submits that because of the illness of the applicant he could not approach the Tribunal within stipulated period of limitation. Learned Counsel submitted that O.A. pertains to illegal recovery made by the respondents after retirement of the applicant.

3. Learned P.O. has opposed to condone the delay stating that the reasons as are assigned are not sufficient and there is no supportive evidence filed on record by the respondent.

4. I have gone through the pleadings on record. The applicant has produced on record the medical certificate. The delay is of 1 year and 11 months.

=2=

M.A.NO.574/2022 IN O.A.ST.NO.3090/2022

Having regard to the reasons as are stated and further having considered the request made in the O.A., it appears to me that the applicant needs to be given an opportunity of hearing and his application cannot be rejected on some technical grounds. As I have noted above, the reasons for occurrence of delay is sickness of the applicant for which medical certificate is filed on record. In the circumstances, I am inclined to allow the present application. Hence, the following order:

ORDER

- [i] M.A.No.574/2022 is allowed.
- [ii] Delay caused in filing the O.A. is condoned.
- [iii] O.A. be registered and numbered in accordance with law after removal of office objections, if any.
- [iv] No order as to costs.

VICE CHAIRMAN

O.A.ST.NO.3090/2022
(Popat Sonwane Vs. State of Maharashtra & Ors.)

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

DATE : 20-03-2023

ORAL ORDER :

Heard Shri A.D.Sugdare, learned Counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 09.06.2023.

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 09.06.2023.

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

VICE CHAIRMAN

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

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

DATE : 20-03-2023

ORAL ORDER :

Shri V.B.Wagh, learned Counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. sought time to file affidavit in reply by way of last chance. Due opportunities are already availed. However, in the interest of justice last chance is granted till 31-03-2023. If reply is not filed on the given date, the matter will be heard without reply of the respondents.

3. S.O. to 31-03-2023.

VICE CHAIRMAN

YUK ORAL ORDER 20.03.2023

ORIGINAL APPLICATION NO.797/2022
(Amol S. Ajabe Vs. State of Maharashtra & Ors.)

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

DATE : 20-03-2023

ORAL ORDER :

Shri V.B.Wagh, learned Counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned Counsel has filed affidavit in rejoinder which is taken on record. Copy is given to the other side.

3. Since pleadings are complete, matter be placed for hearing on 19-04-2023.

VICE CHAIRMAN

YUK ORAL ORDER 20.03.2023

**ORIGINAL APPLICATION NO.879/2022
(Janabai Gadade Vs. State of Maharashtra & Ors.)**

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

DATE : 20-03-2023

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. Learned P.O. has sought time by way of last chance. Request is opposed by the learned Counsel for applicant. However, in the interest of justice time is granted till 31-03-2023.

3. S.O. to 31-03-2023.

VICE CHAIRMAN

YUK ORAL ORDER 20.03.2023

**ORIGINAL APPLICATION NO.585/2022
(Chandrasen Lahade Vs. State of Maharashtra & Ors.)**

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

DATE : 20-03-2023

ORAL ORDER :

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

2. Learned P.O. has sought leave to file affidavit in reply on behalf of the respondents. Learned Counsel for the applicant has consented for taking the reply on record. Reply be taken on record. Copy be provided to the other side.

3. Keep the matter for further consideration on 07-06-2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.41/2023
(Babu Tukadekar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 20-03-2023

ORAL ORDER :

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

2. In this matter learned P.O. has sought time to file affidavit in reply. Request is opposed by the learned Counsel for the applicant. However, in the interest of justice one more chance is granted to the respondent till 06-04-2023 by way of last chance.

3. S.O. to 06-04-2023.

VICE CHAIRMAN

YUK ORAL ORDER 20.03.2023

**M.A.No.41/2020 IN O.A.ST.NO.958/2019
(Chandmiya Munde Vs. State of Maharashtra & Ors.)**

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

DATE : 20-03-2023

ORAL ORDER :

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

2. Learned P.O. has sought leave to file affidavit in reply to the M.A. on record. Learned Counsel has conceded for taking reply on record. Accordingly, it is taken on record. Copy is given to the other side.

3. List the matter for further consideration on 07-06-2023.

VICE CHAIRMAN

YUK ORAL ORDER 20.03.2023

ORIGINAL APPLICATION NO.338/2022
(Khwaja Munneruddin Vs. State of Maharashtra & Ors.)

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

DATE : 20-03-2023

ORAL ORDER :

Shri R.R.Bangar, learned Counsel holding for Shri I.D.Maniyar, learned Counsel for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned Counsel for the applicant has sought leave to file rejoinder affidavit. Leave granted. Rejoinder is taken on record. Copy is provided to the learned P.O.

3. List the matter for further consideration on 09-06-2023.

VICE CHAIRMAN

**T.A.NO.01/2023 IN W.P.NO.9807/2022
(Ganesh Gund Vs. State of Maharashtra & Ors.)**

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

DATE : 20-03-2023

ORAL ORDER :

Shri P.V.Suryawanshi, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has sought time for filing affidavit in reply. Request is opposed by the learned Counsel for the applicant. However, in the interest of justice time is granted for filing reply till 13-04-2023.

3. S.O. to 13-04-2023.

VICE CHAIRMAN

YUK ORAL ORDER 20.03.2023

**ORIGINAL APPLICATION NO.1093/2019
(Bhanudas Putwad Vs. State of Maharashtra & Ors.)**

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

DATE : 20-03-2023

ORAL ORDER :

Shri R.B.Ade, learned Counsel for the applicant is **absent**. Shri N.U.Yadav, learned Presenting Officer for the respondent authorities is present.

2. None is present for the applicant when the matter is called out. On previous two dates i.e. on 06-02-2023 and 09-12-2022 also no one has caused appearance for the applicant. However, in the interest of justice, S.O. to 11-04-2023. If the matter is not proceeded on the given date, it shall stand dismissed for want of prosecution.

3. S.O. to 11-04-2023.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.805/2021
(Mahadev Koli Vs. State of Maharashtra & Ors.)**

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

DATE : 20-03-2023

ORAL ORDER :

Shri S.D.Joshi, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities, are present.

Shri S.G.Kulkarni, learned Counsel for respondent no.6 is **absent**.

2. Learned Counsel for the applicant submits that though rejoinder affidavit is ready, it could not be sworn in for inability of the applicant to reach at Aurangabad today.

3. On request of learned Counsel for the applicant, S.O. to 05-04-2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.322/2022
(Dr. Datta Dhanve Vs. State of Maharashtra & Ors.)

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

DATE : 20-03-2023

ORAL ORDER :

Shri V.B.Wagh, learned Counsel for the applicant, Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities and Shri S.B.Ghute, learned Counsel for respondent no.3, are present.

2. Today when the present matter is taken up for consideration, it is noticed that the reply of respondent nos.1 and 2 would be necessary. Since the respondents did not file affidavit in reply within time, no reply order has been passed against the respondents. However, with consent of the learned Counsel appearing for the applicant one more opportunity is given to the respondents to file affidavit in reply till 17-04-2023. It is clarified that if reply is not filed within the aforesaid period, the contentions in the pleadings will be considered for passing order.

3. S.O. to 17-04-2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.43/2023
(Liyakatbi Shaikh Hyder Vs. State of Maharashtra & Ors.)

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

DATE : 20-03-2023

ORAL ORDER :

Shri R.R.Bangar, learned Counsel holding for Shri I.D.Maniyar, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has filed affidavit in reply on behalf of respondent nos.1 to 4. It is taken on record. Copy thereof be provided to the learned Counsel for the applicant.

3. S.O. to 03-05-2023.

VICE CHAIRMAN

YUK ORAL ORDER 20.03.2023

**ORIGINAL APPLICATION NO.382/2021
(Shaikh Hafijoddin Vs. State of Maharashtra & Ors.)**

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

DATE : 20-03-2023

ORAL ORDER :

Shri J.M.Murkute, learned Counsel for the applicant, Shri N.U.Yadav, learned Presenting Officer for the respondent authorities and Shri A.C.Deshpande, learned Counsel for respondent nos.3 and 4, are present.

2. Learned P.O. has filed affidavit in reply on behalf of respondent nos.1 and 2. It is taken on record. Copy thereof be provided to the other side.

3. S.O. to 02-05-2023.

VICE CHAIRMAN

YUK ORAL ORDER 20.03.2023