

M.A.NO.113/2020 IN O.A.ST.NO.299/2020
(Maruti Ghodke Vs. State of Maharashtra & Ors.)

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

DATE : 20.08.2021

ORAL ORDER :

Heard Shri G.J.Kore, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondent.

2. Matter has been heard once on 28-07-2021. After issuance of notice it was posted to 23-11-2020.

3. Learned P.O. seeks time for filing affidavit in reply on behalf of the respondents in the M.A. Time is granted.

4. S.O. 20-09-2021.

MEMBER (A)

M.A.NO.114/2020 IN O.A.ST.NO.301/2020
(Uttam Kadam Vs. State of Maharashtra & Ors.)

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

DATE : 20.08.2021

ORAL ORDER :

Heard Shri G.J.Kore, learned Advocate for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondent.

2. Matter has been heard once on 28-07-2021. After issuance of notice it was posted to 23-11-2020.

3. Learned P.O. seeks time for filing affidavit in reply on behalf of the respondents in the M.A. Time is granted.

4. S.O. 20-09-2021.

MEMBER (A)

**M.A.NO.115/2020 IN O.A.ST.NO.303/2020
(Ashok Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 20.08.2021

ORAL ORDER :

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

2. Matter has been heard once on 28-07-2021. After issuance of notice it was posted to 23-11-2020.

3. Learned P.O. seeks time for filing affidavit in reply on behalf of the respondents in the M.A. Time is granted.

4. S.O. 20-09-2021.

MEMBER (A)

**M.A.NO.116/2020 IN O.A.ST.NO.305/2020
(Jagannath Kalijate Vs. State of Maharashtra & Ors.)**

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

DATE : 20.08.2021

ORAL ORDER :

Heard Shri G.J.Kore, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent.

2. Matter has been heard once on 28-07-2021. After issuance of notice it was posted to 23-11-2020.

3. Learned P.O. seeks time for filing affidavit in reply on behalf of the respondents in the M.A. Time is granted.

4. S.O. 20-09-2021.

MEMBER (A)

M.A.NO.85/2021 IN O.A.ST.NO.348/2021
(Shankar Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 20.08.2021

ORAL ORDER :

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

2. Learned P.O. seeks time to file affidavit in reply in the M.A. Time is granted.

3. S.O. 16-09-2021.

MEMBER (A)

YUK ORAL ORDERS 20.08.2021

M.A.NO.184/2021 IN O.A.NO.88/2020
(Sanjay Kute Vs. State of Maharashtra & Ors.)

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

DATE : 20.08.2021

ORAL ORDER :

Heard Ku. Preeti Wankhade learned Advocate holding for Shri A.S.Deshmukh, learned Advocate for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondent.

2. Service affidavit has not been filed yet.
3. S.O. 06-09-2021.

MEMBER (A)

YUK ORAL ORDERS 20.08.2021

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

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

DATE : 20.08.2021

ORAL ORDER :

Shri Avishkar Shelke, learned Advocate for the applicant is **absent**. Shri D.R.Patil, learned Presenting Officer for the respondent is present.

2. Since none is present for the applicant, S.O. to 20-09-2020.

MEMBER (A)

ORIGINAL APPLICATION NO.87/2019
(Yogiraj Mane Vs. State of Maharashtra & Ors.)

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

DATE : 20.08.2021

ORAL ORDER :

Smt. Suchita Dhongde, learned Advocate for the applicant has filed **leave note**. Shri D.R.Patil, learned Presenting Officer for the respondent no.1 and Shri N.U.Yadav learned Advocate for respondent nos.2 and 3.

2. In view of leave note of learned Advocate for the applicant, S.O. to 20-09-2021.

MEMBER (A)

YUK ORAL ORDERS 20.08.2021

ORIGINAL APPLICATION NO.204/2019
(Dr. Bhagwat Khadke Vs. State of Maharashtra & Ors.)

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

DATE : 20.08.2021

ORAL ORDER :

Shri Vivek Deshmukh, learned Advocate for the applicant is **absent**. Shri I.S.Thorat, learned Presenting Officer for the respondents is present.

2. Learned P.O. clarifies that affidavit in reply is filed on behalf of respondent nos.1 to 3 and relief sought concerns only to first 3 respondents and in view of this fact reply on behalf of respondent no.4 is not necessary. Nobody is present for the applicant. Matter is for final hearing.

3. S.O. 20-09-2021.

MEMBER (A)

ORIGINAL APPLICATION NO.238/2019
(Dr. Akrush Barate & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 20.08.2021

ORAL ORDER :

Shri Vivek Deshmukh, learned Advocate for the applicants is **absent**.

Heard Shri I.S.Thorat, learned Presenting Officer for the respondent nos.1 to 3 and Shri S.V.Deshmukh learned Advocate for respondent nos.4 and 5.

2. Affidavit in reply on behalf of respondent no.4 and 5 has been filed though it is mentioned that it is for respondent no.4 but in fact it is on behalf of respondent nos.4 and 5. Nobody is present for the applicant.

3. Learned P.O. adopts reply filed by the respondents in O.A.No.204/2019 as the subject matter is same in both the cases. Therefore, affidavit in reply filed on behalf of respondent nos.1 to 3 in O.A.No.204/2019 is adopted in this O.A. Matter is for final hearing.

4. S.O. 20-09-2021.

MEMBER (A)

ORIGINAL APPLICATION NO.239/2019

(Dr. Sachin Deshmukh & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 20.08.2021

ORAL ORDER :

Shri Vivek Deshmukh, learned Advocate for the applicant is **absent**. Shri I.S.Thorat, learned Presenting Officer for the respondent is present.

2. Affidavit in reply on behalf of respondent nos.1 to 4 is already filed on record. Nobody is present for the applicant. Matter is for final hearing.

3. S.O. 20-09-2021.

MEMBER (A)

ORIGINAL APPLICATION NO.1062/2019
(Bhau Khade Vs. State of Maharashtra & Ors.)

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

DATE : 20.08.2021

ORAL ORDER :

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

2. At the request of both the parties, case is adjourned. Matter is for final hearing.

3. S.O. 03-09-2021.

MEMBER (A)

ORIGINAL APPLICATION NO.118/2021
(Sunanda Pagare@S.J.Sable Vs. State of Maharashtra & Ors.)

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

DATE : 20.08.2021

ORAL ORDER :

Heard Ku. Preeti Wankhade, learned Advocate for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondent.

2. Learned P.O. has submitted proceedings of meeting of Civil Services Board dated 27-07-2020. Both the parties have argued the case.

3. S.O. 24-08-2021 for order.

MEMBER (A)

C.P. No. 48/2019 in O.A. No. 933/2018
(Gajanan M. 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 : 20.08.2021.

ORAL ORDER :

Heard Shri L.S. Shaikh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 03.09.2021.

MEMBER (A)

C.P. No. 61/2019 in O.A. No. 533/2015
(Shivaji P. 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 : 20.08.2021.

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. S.O. to 22.09.2021.

MEMBER (A)

C.P. No. 10/2021 in O.A. No. 763/2019
(Gangadhar A. Kakade 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 : 20.08.2021.

ORAL ORDER :

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

2. Await service of notice on the respondent No. 2.
3. At the request of learned Presenting Officer, S.O. to 22.09.2021 for filing affidavit in reply on behalf of respondent No. 1.

MEMBER (A)

ORIGINAL APPLICATION NO. 223 OF 2020
(Divya S. Nandi & 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 : 20.08.2021.

ORAL ORDER :

Heard Shri S.R. Shirsath, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 27.08.2021.

MEMBER (A)

ORIGINAL APPLICATION NO. 232 OF 2020
(Rohini N. Charole 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 : 20.08.2021.

ORAL ORDER :

Heard Shri S.K. Mathpati, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 to 3, Shri B.S. Chondhekar, learned Advocate for respondent No. 4 and Shri N.V. Gaware, learned Advocate for respondent No. 5.

2. Learned Advocate for respondent No. 4 has filed affidavit in reply. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 24.09.2021.

MEMBER (A)

ORIGINAL APPLICATION NO. 14 OF 2021
(Jaykumar R. Koli 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 : 20.08.2021.

ORAL ORDER :

Heard Shri A.S. Mirajgaonkar, learned Advocate holding for Shri C.V. Dharurkar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

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

3. S.O. to 21.09.2021.

MEMBER (A)

ORIGINAL APPLICATION NO. 191 OF 2021
(Sandip W. Khadse 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 : 20.08.2021.

ORAL ORDER :

Heard Shri R.J. Nirmal, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1 to 3. None present for respondent No. 4, though duly served.

2. At the request of learned Presenting for the respondent Nos. 1 to 3, time is granted for filing affidavit in reply.

3. S.O. to 15.09.2021.

MEMBER (A)

ORIGINAL APPLICATION NO. 292 OF 2021
(Kashinath H. Devtule 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 : 20.08.2021.

ORAL ORDER :

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

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

3. S.O. to 24.09.2021.

MEMBER (A)

ORIGINAL APPLICATION NO. 260 OF 2021
(Ramrao K. Yadav & 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 : 20.08.2021.

ORAL ORDER :

Heard Shri Sandeep D. Munde, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 6. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 09.09.2021.

MEMBER (A)

ORIGINAL APPLICATION NO. 298 OF 2021
(Ramesh G. Devkhile & 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 : 20.08.2021.

ORAL ORDER :

Heard Shri M.B. Bharaswadkar, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 03.09.2021.

MEMBER (A)

ORIGINAL APPLICATION NO. 349 OF 2021
(Anil C. Hugge & 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 : 20.08.2021.

ORAL ORDER :

Heard Shri R.K. Ashtekar, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Await service of notice on respondent No. 1
3. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 2 & 3. Time granted.
4. S.O. to 23.09.2021.

MEMBER (A)

M.A. No. 356/2019 in O.A. St. No. 1530/2019
(Ranjana D. Jaybhaye 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 : 20.08.2021.

ORAL ORDER :

Heard Shri Sandeep D. Munde, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Record shows that affidavit in reply on behalf of respondent No. 2 is already filed on record.

3. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of other respondents. Time granted.

4. S.O. to 23.09.2021.

MEMBER (A)

M.A. No. 443/2019 in O.A. No. 335/2019
(Hanumant V. Patil & 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 : 20.08.2021.

ORAL ORDER :

Heard Shri R.N. Bharaswadkar, learned Advocate for the applicants in the present M.A./ respondent Nos. 4 & 5 in O.A. and Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri S.V. Bhopi, learned Advocate holding for Shri V.R. Dhorde, learned Advocate for respondent No. 4 in the present M.A./ applicant in O.A.

2. At the request of learned Presenting Officer for the respondent Nos. 1 to 3, time is granted for filing affidavit in reply, if any.

3. S.O. to 23.09.2021.

MEMBER (A)

M.A. No. 552/2019 in O.A. St. No. 1681/2019
(Sushma E. Chaudhari 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 : 20.08.2021.

ORAL ORDER :

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

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

3. S.O. to 23.09.2021.

MEMBER (A)

M.A. 188/2021 in M.A. 152/2021 in O.A. 431/2020
(Purushottam G. Khule 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 : 20.08.2021.

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 & 2, Shri S.P. Salgar, learned Advocate for respondent Nos. 3 to 5 (applicants in M.A. 152/2021) and Shri S.D. Joshi, learned Advocate for respondent No. 6.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent in M.A. 152/2021. Same is taken on record and copy thereof has been served on the other side.

3. At the request of learned Presenting Officer for respondent Nos. 1 & 2, S.O. to 24.09.2021 for filing affidavit in reply.

MEMBER (A)

M.A. No. 175/2021 in O.A. No. 904/2018
(Shaikh Ayyub Shaikh Jaleel 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 : 20.08.2021.

ORAL ORDER :

Heard Shri Quadri Taher Ali, learned Advocate
for the applicant and Shri N.U. Yadav, learned
Presenting Officer for the respondents.

2. Await service of notices on the respondents.
3. S.O. to 24.09.2021.

MEMBER (A)

**M.A.ST.NO.802 OF 2021 IN O.A.ST.NO.803 OF 2021
(Dattatraya S. Sonawane & Ors. Vs. State of Maharashtra &
Ors.)**

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

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

DATE : 20.08.2021

ORAL ORDER :

Heard Shri R.C. Bramhankar, learned Advocate for
the Applicants and Shri N.U. Yadav, learned Presenting
Officer for the Respondents.

2. At the request of learned Advocate for the Applicants,
S.O. to 27.08.2021.

MEMBER (A)

SAS ORAL ORDERS 20.08.2021

**ORIGINAL APPLICATION NO.424 OF 2020
(Shri Anil D. Kondhare Vs. State of Maharashtra & Ors.)**

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

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

DATE : 20.08.2021

ORAL ORDER :

Heard Shri S.R. Shirsath, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for the Respondents.

2. As the Division Bench is not available today, S.O. to 26.08.2021 for hearing.

MEMBER (A)

SAS ORAL ORDERS 20.08.2021

ORIGINAL APPLICATION NO.451 OF 2020

(Shri Shrihari S. Solanke Vs. State of Maharashtra & Ors.)

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

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

DATE : 20.08.2021

ORAL ORDER :

Heard Shri Kuldeep S. Patil, learned Advocate for the
Applicant and Shri V.R. Bhumkar, learned Presenting
Officer for the Respondents.

2. As the Division Bench is not available today, S.O. to
16.09.2021.

MEMBER (A)

SAS ORAL ORDERS 20.08.2021

ORIGINAL APPLICATION NO.715 OF 2019

(Ms. Sushma E. Chaudhari Vs. State of Maharashtra & Ors.)

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

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

DATE : 20.08.2021

ORAL ORDER :

Heard Shri S.R. Shirsath, leaned Advocate holding for
Shri S.S. Jadhavar, learned Advocate for the Applicant and
Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting
Officer for the Respondents.

2. As the Division Bench is not available today, S.O. to
23.09.2021.

MEMBER (A)

SAS ORAL ORDERS 20.08.2021

**M.A.NO.112 OF 2021 IN O.A.NO.386 OF 2020
(Ganga S. Suryawanshi Vs. State of Maharashtra & Ors.)**

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

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

DATE : 20.08.2021

ORAL ORDER :

Heard Shri Santosh C. Bhosale, learned Advocate for
the Applicant and Shri V.R. Bhumkar, learned Presenting
Officer for the Respondents.

2. As the Division Bench is not available today, S.O. to
03.09.2021 for hearing.

MEMBER (A)

SAS ORAL ORDERS 20.08.2021

**M.A.NO.254 OF 2021 IN O.A.NO.192 OF 2021
(Shri Suresh B. Lande Vs. State of Maharashtra & Ors.)**

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

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

DATE : 20.08.2021

ORAL ORDER :

Heard Shri Sunil B. Kakde, learned Advocate for the
Applicant and Shri S.K. Shirse, learned Presenting Officer
for the Respondents.

2. As the Division Bench is not available today, S.O. to
03.09.2021.

MEMBER (A)

SAS ORAL ORDERS 20.08.2021

ORIGINAL APPLICATION NO.374 OF 2018
(Shri Girish B. Deshmukh Vs. State of Maharashtra & Ors.)

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

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

DATE : 20.08.2021

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the
Applicant and Shri D.R. Patil, learned Presenting Officer for
the Respondents.

2. As the Division Bench is not available today, S.O. to
14.09.2021.
3. This case be treated as part-heard.

MEMBER (A)

SAS ORAL ORDERS 20.08.2021

**ORIGINAL APPLICATION NO.39 OF 2018
(Shri Ravi S. Wankhade Vs. State of Maharashtra & Ors.)**

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

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

DATE : 20.08.2021

ORAL ORDER :

Heard Shri Sandesh R. Patil, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondents.

2. As the Division Bench is not available today, S.O. to 14.09.2021 for hearing.

MEMBER (A)

SAS ORAL ORDERS 20.08.2021

**ORIGINAL APPLICATION NO.476 OF 2018
(Shri Aasha S. Khairnar Vs. State of Maharashtra & Ors.)**

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

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

DATE : 20.08.2021

ORAL ORDER :

Heard Shri Sandesh R. Patil, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. As the Division Bench is not available today, S.O. to 14.09.2021 for hearing.

MEMBER (A)

SAS ORAL ORDERS 20.08.2021

ORIGINAL APPLICATION NO.847 OF 2018

(Shri Ananda N. Kolewad Vs. State of Maharashtra & Ors.)

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

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

DATE : 20.08.2021

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding
for Shri S.B. Talekar, learned Advocate for the Applicant,
Smt. M.S. Patni, learned Presenting Officer for the
Respondent Nos.1 to 3 and Shri M.R. Wagh, learned
Advocate for the Respondent No.4.

2. As the Division Bench is not available today, S.O. to
03.09.2021.

MEMBER (A)

SAS ORAL ORDERS 20.08.2021

ORIGINAL APPLICATION NO.97 OF 2020

(Shri Tukaram V. Sanap Vs. State of Maharashtra & Ors.)

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

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

DATE : 20.08.2021

ORAL ORDER :

Heard Shri M.R. Andhale, learned Advocate for the Applicant and Smt. M.S. Patni, learned Presenting Officer for the Respondents.

2. As the Division Bench is not available today, S.O. to 15.09.2021 for hearing.

MEMBER (A)

O.A.NO. 284/2016 WITH M.A.NO. 29/2021
(Dr. Usha N. Bholane Vs. State of Maharashtra & Ors.)

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

DATE : 20.8.2021

ORAL ORDER :

Heard Shri Amol P. Gase, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondent Nos. 1 to 4. Shri B.S. Deshmukh, learned Advocate for respondent No. 5 **(absent)**.

2. On instructions, learned advocate for the applicant seeks permission of this Tribunal to withdraw the present Original Application with liberty to file fresh Original Application. He has filed authority letter signed by the applicant to that effect. The same is taken on record and marked as document 'X' for the purpose of identification.

3. Learned Presenting Officer for the respondents submits that he has no objection for withdrawal of the present Original Application.

4. In view of above, permission is granted. Withdrawal is allowed. Accordingly, the present Original Application stands disposed of as withdrawn

:: - 2 - ::

**O.A.NO. 284/2016 WITH
M.A.NO. 29/2021**

with liberty to file fresh Original Application, if the applicant so desired.

5. Since the Original Application itself stood disposed of today as withdrawn nothing survives in the M.A. No. 29/2021 and the same also stands disposed of.

There shall be no order as to costs.

MEMBER (A)

ORAL ORDERS 20.8.2021-HDD

ORIGINAL APPLICATION NO. 406 OF 2021
(Sajed Mubasshiruddin Vs. State of Maharashtra & Ors.)

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

DATE : 20.8.2021

ORAL ORDER :

Heard Shri Vivek G. Pingle, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. On the last date of hearing i.e. on 12.8.2021, learned Presenting Officer presented a copy of Circular issued by the S.P. Office Beed dated 22.4.2021 giving opportunity to all the employees to give options for annual general transfers – 2021. Learned Presenting Officer for the respondents was required to produce evidence that the copy of the said Circular was issued to the applicant too. However, no such evidence was produced during hearing today. Instead, a copy of communication to be passed through wireless system was produced, which is dated 28.7.2021 by which concerned including the applicant were required to attend counseling session scheduled to be held on 29.7.2021. Learned Presenting Officer mentioned that he has not received any such document from Superintendent of Police, Beed, which shows that the

:: - 2 - :: O.A. NO. 406 OF 2021

said Circular of 22.4.2021 was received or issued to the applicant. He seeks time to file affidavit in reply. Time granted.

3. S.O. to 1.9.2021.

MEMBER (A)

ORAL ORDERS 20.8.2021-HDD

ORIGINAL APPLICATION NO. 89 OF 2020
(Madhukar G. Bhalerao Vs. State of Maharashtra & Ors.)

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

DATE : 20.8.2021

ORAL ORDER :

Heard Shri Vivek G. Pingle, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Record shows that affidavit in reply on behalf of respondent Nos. 1 to 3 has been filed in the month of January, 2021 by the learned Chief Presenting Officer. However, today learned Presenting Officer has submitted that his file is misplaced. Therefore, he is not aware that the affidavit in reply has been filed. Learned Advocate for the applicant who, as per office note of Registrar, was supposed to collect the copy of affidavit in reply has stated that he is also not aware that the affidavit in reply has been filed.

3. Today, copy of affidavit in reply of respondent Nos. 1 to 3 has been furnished to the learned Advocate for the applicant.

4. S.O. to 6.9.2021 for filing rejoinder affidavit by the applicant, if necessary.

MEMBER (A)

ORAL ORDERS 20.8.2021-HDD

ORIGINAL APPLICATION NO. 1048 OF 2019
(Ramchandra L. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 20.8.2021

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 3.9.2021, as a most last chance, for filing affidavit in reply on behalf of the respondents.

MEMBER (A)

ORAL ORDERS 20.8.2021-HDD

O.A.NO. 876/2019 WITH O.A.NO. 916/2019
(Ishwar Jotmal Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 20.8.2021

ORAL ORDER :

O.A. NO. 876/2019

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondent Nos. 1 & 2. Shri S.R. Sapkal, learned Advocate for respondent No. 3 (**absent**).

O.A. NO. 916/2019

Shri S.R. Sapkal, learned Advocate for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for respondent Nos. 1 & 2 and Shri Kakasaheb B. Jadhav, learned Advocate for respondent No. 3, are present.

2. S.O. to 24.8.2021.

MEMBER (A)

M.A.ST.869/2021 IN O.A.ST.NO. 870/2021
(Dr. Ramling C. Mahajan & Ors. Vs. State of Maha. & Ors.)

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

DATE : 20.8.2021

ORAL ORDER :

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

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, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

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

MEMBER (A)

ORIGINAL APPLICATION ST.NO. 870 OF 2021
(Dr. Ramling C. Mahajan & Ors. Vs. State of Maha. & Ors.)

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

DATE : 20.8.2021

ORAL ORDER :

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

2. After removal of office objection/s by the applicants, issue notices to the respondents, returnable on 24.9.2021.

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

:: - 2 - :: O.A. ST.NO. 870 OF 2021

(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 24.9.2021.

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

MEMBER (A)

ORAL ORDERS 20.8.2021-HDD

- (1) **M.A. 258/2021 IN O.A. 449/2021**
(Dr. A.S. Shirurkar Vs. State of Maharashtra & Ors.)
- (2) **M.A. 259/2021 IN O.A. 450/2021**
(Dr. P.P. Ege Vs. State of Maharashtra & Ors.)
- (3) **M.A. 260/2021 IN O.A. 451/2021**
(Dr. S.M. Betkar Vs. State of Maharashtra & Ors.)

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

DATE : 20.08.2021

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicants in all the three M.As. and S/shri N.U. Yadav, V.R. Bhumkar & M.P. Gude, learned Presenting Officers for the respondents in respective cases.

2. Arguments of both the sides are heard. The detailed order will be pronounced during the course of the day.

MEMBER (A)

- (1) **M.A. 258/2021 IN O.A. 449/2021**
(Dr. A.S. Shirurkar Vs. State of Maharashtra & Ors.)
- (2) **M.A. 259/2021 IN O.A. 450/2021**
(Dr. P.P. Ege Vs. State of Maharashtra & Ors.)
- (3) **M.A. 260/2021 IN O.A. 451/2021**
(Dr. S.M. Betkar Vs. State of Maharashtra & Ors.)

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

DATE : 20.08.2021

COMMON ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicants in all the three M.As. and S/shri N.U. Yadav, V.R. Bhumkar & M.P. Gude, learned Presenting Officers for the respondents in respective cases.

2. The present Misc. Applications are circulated as urgent matters by the learned Advocate for the applicants. As the common question of law and facts have arisen in the present three Misc. Applications, and therefore, the same are decided by this common order.

3. The matter of fact is that 03 Medical Officers, Group-B have been transferred by the order of the Directorate of Health Services, Maharashtra State dated 6.8.2021 by which (1) the applicant in O.A. No. 449/2021 - Dr. Arun Sheshkumar Shirurkar has been transferred from the post of Medical Officer, Ayurved

::-2-:: M.A. 258/2021 IN O.A. 449/2021 & Ors.

Dispensary, Yerol, Dist Latur to the post of Medical Officer, Sub District Hospital, Kaij, Tq. Kaij, Dist. Beed, (2) the applicant in O.A. No. 450/2021 - Dr. Pratap Pundlik Ege - has been transferred from the post of Medical Officer, P.H.C., Gangapur, Dist. Latur to the post of Epidemic Medical Officer, Z.P., Osmanabad and (3) the applicant in O.A. No. 451/2021 – Dr. Suresh Mallikarjun Betkar – has been transferred from the post of Medical Officer, Ayurved Dispensary, Sindhgaon, Dist. Latur to the post of Medical Officer, Women’s Hospital, Ambejogai, Tq. Ambejogai, Dist. Beed. The respective transfers of the respective applicants are on the vacant posts.

4. These respective O.As. were heard by another Single Member Bench (Coram : Shri V.D. Dongre, Hon’ble Member (J)) on 17.8.2021 and no interim relief had been granted in favour of the respective applicants. Notices to the respondents were ordered to be issued on that day making it returnable on 3.9.2021. This Tribunal has observed in para 10 of the said order as follows :-

“10. From the documents on record it is not possible to irresistibly infer the present position of the vacant posts in the State. In view of the same,

:-3-:-M.A. 258/2021 IN O.A. 449/2021 & Ors.

passing such an order would create some administrative hurdle. Upon hearing of the parties at later stage the Tribunal is competent to pass appropriate order.”

5. The present M.As. are filed by the learned Advocate for the applicants for the following relief :-

M.A. 258/2021 IN O.A. 449/2021

“(B) The order dated 17.8.2021 passed by this Tribunal in O.A. No. 449/2021 to the extent of non-grant of interim relief may kindly be recalled in view of the fact that, the applicant is still holding the charge of the post of Medical Officer Group-B at Ayurved Dispensary, Yerola, Dist. Latur and interim relief in terms of prayer clause 9(a) and 9(b) may kindly be granted.”

M.A. 259/2021 IN O.A. 450/2021

“(B) The order dated 17.8.2021 passed by this Tribunal in O.A. No. 450/2021 to the extent of non-grant of interim relief may kindly be recalled in view of the fact that, the applicant is still holding the charge of the post of Medical Officer Group-B at P.H.C., Gangapur, Tq. & Dist. Latur and interim relief in terms of prayer clause 9(a) and 9(b) may kindly be granted.”

M.A. 260/2021 IN O.A. 451/2021

::-4-::M.A. 258/2021 IN O.A. 449/2021 & Ors.

“(B) The order dated 17.8.2021 passed by this Tribunal in O.A. No. 451/2021 to the extent of non-grant of interim relief may kindly be recalled in view of the fact that, the applicant is still holding the charge of the post of Medical Officer Group-B at Ayurved Dispensary, Sindhgaon, Dist. Latur and interim relief in terms of prayer clause 9(a) and 9(b) may kindly be granted.”

6. Respective learned P.Os. have submitted that, in the impugned orders of transfer of the applicants dated 6.8.2021 it is mentioned by the respondent, Directorate of Health Services, M.S. that the applicants are relieved on 6.8.2021 itself. This Tribunal by going through the documents placed on record and after hearing the arguments of both the sides, has refused to grant interim relief in favour of the respective applicants. If the applicants are aggrieved by the order dated 17.8.2021 passed by this Tribunal in respective O.As., then they may file a Review Application before the same Judge, who had earlier passed the said order or may challenge the said order before the Hon’ble High Court by filing Writ Petition. Therefore, the present M.As. are not tenable.

7. On going through the order passed by this Tribunal dated 17.8.2021 in respective O.As., it is amply clear that, after considering the arguments of

::-5-:: M.A. 258/2021 IN O.A. 449/2021 & Ors.

both the sides and on going through the documents placed on record, learned Member (J) has refused the prayer of applicants regarding grant of interim relief.

8. In the above circumstances, in my view, there is no need to recall the order of the Tribunal dated 17.8.2021 passed in O.A. Nos. 449, 450 and 451 all of 2021, as prayed for by the applicants in respective M.As.

9. Accordingly, M.A. No. 258/2021 in O.A. No. 449/2021, M.A. No. 259/2021 in O.A. No. 450/2021 and M.A. No. 260/2021 in O.A. No. 451/2021 are dismissed at the threshold. There shall be no order as to costs.

10. Respective O.As. shall come on board on the returnable date i.e. on 3.9.2021 itself before the Hon'ble Member (J).

MEMBER (A)

DATE : 20.08.2021

ORIGINAL APPLICATION NO. 466 OF 2021

(Dr. Yashwant M. Patil Vs. The State of Maharashtra & Ors.)

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

1. Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Circulation is granted. Issue notices to the respondents, returnable on 24.09.2021. The case be listed for admission hearing on 24.09.2021.

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

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

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

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

I/c REGISTRAR