

**M.A.NO.15/2022 IN O.A.NO.622/2021
(Arjun Rajebhau Deshmukh (Gawali)
Vs. State of Maharashtra & Ors.)**

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

DATE : 21.03.2022

ORAL ORDER :

Heard Shri C.V.Bodkhe, learned Advocate holding for Shri R.V.Gore, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant brings into notice the contents of following extract of E-mail dated 28-09-2021 (Annexure A-16, p.b.p.57) addressed to Chairperson, District Selection Committee cum District Collector, Jalgaon, which reads as follows:

“.....rlsp dKxni=s iMrkG.khlkBh eyk ts Viky vki.k ikBoys gksrs R;kr vko';d dKxni=s g;k ;knhr 30 ,fizy 2005 P;k 'kklufu.kZ;kuqlkj fØMk izek.k i= iMrkGwu ?ksrys vlkos vlk mYys[k gksrk R;k uqlkj eh rh iqrZrk dsyh gksrh---

egksn;]

11 ekpZ 2019 P;k 'kklufu.kZ;kP;k 'kq/nhi=dk vUo;s 'fu;qDrhP;k' vafre fnukadki;Zar dKxni= iMrkG.kh

vgoky lknj dj.;kph eqHkk ns.;kr vkyh vkgs R;kuqlkj eh R;kl ik= vkgs---

=2=

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tsOgk 30 vkWxLV 2021 jksth eh fopkjiql dj.;klkBh vkiY;k dk;kZy;kr vkysyks vlrk eyk ns[khy oxG.;kr vkys vIY;kps lkax.;kr vkys] dkj.k vls ns.;kr vkys dh 1 tqyS 2016 P;k 'kklufu.kZ;kuqlkj ek>s fØMk izek.ki= iMrkGwu ?ksrys uOgrs g;k 'kklufu.kZ;kph eyk izkekf.kdi.ks dlyhgh dYiuk ulY;kus ek>kk dMs rs miyC/k uOgrs] eh milapkyd] fØMk o ;qok lsok vkSjaxkckn ;kaP;k ekQZr rkrMhus 1 tqyS 2016 P;k 'kklufu.kZ;kuqlkj iMrkGwu ?ksrys gksrs i.k fnukad 31 vkWxLV 2021 jksth uSlfxZd dkj.kkaeqGs Eg.ktsp vfr eqlG/kkj ikolkkus eyk vkiY;k dk;kZy;kr mifLFkr jgk;yk m'khj >kyk vkf.k dk;kZy;hu dkedkt can >kys gksrs rRiqohZ eh dk;kZy;hu dkedkt can gks.;kvk/khp vkiY;k dk;kZy;kyk EMAIL d:u dGoys gksrs--- rn~uarj eh nwl&;k fno'kh ns[khy g;k ckcr ikBiqjkok dj;pk iz;Ru dsyk gksrk i.k vkiY;kdMwu dIY;kgh izdkjs lgdk;Z feGkys ukgh v'kkizdkjs ek÷;koj vU;k; gksr vkgs--"

3. In background of this fact, however, the applicant has also enclosed a copy of advertisement dated 27-02-2019 (Annexure A-4, p.b.p. 27) regarding inviting applications for posts of Talathi in which under item "age limit" (o;kse;kZnk) there is sub item no.5 in the given table which reads as follows:

"o;kse;kZnk & tkfgjkr izfl/nhP;k fno'kh fn-28-02-2019 jksthps o; x.kU;kr ;sbZy-

dz-	inkps ukao	vko';d o;kse;kZnk
5	[ksGkMw mesnokjkalkBh	'kklufu.kZ; f'k{k.k o ØhMk foHkkxkdMhy 'kklufu.kZ; dz-jkØh/kks&2002@izØ-68@Øh;qls&2] fn-1-7-2016 e/khy

		rjrqnhuqlkj] [ksGkMwph xq.koRrk o ik=rk fopkjr ?ks3u Inj inkIkBh vlysY;k fofgr o;kse;kZnsr 5 o"kkZai;Zr o;kph vV f'kFkhy dj.;kr ;sbZy- rFkkfi] mPpre o;e;kZnk 43 brdh jkghy-
--	--	--

”

=3=

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4. Therefore, *prima facie*, it does not appear that this M.A. has been filed on the ground of something which is really a subsequent development, which was not known to the applicant at the time of filing of O.A. and the same came to notice of the applicant only upon receipt of order dated 11-10-2021 as claimed by the applicant in the present Miscellaneous Application.

5. Today, as the Division Bench is not available, the matter may be placed before the Division Bench on the next date for deciding the M.A. on point of maintainability.

6. S.O. to 20-04-2022.

MEMBER (A)

**ORIGINAL APPLICATION NO.658/2018
(Raosaheb Bangar Vs. State of Maharashtra & Ors.)**

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

DATE : 21.03.2022

ORAL ORDER :

Shri Ravi R. Bangar, learned Advocate for the applicant, Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authority and Shri S.D.Dhongde, learned Advocate for respondent nos.2 and 3, are present.

2. S.O. to 20-04-2022.

MEMBER (A)

**ORIGINAL APPLICATION NO.900/2018
(Bhika Pathare Vs. State of Maharashtra & Ors.)**

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

DATE : 21.03.2022

ORAL ORDER :

Shri J.S.Deshmukh, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents, are present.

2. S.O. to 28-04-2022.

MEMBER (A)

**ORIGINAL APPLICATION NO.907/2018
(Prabhakar Satdive Vs. State of Maharashtra & Ors.)**

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

DATE : 21.03.2022

ORAL ORDER :

Shri J.S.Deshmukh, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents, are present.

2. S.O. to 28-04-2022.

MEMBER (A)

**ORIGINAL APPLICATION NO.117/2019
(Sainath Matkar Vs. State of Maharashtra & Ors.)**

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

DATE : 21.03.2022

ORAL ORDER :

Shri P.D.Jarare, learned Advocate for the applicant is
absent.

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

2. S.O. to 20-04-2022.

MEMBER (A)

**ORIGINAL APPLICATION NO.184/2020
(Govardhan Kawale Vs. State of Maharashtra & Ors.)**

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

DATE : 21.03.2022

ORAL ORDER :

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

Shri S.J.Salunke learned Advocate for respondent
no.4 is **absent**.

2. S.O. to 04-04-2022.

MEMBER (A)

**M.A.NO.99/2021 IN O.A.ST.NO.350/2021
(Mohammad Asgar Vs. State of Maharashtra & Ors.)**

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

DATE : 21.03.2022

ORAL ORDER :

Shri Ashish B. Rajkar, learned Advocate for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondents, are present.

2. S.O. to 25-04-2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 517 OF 2019
(Rajendra P. Kamble & 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 : 21.03.2022

ORAL ORDER :

Shri Swapnil A. Deshmukh, learned Advocate for the applicants is **absent**. Shri S.K. Shrise, learned Presenting Officer for the respondents is **present**.

2. In view of absence of learned Advocate for the applicants, S.O. to 22.04.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 639 OF 2019
(Ajit V. Pawar 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 : 21.03.2022

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos.1 & 2 and Shri A.S. Mirajgaonkar, learned Advocate holding for Shri C.V. Dharurkar, learned Advocate for the respondent No.3 are present.

2. At the request of learned P.O. for the respondent Nos.1 & 2 and learned Advocate for the respondent No.3, time is granted for filing affidavit-in-reply.

3. S.O. to 22.04.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 724 OF 2019
(Kailas I. Khandagale & 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 : 21.03.2022

ORAL ORDER :

Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents are present.

2. At the request of the learned P.O. for the respondents, time is granted as a last chance for filing affidavit-in-reply.

3. S.O. to 22.04.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 774 OF 2019
(Chandrakant S. Shinde & 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 : 21.03.2022

ORAL ORDER :

Shri Arvind G. Ambetakar, learned Advocate for the applicants is **absent**. Shri N.U. Yadav, learned Presenting Officer for the respondents is **present**.

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

3. S.O. to 25.04.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 790 OF 2019
(Gajanan K. 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 : 21.03.2022

ORAL ORDER :

Shri V.G. Mete, learned Advocate for the applicant is **absent**. Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents is **present**.

2. In view of absence of learned Advocate for the applicants, S.O. to 25.04.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 1010 OF 2019
(Yusufkhan Gulsher Khan 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 : 21.03.2022

ORAL ORDER :

Shri M.R. Wagh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents are **present**.

2. At the request of the learned P.O. for the respondents, time is granted for filing affidavit-in-reply on behalf of respondent Nos.1 to 4.

3. S.O. to 25.04.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 1074 OF 2019
(Ashok M. 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 : 21.03.2022

ORAL ORDER :

Shri Kiran Nagarkar, learned Advocate holding for Shri Avinash M. Nagarkar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents are **present**.

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

3. S.O. to 26.04.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 143 OF 2020
(Khan Yusuf Fatte Khan 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 : 21.03.2022

ORAL ORDER :

Shri A.V. Thombre, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents are **present**.

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

3. S.O. to 26.04.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 226 OF 2020
(Haridas R. Ghuge 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 : 21.03.2022

ORAL ORDER :

Ms. Tejal R. Mankar, learned Advocate holding for Ms. Preeti R. Wankhade, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents are **present**.

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

3. S.O. to 27.04.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (A)

ORIGINAL APPLICATION NO. 228 OF 2020
(Santosh D. Dhongade 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 : 21.03.2022

ORAL ORDER :

Shri Abhishek R. Avachat, learned Advocate for the applicant is **absent**. Smt. Sanjivani K. Deshmukh-Ghate learned Presenting Officer for the respondents is **present**.

2. In view of absence of learned Advocate for the applicant, S.O. to 27.04.2022 for filing affidavit-in-rejoinder.

MEMBER (A)

ORIGINAL APPLICATION NO. 504 OF 2020
(Dr. Anita A. Kadam 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 : 21.03.2022

ORAL ORDER :

Shri S.B. Patil, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents are **present**.

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

3. S.O. to 27.04.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 55 OF 2021
(Arvind S. Bhavar 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 : 21.03.2022

ORAL ORDER :

Shri P.S. Anerao, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents are **present**.

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

3. S.O. to 27.04.2022.

MEMBER (A)

**ORIGINAL APPLICATION NO. 101 OF 2021
(Dhansing B. Chavan 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 : 21.03.2022

ORAL ORDER :

Shri S.D. Dhongde, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents are **present**.

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

3. S.O. to 27.04.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 108 OF 2021
(Chhaya D. Saste @ Chhaya V. Kale & 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 : 21.03.2022

ORAL ORDER :

Shri Nitin V. Gaware, learned Advocate for the applicants is **absent**. Shri S.K. Shirse, learned Presenting Officer for the respondents is **present**.

2. In view of absence of learned Advocate for the applicant, S.O. to 28.04.2022 for filing affidavit-in-rejoinder.

MEMBER (A)

ORIGINAL APPLICATION NO. 299 OF 2021
(Nagorao W. Bhale 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 : 21.03.2022

ORAL ORDER :

Shri M.B. Sandanshiv, learned Advocate for the applicant and Shri S.S. Ware, learned Advocate for the respondent Nos.5 & 6 are **absent**. Shri S.K. Shirse, learned Presenting Officer for the respondent Nos.1 to 4 is **present**.

2. In view of absence of learned Advocate for the applicant, S.O. to 28.04.2022 for filing affidavit-in-rejoinder.

MEMBER (A)

**ORIGINAL APPLICATION NO. 378 OF 2021
(Raju Husen Sayyed 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 : 21.03.2022

ORAL ORDER :

Shri Gaurav L. Deshpande, learned Advocate for the applicant is **absent**. Shri V.R. Bhumkar, learned Presenting Officer for the respondents is **present**.

2. In view of absence of learned Advocate for the applicant, S.O. to 28.04.2022 for filing affidavit-in-rejoinder.

MEMBER (A)

ORIGINAL APPLICATION NO. 392 OF 2021
(Pravin R. Hivrale & 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 : 21.03.2022

ORAL ORDER :

Shri Ajay S. Deshpande, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents are **present**.

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

3. S.O. to 31.03.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 481 OF 2021
(Archana N. Bansode 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 : 21.03.2022

ORAL ORDER :

Shri Abhijit P. Avhad, learned Advocate for the applicant is **absent**. Shri N.U. Yadav, learned Presenting Officer for the respondents is **present**.

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

3. S.O. to 28.04.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 497 OF 2021
(Nitin S. Shelar 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 : 21.03.2022

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents are **present.**

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

3. S.O. to 29.04.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 539 OF 2021
(Jagannath 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 : 21.03.2022

ORAL ORDER :

Shri S.B. Bhosale, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents are **present**.

2. Affidavit-in-reply filed on behalf of the respondent No.4 is taken on record and copy thereof has been served on the other side.

3. S.O. to 29.04.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (A)

ORIGINAL APPLICATION NO. 568 OF 2021
(Bhausahab S. Pansare 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 : 21.03.2022

ORAL ORDER :

Shri Avinash S. Khedkar, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent Nos.1 & 2 and Shri S.B. Patil, learned Advocate for the respondent Nos.3 to 5 are **present**.

2. Affidavits-in-reply filed on behalf of the respondent Nos.1 and 3 to 5 are taken on record and copies thereof have been served on the other side.

3. S.O. to 29.04.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (A)

ORIGINAL APPLICATION NO. 579 OF 2021
(Siddharth R. Pandurnikar 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 : 21.03.2022

ORAL ORDER :

Shri Ajay S. Deshpande, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos.1 to 3 and Shri S.S. Kulkarni, learned Advocate for the respondent No.4 are **present**.

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

3. S.O. to 29.04.2022.

MEMBER (A)

**ORIGINAL APPLICATION NO. 700 OF 2021
(Somnath S. Reddy 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 : 21.03.2022

ORAL ORDER :

Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents are **present**.

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

3. S.O. to 13.04.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 3 OF 2022
(Sunil S. Ingle 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 : 21.03.2022

ORAL ORDER :

Shri A.S. Mirajgaonkar, learned Advocate holding for Shri C.V. Dharurkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents are **present**.

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

3. S.O. to 29.04.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 19 OF 2022
(Bharat B. Gujar 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 : 21.03.2022

ORAL ORDER :

Shri J.S. Deshmukh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents are **present**.

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

3. S.O. to 02.05.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 110 OF 2022
(Sagar B. Karhale 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 : 21.03.2022

ORAL ORDER :

Shri K.F. Shingare, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents are **present**.

2. Await service of notice on the respondents.

3. At the request of the learned Advocate for the applicant, S.O. to 21.04.2022 for filing service affidavit.

MEMBER (A)

ORIGINAL APPLICATION NO. 221 OF 2022
(Vaibhav B. Autade 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 : 21.03.2022

ORAL ORDER :

Shri K.F. Shingare, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents are **present**.

2. Await service of notice on the respondents.

3. At the request of the learned Advocate for the applicant, S.O. to 21.04.2022 for filing service affidavit.

MEMBER (A)

M.A.NO.94/2022 O.A.ST.NO.249 OF 2022
(Dipak S. Sherkhane 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 : 21.03.2022

ORAL ORDER :

Shri G.J. Kore, learned Advocate for the applicant is **absent**. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents is **present**.

2. Await service of notice on the respondents.
3. In view of absence of learned Advocate for the applicant, S.O. to 04.05.2022 for filing service affidavit.

MEMBER (A)

**ORIGINAL APPLICATION NO. 389/2020
(Radhika S. Khare 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 : **21.03.2022**

ORAL ORDER :

Shri J.M. Murkute, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 28.3.2022 for hearing.

MEMBER (A)

ORIGINAL APPLICATION NO. 93/2019
(Priyanka J. Janephalkar 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 : **21.03.2022**

ORAL ORDER :

Shri J.M. Murkute, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 28.3.2022 for hearing.

MEMBER (A)

M.A. 426/2021 IN O.A. 112/2020
(Shital B. Tarate 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 : **21.03.2022**

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 13.4.2022 for hearing.

MEMBER (A)

**ORIGINAL APPLICATION NO. 694/2018
(Somnath S. Reddy 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 : **21.03.2022**

ORAL ORDER :

Shri A.S. Deshmukh, learned Counsel for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, Shri M.S. Sonawane, learned Counsel for respondent no. 4 and Shri S.G. Kulkarni, learned Counsel holding for Shri Ajay S. Deshpande, learned Counsel for respondent nos. 5 & 6, are present.

2. S.O. to 13.4.2022 for hearing.

MEMBER (A)

**ORIGINAL APPLICATION NO. 26/2019
(Vinod S. Muley 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 : **21.03.2022**

ORAL ORDER :

Shri J.M. Murkute, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 25.4.2022 for hearing.

MEMBER (A)

ORIGINAL APPLICATION NO. 78/2019

(Dr. Mamata R. Chinchalikar 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 : 21.03.2022

ORAL ORDER :

Shri S.B. Solanke, learned Counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 26.4.2022 for hearing.

MEMBER (A)

**O.A. NOS. 294 AND 296 BOTH OF 2019
(Sujata R. Palve & 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 : **21.03.2022**

ORAL ORDER :

Shri A.C. Deshpande, learned Counsel for the applicants in both the matters (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in both the matters, is present.

2. S.O. to 26.4.2022 for hearing.

MEMBER (A)

**O.A. NOS. 1032 & 563 BOTH OF 2019
(Sadashiv V. Rathod 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 : **21.03.2022**

ORAL ORDER :

Shri V.G. Pingle, learned Counsel for the applicants in both the matters and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities in both the matters, are present.

2. S.O. to 19.4.2022 for hearing.

MEMBER (A)

ORIGINAL APPLICATION NO. 62/2020
(Dr. Maheshkumar L. Mane 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 : **21.03.2022**

ORAL ORDER :

Shri S.K. Naikwade, learned Counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present.

2. S.O. to 28.4.2022 for hearing.

MEMBER (A)

**M.A.NO. 334/2020 IN O.A.NO. 894/2019
(Suman Baburao Wavdhane Vs. State of Maha. & Ors.)**

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

DATE : 21.3.2022

ORAL ORDER :

Shri Gaurav L. Deshpande, learned counsel for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondents, is present.

2. The applicant is required to mention or make submissions regarding category (caste category and under nomination/promotion quota) under which he was appointed on the establishment of Zilla Parishad from where he has been transferred to the Police Commissioner, Aurangabad in Police Hospital as Pharmacist.

3. S.O. to 19.4.2022.

MEMBER (A)

ORAL ORDERS 21.3.2022-HDD

**M.A.ST.NO. 1291/2020 IN O.A.NO. 493/2018
(Rajendra K. Shimpi Vs. State of Maha. & Ors.)**

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

DATE : 21.3.2022

ORAL ORDER :

Shri H.A. Joshi, learned counsel for the applicant (**absent**). Smt. Sajnivani Deshmukh-Ghate, learned Presenting Officer for the respondents, is present.

2. This is an application filed by the applicant for restoration of O.A. No. 493/2018. The order dated 21.09.2021 shows that learned counsel for the applicant had sought time to file separate application for condonation of delay. However, even after lapse of 6 months' time, compliance of office objection has not been done. Division Bench is not available today. This fact will be brought to the notice of Division Bench on the next date for passing appropriate order in this matter.

3. S.O. to 19.4.2022.

MEMBER (A)

**M.A.NO. 107/2020 IN O.A.NO. 616/2019
(Waman N. Bondar Vs. State of Maha. & Ors.)**

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

DATE : 21.3.2022

ORAL ORDER :

Shri D.T. Devane, learned counsel for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.

2. On 14.12.2021 learned counsel for the applicant had informed that the applicant has expired during pendency of this application and he was awaiting instructions from the legal heirs of the present applicant, whether to prosecute the present application further or otherwise. Time was granted and the present matter was kept on 14.2.2022. However, no further submission in this regard was made by the learned counsel for the applicant on 14.2.2022 i.e. on the next date of hearing. Today, none is present on behalf of the applicant. Last chance is being given to the applicant to make submissions in this regard, failing which the present M.A. along with O.A. may be dismissed in default.

3. S.O. to 18.4.2022.

MEMBER (A)

**ORIGINAL APPLICATION ST.NO. 1419/2021
(Chate Shankar Dhondiba Vs. State of Maha. & Ors.)**

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

DATE : 21.3.2022

ORAL ORDER :

Heard Shri K.M. Nagarkar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned counsel for the applicant submits that during the course of the day he will file application for delay condonation and sought time till tomorrow. Time granted.

3. S.O. to 22.3.2022.

MEMBER (A)

**M.A.NO. 247/2021 IN O.A.ST.NO. 881/2021
(Ashwini S. Jadhav Vs. State of Maha. & Ors.)**

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

DATE : 21.3.2022

ORAL ORDER :

Heard Shri R.B. More, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The applicant made representation to the Director General of Police on 19.9.2019 and M.A. has been filed on 10.8.2021. Learned counsel for the applicant may explain how he counted delay of only 19 days, on the next date.
3. S.O. to 20.4.2022.

MEMBER (A)

ORAL ORDERS 21.3.2022-HDD

**ORIGINAL APPLICATION ST. NO. 420 OF 2022
(Suresh M. Kadam Vs. State of Maha. & Ors.)**

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

DATE : **21.3.2022**

ORAL ORDER :

Heard Shri Sanjeev Deshpande, learned counsel holding for Shri Shreyas Deshpande, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1 to 3. None appears for respondent No. 4.

2. Learned counsel for the applicant submits that the cause of action took place within the territorial jurisdiction of this Tribunal and, therefore, this Tribunal has jurisdiction to entertain this matter. He also submits that if he is permitted to submit reply to the show cause notice for which his request for grant of one month's time was rejected by the respondent No. 2, he will submit his reply and normal period for completion of departmental enquiry may be counted from the date of his filing reply to the show cause notice. He further asserts that he has his reply to show cause notice ready for filing immediately within a day's time.

3. I do not find *prima facie* merit in the pleadings of the applicant therefore, no interim relief in terms of prayer clauses in paragraph X (E) and (F) is granted today. The

matter may be placed before the Division Bench for hearing on the point of admission of the O.A. For this purpose, issue notices to the respondents, returnable on 22.4.2022.

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

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

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

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

8. S.O. to 22.4.2022.

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

MEMBER (A)

**ORIGINAL APPLICATION NO. 77 OF 2022
(Yogesh Vijay Patil Vs. State of Maha. & Ors.)**

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

DATE : 21.3.2022

ORAL ORDER :

Heard Shri S.P. Dhoble, learned counsel holding for Shri V.P. Patil, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. It has been brought to the notice of learned counsel appearing for the applicant that online application system had generated and displayed a warning as follows: -

“Warning : A similar record was found in applicants list, if identified that the duplicate registration was deliberately created, the Departments holds the authority to reject / disqualify the candidate and no refund shall be provided. Please ignore the message and continue your registration if this is your only registration profile. Before logging on to the registration portal.”

and despite that the applicant had proceeded to filing second application. This point needs to be explained at the time of admission hearing. Issue notice to the respondents, returnable on 22.4.2022.

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 22.4.2022.

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

MEMBER (A)

**ORIGINAL APPLICATION NO. 960 OF 2018
(Sunil B. Gaikwad Vs. State of Maha. & Ors.)**

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

DATE : 21.3.2022

ORAL ORDER :

Heard Smt. Vidya A. Taksal, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned counsel for the applicant has sought time for filing additional affidavit. Time granted.
3. S.O. to 25.4.2022.

MEMBER (A)

**O.A.NOS. 149 TO 151 ALL OF 2020
(Vitthal S. Ambatwad & Ors. Vs. State of Maha. & Ors.)**

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

DATE : 21.3.2022

ORAL ORDER :

Heard Shri S.L. Bhapkar, learned counsel for the applicants in all these OAs and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these OAs.

2. Learned Chief Presenting Officer has sought time for filing affidavit in reply in O.A. No. 150/2020. Time granted by way of last chance.
3. S.O. to 18.4.2022.

MEMBER (A)

ORAL ORDERS 21.3.2022-HDD

**O.A.NOS. 682, 683 & 652 ALL OF 2009
(Dr. Veerschetti G. Khelge & Ors. Vs. State of Maha. &
Ors.)**

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

DATE : 21.3.2022

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned counsel holding for Shri Ajay Deshpande, learned counsel for the applicants in all these OAs and S/Shri D.R. Patil & M.P. Gude, learned Presenting Officers for the respective respondents in respective OAs.

2. By consent of both the parties, S.O. to 8.4.2022.

MEMBER (A)

ORAL ORDERS 21.3.2022-HDD

**O.A.NOS. 850 & 851 BOTH OF 2009
(Sudam T. Pophale & Anr. Vs. State of Maha. & Ors.)**

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

DATE : 21.3.2022

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned counsel holding for Shri Ajay Deshpande, learned counsel for the applicants in all these OAs and Shri M.P. Gude, learned Presenting Officers for the respondents in both these OAs.

2. By consent of both the parties, S.O. to 11.4.2022.

MEMBER (A)

ORAL ORDERS 21.3.2022-HDD

**O.A.NOS. 122 & 123 BOTH OF 2012
(Jalindar K. Rathod & Anr. Vs. State of Maha. & Ors.)**

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

DATE : 21.3.2022

ORAL ORDER :

Shri S.S. Jadhavar, learned counsel for the applicants in both these OAs (**absent**). Shri D.R. Patil, learned Presenting Officers for the respondents in both these OAs, and Shri K.M. Nagarkar, learned counsel holding for Shri A.M. Nagarkar, learned counsel for respondent NO. 3 in O.A. No. 123/2012, are present.

2. Since nobody appears for the applicants in both these OAs, S.O. to 12.4.2022.

MEMBER (A)

ORAL ORDERS 21.3.2022-HDD

**M.A. 420/19 WITH M.A. 415/19 WITH O.A.723/19
(Pallavi V. Ligade Vs. State of Maharashtra & Ors.)**

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

DATE : 21.03.2022

ORAL ORDER :

S/Shri V.B. Wagh & K.G. Salunke, learned counsel for the applicants in M.A. Nos. 420/2019 & 415/2019, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri A.S. Deshmukh, learned counsel for respondent Nos. 3 to 5 in M.A. No. 420/2019 (applicants in O.A.), are present.

2. S.O. to 29.3.2022.

MEMBER (A)

ORAL ORDERS 21.03.2022 – HDD

**ORIGINL APPLICATION NO. 557 OF 2020
(Savita S. Jadhav Vs. State of Maha. & Ors.)**

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

DATE : 21.3.2022

ORAL ORDER :

Shri A.A. More, learned counsel for the applicant
(**absent**). Shri M.P. Gude, learned Presenting Officer for
the respondents, is present.

2. S.O. to 19.4.2022.

MEMBER (A)

ORAL ORDERS 21.3.2022-HDD