

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

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

Before: - THE HON'BLE SHRI. BIJAY KUMAR, MEMBER (A)

Date: -21/03/2023

Suplimentary Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	OA162/19 With	Hingoli	Adv.Talekar & Associates (Mahadev R Powar)	Discharge form Service/ Termination	For Hearing Reply filed By R-1 to R-4	24/4
2	OA163/19 With	Hingoli	Adv.Talekar & Associates (Vithal S Kharat)	Discharge form Service/ Termination	For Hearing Reply filed By R-1 to R-4	24/4
3	OA164/19 With	Hingoli	Adv.Talekar & Associates (Vaibhav S Andhale)	Discharge form Service/ Termination	For Hearing Reply filed By R-1 to R-4	24/4
4	OA173/19 With	Hingoli	Adv.Talekar & Associates (Balkrishna N Waghmare)	Discharge form Service/ Termination	For Hearing Reply filed By R-1 to R-4	24/4
5	OA174/19 With	Hingoli	Adv.Talekar & Associates (Amol V Mandale)	Discharge form Service/ Termination	For Hearing Reply filed By R-1 to R-4	24/4
6	OA175/19 With	Hingoli	Adv.Talekar & Associates (Sudarshan S Jadhav)	Discharge form Service/ Termination	For Hearing Reply filed By R-1 to R-4	24/4
7	OA176/19 With	Hingoli	Adv.Talekar & Associates (Vikas F Dole)	Discharge form Service/ Termination	For Hearing Reply filed By R-1 to R-4	24/4
8	OA221/19	Hingoli	Adv.Talekar & Associates (Blagwan S Borude)	Discharge form Service/ Termination	For Hearing Reply filed By R-1 to R-4	24/4

Assistant Registrar
M. A. T. Bench at A I bad

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

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

Before: - THE HON'BLE SHRI. BIJAY KUMAR, MEMBER (A)

Date: -21/03/2023

for reply board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
VRB 1	CP41/22 In OA260/21	P. bhani	Adv. Vaibhav U Pawar (Ramrao K Yadav)	Contempt Petition	For Filing Affidavit in Rejoinder	11/4
N47 2	OA866/19	A Bad	Adv. Umesh K Ruparel/ Adv. K. V. Patil (Santoshsing K Rajput)	Selection List	For Filing Affidavit in Reply	15/6
SKG 3	OA894/19	A bad	Adv. Gaurav L Deshpande (Suman B Wavdhane)	Direction/ To Decide Representation/ Roaster Point	For Filing Affidavit in Reply	28/4
N47 4	OA1085/19	Nanded	Adv. A. S. Deshpande (Bhaskar M Taske)	Termination	One More Last Chance For Filing Affidavit in Reply For R-1	28/4
VRB 5	OA1086/19	A bad	Adv. Ajay S Deshpande (Chintaman H Vasave) Adv. K. B. Jadhav for R.No.3	Seniority/ Promotion	For Filing Affidavit in Rejoinder	2/5
DSD 6	OA451/20	Latur	Adv. Kuldeep S Patil/ Adv. P. D. Hajare (Shrihari S Solanke)	Wait List	For Filing Affidavit in Reply For R-1 & For Filing Affidavit in Rejoinder To the Affidavit in Reply on Behalf of R-2 & R-3	2/5
VRB 7	OA540/20	A Bad	Adv. Preeti R Wankhade (Shaikh Akbar Shaikh Rasul)	Deemed date of Appointment	As a Last Chance For Filing Affidavit in Rejoinder	28/4

DRP	8	OA552/21	A/nagar	Adv.C.V. Dharurkar (Jabbar Dastgit Pinjari)	Selection Process as per Advertisement	Await Service of Notice	4/5
NYL	9	OA554/21	A bad	Adv.Ravindra B Add (Harshal N Yevle)	Termination	For Filing Affidavit in Rejoinder	4/5
VRB	10	OA588/21	Latur	Adv.C.V. Dharurkar (Holambe N Dagdu & Ors.) <u>Adv. Chandrkant A Jadhav for R.No.5</u>	Advertisement/ Recruitment	For Filing Affidavit in Rejoinder	4/5
MPG	11	OA628/21	Latur	Adv.S.P. Urgunde (Swati G Swami)	Absorption	For Filing Affidavit in Rejoinder	2/5
SKG	12	OA787/21	A Nagar	<u>W.Pankaj Rajvate</u> Adv.A.S. Khedkar (Raosahb B Gunjal) <u>Adv.Shamsunder B Patil for R.Nos.3 to 5</u>	Revision of Pay Scale	As a Last Chance For Filing Affidavit in Rejoinder	2/5
BSO	13	OA788/21	A nagar	<u>W.Pankaj Rajvate</u> Adv.A.S. Khedkar (Sunil D Kulkarni) <u>Adv.Shamsunder B Patil for R.Nos.3 & 4</u>	Revision of Pay Scale	As a Last Chance For Filing Affidavit in Rejoinder	2/5
OSO	14	OA264/22	Hingoli	Adv.V.B. Wagh (Ganesh P Jagtap)	Promotion	For Filing Affidavit in Rejoinder	4/5
SKG	15	OA454/22	A nagar	Adv.V.V. Gujar (Rajendra B Kawale)	Examination	For Filing Affidavit in Rejoinder	24/3
VRB	16	OA637/22	J gaon	Adv.A.B. Rajkar (Vishal G Bochare)	Termination	For Filing Affidavit in Rejoinder	3/5
CPE	17	OA661/22	J gaon	Adv.Suchita Dhongde (Dilip S Taru)	Supernumery Post	For Filing Affidavit in Reply	3/5
DRP	18	OA740/22	A bad	Adv.K.B. Jadhav (Shashikant N Tidke) <u>Adv.C.K. Shinde/ Adv.Tushar Shinde for R.No.4</u>	Promotion	For Filing Affidavit in Rejoinder	27/4

DSD ✓	19	OA755/22	A. bad	Adv. V.B. Wagh (Sopan R Suryawanshi)	Departmental Enquiry	For Filing Affidavit in Reply	19/4
MPH	20	OA771/22	Jalna	Adv. V.S. Kadam (Mulani Manzura Rustum) Adv. M.B. Kolpe for R.No.3 - <i>W. K. Salunke</i>	Interview	Service Affidavit is not Filed by Applicant	19/4
CPO ✓	21	OA1050/22	J. gaon	<i>Mr. A.R. Dhore</i> Adv. Vijay B Patil (Jaiprakash B Ramanand) Adv. A.S. Deshmukh For R.No.6 - <i>Vidya Taksa</i>	Selection/ Appointment	Await Service of Notice	14/6
NT ✓	22	OA1153/22	A. nagar	Adv. A.S. Deshmukh (Nilesh R Mhaske)	Appointment	Await Service	12/6
Order Matters							
V RB	23	MA10/22 In OAS11586/21	Beed	Adv. S.S. Jadhavar (Nathrao S Chate)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	6/6
DRP	24	MA134/22 In OAS11419/21	Latur	Adv. K.M. Nagarkar (Chate Shankar Dhondiba) Adv. S.B. Mene for R.Nos.3 to 6	M.A. For Condonation of Delay	For Filing Affidavit in Rejoinder	6/6
MPG	25	MA267/22 In OAS1747/22	A. bad	Adv. S.S. Kulkarni (Vasant D Wadile & Ors.)	M.A. For Condonation of Delay	Await Service	6/6
SKS	26	MA418/22 In OA640/22	O. bad	Adv. S.V. Deshmukh (Dilipkumar R Patil)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	7/6
MPG ✓	27	MA551/22 In OAS13006/22	Latur	Adv. A.S. Deshmukh (Dharmveer B Shinde)	M.A. For Condonation of Delay	Await Service <i>Re-notice</i>	8/6
DRP	28	MA67/23 In OAS111/23	N. bar	Adv. Y.H. Jadhav (Kalya C. Rahase)	M.A. For Condonation of Delay	Await Service	8/6

Assistant Registrar
M. A. T. Bench at A. bad

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

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

Before: - THE HON'BLE SHRI. BIJAY KUMAR, MEMBER (A)

Date: -21/03/2023

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Urgent Admission Matters						
CPD 1	CP16/23 In OA19/20	Jalna	Adv.J.S. Deshmukh (Pralhad L. Rathod)	Contempt Petition	NBA	15/6
CPD 2	CP17/23 In OA16/20	Jalna	Adv.J.S. Deshmukh (Sahebrao S Kale)	Contempt Petition	NBA	15/6
CPD 3	CP18/23 In OA17/20	Jalna	Adv.J.S. Deshmukh (Bapurao R Patil)	Contempt Petition	NBA	15/6
CPD 4	CP19/23 In OA18/20	Beed	Adv.J.S. Deshmukh (Shivnath U Vyavhare)	Contempt Petition	NBA	15/6
CPD 5	MA127/23 In OA350/22	A bad	Adv.K.G. Salunke (Pralhad C Shelke)	M.A. For Expedite Hearing of OA	MA Allow Circulation OR EXP	12/4 EXP
Order Matters						
NBY 6	MA358/15 In OA238/15	A bad	Adv.R.J. Godbole (Dinesh S Joshi)	M.A. For Stay	For Hearing	12/4
VRD 7	MA1/21 In OAS1443/20	Hingoli	Adv.V.G. Pingle (Smt. Ratnabai G Gaikwad)	M.A. For Condonation of Delay	For Hearing	28/4
MPG 8	MA57/21 In OAS118/21	P bhani	Adv.V.G. Pingle (Bhalchandra S Waghule)	M.A. For Condonation of Delay	For Hearing	27/3
DSO 9	MA328/21 In OA42/13	Nanded	Adv.M.S. Deshmukh (Rana Pratapsingh N Chauhan)	M.A. For Restoration of O.A.	For Hearing	20/4

SKG	10	MA69/22 In OAS143/22	Nanded	Adv.Suchita Dhongde (Bhausheb P Tike & Ors.)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R-4	13/6
DRP	11	MA158/22 In OAS1221/21	J. gaon	nt SP Shirsalkar Adv.N.L. Choudhary (Azroddin Mabeboob Pinjari) <u>Adv.B.G. Deshmukh for R.No.8</u>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-4	6/6
IST	12	MA288/22 In OA599/22	J. gaon	Adv.A.S. Deshmukh ✓ (Tushar T Jadhav) <u>Adv.V.V. Gujar for R.Nos.3 & 4 in OA599/22</u> ✓	M.A. For Allow the Applicant to Join as Law Officer with MHADA	For Hearing	6/6
High On Board Matters							
CPO	13	TA2/12 WP9902/11	O. bad	hfar Barhaze Adv.A.L. Tike/ Adv.Naiknaware (Radha N Choure)	Selection/ Appointment ✓	<u>Re Hearing</u> Reply Filed by R-2	12/4
VRB	14	MA542/22 with MA261/22 With MA257/22 In OA447/22	A. bad	Adv.S.S. Thombre In MA542/22 (Dr. Shivshakti D Pawar) Adv.R.R. Kale/Adv.S.B. Bhosale In MA261/22 & MA257/22 (Dr. Pratap M Shinde & Ors.) <u>Adv. Mohit Deshmukh in OA447/22</u> (Dr. Sanjay K Muley & Ors.)	M.A. For Intervention in MA542/22 M.A. For Vacating I.R. in MA261/22 M.A. For Intervention in MA257/22	<u>Re Hearing</u> Reply Filed by R-1 to R-9 In MA257/22	29/3
SKG	15	OA408/21	P. bhani	Adv. Vishwas B Wagh ✓ (Urmila M Gaikwad) <u>Adv.K.B. Jadhav for R.No.2</u> ✓	Promotion ✓	<u>Part Heard</u> For Hearing Reply Filed by Sole Respondent & R-2	31/3
DSD	16	OA252/22	Beed	Adv.K.G. Salunke ✓ (Dr. Sudhir V Bhise)	Condone the Technical Break	<u>Part Heard</u> For Hearing	29/3
MPG	17	MA13/22 In OA553/19	Nanded	Adv.Mujahed Hussain ✓ Adv.Quadri Taher Ali (Markand N Gangaram & Ors.)	M.A. For Production of Document ✓	<u>Further Consideration</u> For Hearing	26/4

Due Admission Matters							
CPO	18	CP34/22 In OA78/21	A/nagar	Adv.K.B. Jadhav ✓ (Shubhangi Y Pawale) <u>Adv.Anuradha S Mantri</u> <u>For R.No.2</u> ✓	Contempt Petition	For Admission Reply Filed by R-1 & R-2	18/4
CPO	19	OA192/16	Nanded	Adv.M.A. Golegaonkar/ Adv.A.S. Golegaonkar (Maroti S Koli)	Seniority	For Hearing Reply Filed by R-1 to R-3	12/6
NYT	20	OA596/18 With	Nanded	Adv.Gajanan S Shembole ✓ (Dr.Sunil P Bhandare)	Termination	For Hearing Reply Filed by R-2 to R-7	13/6
PPS VRS	21	OA597/18	Nanded	Adv.Gajanan S Shembole ✓ (Dr.Jotsana A Reddy)	Termination	For Hearing Reply Filed by R-2 to R-7	13/6
SKG MPG	22	OA151/19	J. gaon N. Bar	Adv.V.B. Wagh (Sachin A Gade & Ors.)	Promotion	For Hearing Reply Filed by R-1	13/6
DSO SKG	23	OA913/19	Dhule	Adv.Y.B. Bolkar/ Adv.K.B. Jadhav (Shirish D Deshmukh & Ors.) <u>Adv.V.B. Wagh For R.Nos.</u> <u>7 to 19</u> <u>Adv.S.B. Deshpande for</u> <u>R.No.6</u>	Appointment	For Hearing Reply Filed by R-1	18/4
OSO	24	OA946/19	P. Dhani	Adv.J.S. Deshmukh ✓ (Dr. Subhash P Pawar) <u>Adv.V.R. Sonwalkar for</u> <u>R.Nos.4 & 5</u> ✓	Revision of Pay/ Recovery	For Hearing Reply Filed by R-4 & R-5	24/4
ISS	25	OA37/20	Hingoli	Adv.S.S. Dambe ✓ (Pandurang N Mendake)	Advertisement	For Hearing Reply Filed by R-4 & R-5	00/0 2/5
CPO	26	OA40/20	Albad	Adv.R.J. Nirmal (Shankar P Dange)	Promotion/ Appointment	For Hearing	3/5
VAB	27	OA84/20	J. gaon	Adv.A.D. Sugdare ✓ (Chunilal M Yawalkar)	Dismissal From Service	For Hearing Reply Filed by R-1 to R-5	11/4

DRP	28	OA133/20	P bhani	(Alka S Mundhe)	Advertisement	For Hearing Reply Filed by R-1, R-2 & R-4	19/4
JST	29	OA265/20	O/bad	Adv. Avinash S Deshmukh (Gulab H Panchal)	Reversion	For Hearing Reply Filed by R-1 to R-3	20/4
CPD	30	OA430/20	Jalna A/bad	Adv. A.S. Deshmukh (Ashok D Talde & Ors) <u>Adv. R.O. Awasarmol/</u> <u>Adv. V.D. Pagare for</u> <u>R.Nos.13,14,19,21,24,28,</u> <u>42,61</u> <u>Adv. D.S. Pagare for</u> <u>R.Nos.26,30,32,37,56,59</u>	Deem Date/ Seniority/ Promotion	For Hearing Reply Filed by R-1, R-2, R-4, R-13, R-14, R-19, R-21, R-24, R-26, R-28, R-30, R-32, R-37, R-42, R-56, R-59, R-61	20/4
N47	31	OA562/20	A/bad	Adv. V.B. Wagh (Amol N Bari)	Appointment	For Hearing Reply Filed by R-2	7/6 22/4
N47	32	OA122/21	P/bhani	Adv. M.A. Granthi/ Adv. M.K. Bhosale (Mohan B Rathod)	Promotion	For Hearing Reply Filed by R-2 & R-3	14/6
VRB	33	OA153/21	O/bad	Adv. M.R. Kulkarni (Dr. Kiran P Rochkari)	Condonation of Technical Break	For Hearing	14/6
MPG	34	OA271/21	A/nagar	Adv. Vishwas B Wagh (Shivaji S Kawade)	Show Cause Notice/ Dismissal	For Hearing Reply Filed by R-1 & R-2	14/6
SKG	35	OA448/21	A/nagar	Adv. D.S. Kulkarni/ Adv. A.D. Kulkarni (Sarjerao M Phalke)	Deemed Date of Appointment/ Continuation of Service	For Hearing Reply Filed by R-2	15/6
OSO	36	OA594/21	Latur	Adv. Kalyan V Patil (Dr. Meena R Jadhav)	Voluntary Retirement	For Hearing	15/6
DRP	37	OA606/21	A/bad	Adv. Zia Ul Mustafa/ Adv. Taher Ali Quadri (Tambe S Govind)	Appointment		6/6
DRP	38	OA636/21	Beed	Adv. S.D. Joshi (Vitthal S Jadhav)	Revision of Pay Scale/ Punishment	For Hearing Reply Filed by R-1 to R-3	10/4 10/4 19/4

CPO	39	OA679/21	Jalna	Adv.K.B. Jadhav (Mahesh G Satkar)	Rmoval From Service	For Hearing Reply Filed by Respondents	4/15
M.P.G.	40	OA731/21	Dhule	Adv.K.B. Jadhav (Sunil L Mali)	Dismissal From Service	For Hearing Reply Filed by R-1 to R-4	3/15
H.Y.T.	41	OA01/22	A.Bad	Adv.K.G. Salunke (Vishnu B More)	Promotion	For Hearing Reply Filed by R-1 to R-3	2/14
V.A.B.	42	OA02/22	Jalna	Adv.K.G. Salunke (Shantilal D Hiwarale)	Promotion	For Hearing Reply Filed by R-1 to R-3	2/14
M.P.G.	43	OA14/22	P.bhani	R.D. Khadke Adv.S.S. Thombre (Baburao S Mule & Ors.)	Regularization/ Arrears of Pay Scale	For Hearing	2/15 2/15
S.K.G.	44	OA19/22	Beed	Adv.J.S. Deshmukh (Bharat B Gujar)	Seniority/ Promotion/ Other Monetary Benefits	For Hearing Reply Filed by R-3	2/15
O.S.O.	45	OA22/22	A/bad	Adv.Kakasaheb Jadhav (Abaji B Amrute)	Qualifying Service/ Condonation of Break in Service	For Hearing Reply Filed by R-1 to R-4	15/6
DRP	46	OA280/22	Beed	Adv.K.B. Jadhav (Sharad U Malishikare)	Departmental Enquiry	For Hearing Reply Filed by R-1 & R-2 For Fling Affidavit in Rejoinder	2/15
H.Y.T.	47	OA426/22	Nanded	Adv.B.G. Deshmukh (Urmila S Phule @ Urmila P Narwade)	Selection Process/ Merit List	For Hearing Reply Filed by R-1 & R-2	6/6
CPO	48	OA643/22	J.gaoon	Adv.A.S. Deshpande (Raosaheb B Jangle)	Departmental Enquiry	For Hearing Reply Filed by R-1 & R-2	7/6
S.K.S.	49	OA685/22	J.gaoon	Adv.S.R. Patil (Nagesh G Patil)	Departmental Enquiry	For Hearing Reply Filed by R-2 to R-4	7/6
H.Y.T.	50	OA837/22	Dhule	Adv.S.M. Sangale (Manisha S Ahire)	Seniority list	For Admission Reply Filed by R-1 & R-2	7/6

Final Hearing Matters							
VAB	51	OA226/17	Latur	Adv.K.M. Nagarkar (Baliram S Kakade)	Voluntary Retirement/ Pensionary Benefits	Reply Filed by R-1 to R-5	7/6
MPG	52	TA5/18 WP9261/18 with	A/bad	Adv.Nitin S Kadarale (Pravin C Janjal)	Selection/ Appointment	Reply Filed by R-2 & R-3	7/6
SFG	53	TA6/2018 WP9314/18	A/bad	Adv.Abhay R Rathod (Prasanna R Raut & Ors)	Selection/ Appointment	Reply Filed by R-2 & R-3	7/6
DSD	54	OA74/18	A Nagar	Adv.S.S. Kulkarni/ Adv.A.S. Kulkarni (Bhagwan B Chemate)	Appointment	Reply Filed by R-1	8/6
DRP	55	OA273/18	A/bad	Adv.Sandeep B Sontakke (Ganesh D Chavhan) <u>Adv.Pramod A Saivi for R.No.4</u>	Seniority	Reply filed by R-1 to R-5	8/6
VRB	56	OA615/18	Beed	Adv.Talekar & Associates (Desai Timma Gaikwad)	To Count the Past Service/ Regularisation	Reply Filed by R-1 to R-4	8/6
CPD	57	OA731/18	Jgaon	Adv.P.B. Patil (Ramesh J Patil)	Promotion	Reply Filed by R-1 & R-2	12/6
DSD	58	OA827/18	Jgaon	Adv.Chandrakant P Patil (Sahliendra P Sandanshiv) <u>Adv.S.U. Chaudhary for R.No.4</u>	Appointment	Reply Filed by R-1 to R-4	12/6
N47	59	OA903/18	A/bad	Adv.Abbishek C Deshpande (Dr.Jalindar S Ambhore)	Selection Process	Reply Filed by R-1 & R-2	13/6
VRB	60	OA12/19	Dhule	Adv.Shamsunder B Patil (Dr. Deepak K Shejwal) <u>Adv.Talekar and Associates for R.No.4</u>	Appointment	Reply Filed by R-1 to R-4	13/6
MPH	61	OA792/19	Beed	Adv.Prashant D Suryawanshi (Datta Prasad Hiranman Galphade) <u>Adv.V.B. Wagh for R.No.3</u>	Selection	For Hearing Reply Filed by R-3	13/6

DRP	62	OA1030/19	Dhule	Adv. Talekar & Associates (Dr. Jaya P Dighe) <u>Adv. A.B. Rajkar for R.No.5 to 12 & 14</u> <u>Adv. A.S. Shelke for R.No.15</u> <u>Adv. N.S. Choudhary for R.No.13</u>	Seniority/ Deem Date	Reply Filed by R-1, R-2, R-5 to R-15	14/6
DSD	63	OA26/20	Dhule	Adv. Girish A Nagori/ Adv. Yogesh H Jadhav (Sanjay D Salunke) <u>Adv. D.A. Madake for R.No.19</u>	Seniority	Reply Filed by R-1 to R-3 & R-19	14/6
DAP	64	OA246/20 With	A.nagar	Adv. S.R. Sapkal ✓ (Dattatraya M Devkate) <u>Adv. S.Y. Shinde for R.Nos.4 to 7</u>	Seniority List	Reply filed By R-4 to R-7	12/6
SKG	65	OA238/20 With	A.nagar	Adv. S.R. Sapkal ✓ (Balu S Sumbe) <u>Adv. S.Y. Shinde for R.Nos.4 to 7</u> ✓	Seniority List	Reply filed By R-1 to R-7	12/6
CPO	66	OA239/20 With	A.nagar	Adv. S.R. Sapkal ✓ (Rahul A Tarwade) <u>Adv. S.Y. Shinde for R.Nos.4 to 7</u> ✓	Seniority List	Reply filed By R-1 to R-7	12/6
N47	67	OA242/20 with	Nashik Mumbai	Adv. S.R. Sapkal ✓ (Bahiru k Benke) <u>Adv. S.Y. Shinde for R.Nos.4 to 7</u> ✓	Seniority List	Reply filed By R-1 to R-3 & R-5 to R-7	26/6
N47	68	OA243/20 with	Nashik Mumbai	Adv. S.R. Sapkal ✓ (Somnath N Gadhave) <u>Adv. S.Y. Shinde for R.Nos.4 to 7</u> ✓	Seniority List	Reply filed By R-1 to R-3 & R-5 to R-7	12/6
VRB	69	OA244/20 With	Nashik Mumbai	Adv. S.R. Sapkal ✓ (Sandeep S Kale) <u>Adv. S.Y. Shinde for R.Nos.4 to 7</u> ✓	Seniority List	Reply filed By R-1 to R-3, R-6 & R-7	12/6

ORIGINAL APPLICATION NO. 1085 OF 2019
(Bhaskar M. Taske 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 : 21.03.2023

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri A.S. Deshpande, learned Advocate for the applicant and Shri N.U. Yadadv, learned Presenting Officer for the respondent authorities.

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

3. Record further shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondent No.1. Hence, the matter will proceed further without affidavit in reply of the respondent No.1.

3. S.O. to 28.04.2023 for filing affidavit in rejoinder to the affidavit in reply filed on behalf of the respondent No.2, if any.

MEMBER (A)

ORIGINAL APPLICATION NO. 540 OF 2020
(Shaikh Akbar Shaikh Rasul 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 : 21.03.2023

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, one more last chance is granted for filing affidavit in rejoinder.
3. S.O. to 28.04.2023.

MEMBER (A)

ORIGINAL APPLICATION NO. 787 OF 2021
(Raosaheb B. Gunjal 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 : 21.03.2023

ORAL ORDER :

Heard Shri A.S. Khedkar, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities and Shri S.B. Patil, learned Advocate for the respondent Nos. 3 to 5.

2. Affidavit in rejoinder filed on behalf of the applicant is taken on record and copy thereof has been served on the other side.
3. S.O. to 02.05.2023 for admission.

MEMBER (A)

ORIGINAL APPLICATION NO. 788 OF 2021
(Sunil D. Kulkarni 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 : 21.03.2023

ORAL ORDER :

Heard Shri A.S. Khedkar, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri S.B. Patil, learned Advocate for the respondent Nos. 3 & 4.

2. Affidavit in rejoinder filed on behalf of the applicant is taken on record and copy thereof has been served on the other side.
3. S.O. to 02.05.2023 for admission.

MEMBER (A)

C.P.NO. 16 OF 2023 IN O.A.NO. 19 OF 2020

(Pralhad Lalsing 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 : 21.03.2023

ORAL ORDER :

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

2. Issue notices to the respondents in C.P., returnable on 15.06.2023.

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 15.06.2023.

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

MEMBER (A)

C.P.NO. 17 OF 2023 IN O.A.NO. 16 OF 2020
(Sahebrao Saluba Kale 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 : 21.03.2023

ORAL ORDER :

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

2. Issue notices to the respondents in C.P., returnable on 15.06.2023.

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 15.06.2023.

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

MEMBER (A)

C.P.NO. 18 OF 2023 IN O.A.NO. 17 OF 2020
(Bapurao Ramdas 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 : 21.03.2023

ORAL ORDER :

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

2. Issue notices to the respondents in C.P., returnable on 15.06.2023.

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 15.06.2023.

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

MEMBER (A)

C.P.NO. 19 OF 2023 IN O.A.NO. 18 OF 2020
(Shivnath Uttamrao Vyavhare 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 : 21.03.2023

ORAL ORDER :

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

2. Issue notices to the respondents in C.P., returnable on 15.06.2023.

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 15.06.2023.

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

MEMBER (A)

M.A.NO. 127 OF 2023 IN O.A.NO. 350 OF 2022
(Pralhad C. Shelke 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 : 21.03.2023

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The applicant has filed present Misc. Application seeking expedited hearing of Original Application.

3. Considering the facts and circumstances of the present case, the Misc. Application is allowed. Hearing of Original Application is expedited.

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

MEMBER (A)

ORIGINAL APPLICATION NO. 350 OF 2022
(Pralhad C. Shelke 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 : 21.03.2023

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The applicant is required to submit the copy of first appointment as Constable, copy of promotion as Head Constable and A.S.I.

3. Learned C.P.O. is required to submit the copy of Recruitment Rules of Head Constable and copy of minutes of D.P.C. by which the applicant has been promoted as Head Constable.

4. S.O. to 12.04.2023. Hearing of this O.A. is expedited. **High on board.**

MEMBER (A)

ORIGINAL APPLICATION NO. 252 OF 2022
(Dr. Sudhir V. Bhise 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 : 21.03.2023

ORAL ORDER :

Heard Shri K.G. Salunke, 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. Learned Advocate for the applicant files a short affidavit. It is taken on record and copy thereof has been served on the other side.

4. S.O. to 29.03.2023. **High on Board.**

MEMBER (A)

ORIGINAL APPLICATION NO. 554 OF 2021
(Harshal N. Yevle 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 : 21.03.2023

ORAL ORDER :

Heard Shri Ravindra B. Ade, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant submits that he has not received the copy of affidavit in reply filed on behalf of the respondent Nos. 1 to 4 long back.

3. He further submits that he will collect the copy of reply and submit affidavit in rejoinder within two weeks time.

4. S.O. to 04.05.2023 for filing affidavit in rejoinder.

MEMBER (A)

ORIGINAL APPLICATION NO. 454 OF 2022
(Rajendra B. Kawale 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 : 21.03.2023

ORAL ORDER :

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

2. Learned Advocate for the applicant submits written request for withdrawal of Original Application on the ground that notification for relaxation of age limit has been issued by the respondents. However, the request letter is not accompanied by a copy of such notification for relaxation of age claimed to have been granted by the respondents.

3. In view of the above, the matter be kept on 24.03.2023 for passing order of withdrawal on submission of the aforesaid notification.

MEMBER (A)

ORIGINAL APPLICATION NO. 1050 OF 2022
(Jaiprakash B. Ramanand 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 : 21.03.2023

ORAL ORDER :

Heard Shri A.R. Dhore, learned Advocate holding for Shri Vijay B. Patil, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the respondent No.6.

2. Learned Advocate for the applicant prays for re-issuance of notices to respondent Nos. 1 & 2.

3. Applicant is directed to confirm the postal address of respondent Nos. 1 & 2 and if necessary make amendment accordingly by the next date, so that notices can be reissued.

4. S.O. to 14.06.2023.

MEMBER (A)

M.A.NO. 551/2022 IN O.A.ST.NO. 3006/2022
(Dharmveer B. 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 : 21.03.2023

ORAL ORDER :

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

2. Learned Advocate for the applicant requests for re-issuance of notices as they are misplaced the notices.

3. Considering their apology, issue fresh notices to the respondents in M.A., returnable on 08.06.2023.

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.

//2// M.A.551/2022 In
O.A.St.3006/2022

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

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

8. S.O. to 08.06.2023.

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

MEMBER (A)

ORIGINAL APPLICATION NO. 755 OF 2022
(Sopan R. Suryawanshi 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 : 21.03.2023

ORAL ORDER :

Heard Smt. Archana Therokar, learned
Advocaet holding for Shri V.B. Wagh, learned
Advocate for the applicant and Smt. Deepali S.
Deshpande, learned Presenting Officer for the
respondent authorities.

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

3. S.O. to 19.04.2023. Interim relief granted
earlier to continue till then.

MEMBER (A)

ORIGINAL APPLICATION NO. 264 OF 2022

(Ganesh P. Jagtap 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 : 21.03.2023

ORAL ORDER :

Heard Smt. Vijaya Adkine, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. It is noticed that affidavit in rejoinder to the affidavit in reply of respondent No.1 has been filed on 27.01.2023. However, in the oral order dated 17.02.2023 in para No.2 it has been mentioned as follows:-

"2. At the request of the learned Advocate for the applicant, S.O. to 21.03.2023 for filing rejoinder affidavit, if any."

Therefore, para No.2 of oral order dated 17.02.2023 needs correction and correct position is as follows:-

"Learned Advocate for applicant has submitted rejoinder affidavit which is taken on record and a copy thereof is served on the other side."

//2// O.A.264/2022

3. Learned P.O. for the respondents submits that she is not willing to file affidavit in sur-rejoinder. Therefore, the matter may be taken for final hearing.

4. Hence, the matter is admitted and fixed for final hearing on 04.05.2023.

MEMBER (A)

SAS ORAL ORDERS 21.03.2023.

T.A.NO. 2/2012 (W.P.NO. 9902/2011)
(Radha N. Choure 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 : 21.03.2023

ORAL ORDER :

Heard Shri A.R. Barhate, learned Advocate holding for Shri A.L. Tikle, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 12.04.2023 for rehearing. **High on board.**

MEMBER (A)

**M.A.NO. 542/2022 WITH M.A.NO. 261/2022 WITH
M.A.NO. 257/2022 IN O.A.NO. 447/2022**

(Dr. Shivshakti D. 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 : 21.03.2023

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant in M.A. 542 of 2022/ intervenor, Shri Mohit Deshmukh, learned Advocate for the applicants in O.A.No. 447/2022 and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

Shri R.R. Kale/Shri S.B. Bhosale, learned Advocate for the applicants in M.A.Nos. 261/2022 & M.A.Nos. 257/2022, is **absent**.

2. S.O. to 29.03.2023 for rehearing. **High on board.**

MEMBER (A)

ORIGINAL APPLICATION NO. 408 OF 2021
(Urmila M. Gaikwad 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 : 21.03.2023

ORAL ORDER :

Heard Smt. Vijaya Adkine, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities and Shri K.B. Jadhav, learned Advocate for the respondent No.2.

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

3. S.O. to 31.03.2023. **High on board.**

MEMBER (A)

M.A.NO. 13 OF 2022 IN O.A.NO. 553 OF 2019
(Markand N. Gangaram & 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 : 21.03.2023

ORAL ORDER :

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

2. S.O. to 26.04.2023 for further consideration. **High on board.**

MEMBER (A)

C.P.NO. 41 OF 2022 IN O.A.NO. 260 OF 2021
(Ramrao K. Yadav 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 : 21.03.2023

ORAL ORDER :

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

2. This matter is presented before the Division Bench. However, I had issued G.R. providing for limited departmental examination for promotion/selection in my capacity as Additional Chief Secretary (A.D.F.), Government of Maharashtra. Therefore, I recused and the matter may be placed before the Honb'le Shri V.D. Dongre, Member (J).

3. S.O. to 11.04.2023 for filing affidavit in rejoinder, if any.

MEMBER (A)

ORIGINAL APPLICATION NO. 866 OF 2019
(Santoshsing K. Rajput 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 : 21.03.2023

ORAL ORDER :

Heard Shri K.V. Patil, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Shri K.B. Jadhav, learned Advocate filed **VAKALATNAMA** on behalf of the respondent Nos. 6 & 11. It is taken on record.

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

4. S.O. to 15.06.2023.

MEMBER (A)

ORIGINAL APPLICATION NO. 01 OF 2022
(Vishnu B. More 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 : 21.03.2023

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate
for the applicant and Shri N.U. Yadav, learned
Presenting Officer for the respondent authorities.

2. S.O. to 21.04.2023 for hearing. Interim
relief granted earlier to continue till then.

MEMBER (A)

ORIGINAL APPLICATION NO. 02 OF 2022
(Shantilal D. Hiwarale 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 : 21.03.2023

ORAL ORDER :

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

2. S.O. to 21.04.2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

**O.A.NOS. 162, 163, 164, 173, 174, 175, 176 AND
221 ALL OF 2019
(Mahadev R. Powar & 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 : 21.03.2023

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicants in all these O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these O.As.

2. S.O. to 24.04.2023 for hearing.

MEMBER (A)

**M.A.NO.02/2021 IN O.A.ST.NO.1333/2020
(Kailas Kalke Vs. State of Maharashtra & Ors.)**

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

DATE : 21-03-2023

ORAL ORDER :

Heard Shri Manoj R. Khutwad, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities.

2. The applicant has preferred the O.A. seeking pensionary benefits on the basis of the scheme which was in existence prior to 01-11-2005. Since some delay has occasioned in filing the said O.A., the applicant has preferred the present M.A. seeking condonation of delay of the said period. The period of delay as has been stated in the applicant is about 1 year and 6 months and the reasons are explained in paragraph 6 and 7 of the application.

3. Learned P.O. has opposed for condoning the delay stating that the reasons as are assigned in paragraph 6 and 7 are insufficient to condone the delay which is of a longer period of 1 year and 6 months. Learned P.O. has, therefore, prayed for rejecting the application.

4. I have perused the application and the affidavit in reply filed on behalf of the respondents. I have also perused the contents of the O.A. and prayer made

=2=

M.A.NO.02/2021 IN O.A.ST.NO.1333/2020

therein. It is true that the delay is of the period about 18 months which cannot be said to be a delay of a shorter period. However, considering the relief which has been sought by the applicant which pertains to his right of living, it appears to me that the delay occasioned has to be considered from that angle and in that context. The applicant cannot be denied an opportunity of prosecuting the matter on merit on the ground that he has not explained the delay meticulously. One of the reason as has been mentioned for delay is a period of Corona pandemic which started in the relevant period. It appears to me that the same can be held to be a sufficient ground for condoning the delay which has occasioned to file the annexed O.A. so as to give an opportunity to the applicant to prosecute the O.A. on merit. Hence, the following order:

ORDER

- [i] M.A.No.02/2021 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.1333/2020
(Kailas Kalke Vs. State of Maharashtra & Ors.)

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

DATE : 21-03-2023

ORAL ORDER :

Heard Shri Manoj R. Khutwad, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 13.06.2023.

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 13.06.2023.

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

VICE CHAIRMAN

YUK ORAL ORDER 21.03.2023

**ORIGINAL APPLICATION NO.105/2022
(Amar Raut Vs. State of Maharashtra & Ors.)**

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

DATE : 21-03-2023

ORAL ORDER :

Heard Shri Swaraj Tandale, learned Counsel for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondent authorities.

2. Arguments are heard. Reserved for order.

VICE CHAIRMAN

YUK ORAL ORDER 21.03.2023

**ORIGINAL APPLICATION NO.353/2021
(Sunil Kamble Vs. State of Maharashtra & Ors.)**

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

DATE : 21-03-2023

ORAL ORDER :

Heard Shri Swaraj Tandale, learned Counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities.

2. Arguments are heard. Reserved for order.

VICE CHAIRMAN

YUK ORAL ORDER 21.03.2023

ORIGINAL APPLICATION NO.364/2022
(Laxmibai Potdar Vs. State of Maharashtra & Ors.)

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

DATE : 21-03-2023

ORAL ORDER :

Heard Shri A.V.Patil Indrale, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities.

2. Arguments are heard for some time.

3. For further consideration, S.O. to 13-04-203.

High on Board.

VICE CHAIRMAN

YUK ORAL ORDER 21.03.2023

**ORIGINAL APPLICATION NO.229/2021
(Balbirsingh Jagannath Prasad Tyagi
Vs. State of Maharashtra & Ors.)**

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

DATE : 21-03-2023

ORAL ORDER :

Heard Shri K.G.Salunke, learned Counsel for
the applicant and Shri N.U.Yadav, learned
Presenting Officer for the respondent authorities.

2. S.O. to 27-03-2023. **Part heard.**

VICE CHAIRMAN

YUK ORAL ORDER 21.03.2023

**ORIGINAL APPLICATION NO.152/2021
(Vishnu S. Misal Vs. State of Maharashtra & Ors.)**

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

DATE : 21-03-2023

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned Counsel for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 14-06-2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

YUK ORAL ORDER 21.03.2023

**ORIGINAL APPLICATION NO.756/2022
(Jitendra V. Kadam Vs. State of Maharashtra & Ors.)**

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

DATE : 21-03-2023

ORAL ORDER :

Shri Vinod D. Godbharle, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has filed sur-rejoinder on behalf of respondent no.2. It is taken on record. Copy thereof is provided to the learned Counsel for the applicant.

3. For hearing S.O. to 19-04-2023.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.598/2022
(Dilipkumar Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 21-03-2023

ORAL ORDER :

Shri Shivraj V. Deshmukh, learned Counsel for the applicant is **absent**. Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities is present.

2. Learned P.O. has filed affidavit in reply on behalf of respondent nos.1 and 2. It is taken on record. Learned P.O. undertakes to serve copy of the reply on the other side.

3. S.O. to 27-04-2023 for filing rejoinder.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.25/2023
(Vijay Mitthpalle Vs. State of Maharashtra & Ors.)**

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

DATE : 21-03-2023

ORAL ORDER :

Shri V.D.Godbharle, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has filed affidavit in reply on behalf of respondent nos.1 and 2. It is taken on record. Learned P.O. undertakes to serve copy of the reply on the other side.

3. S.O. to 19-04-2023 for filing rejoinder.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.135/2023
(Sheshrao Satpute Vs. State of Maharashtra & Ors.)**

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

DATE : 21-03-2023

ORAL ORDER :

Shri Mahendra Gandle, learned Counsel for the applicant and Smt. Sanjivani Ghate, 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 3. It is taken on record. Learned P.O. to serve copy of the reply on the other side.

3. S.O. to 11-04-2023 for filing rejoinder.

VICE CHAIRMAN

YUK ORAL ORDER 21.03.2023

**ORIGINAL APPLICATION NO. 499 OF 2022
(Laxminarayan Abarao Shingare Vs. State of Maharashtra
& Ors.)**

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

DATE : 21.3.2023

ORAL ORDER :

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

2. At the request of learned Presenting Officer, time granted by way of last chance to file affidavit in reply till 24.4.2023.

3. S.O. to 24.4.2023.

VICE CHAIRMAN

ORAL ORDER 21.3.2023-HDD

ORIGINAL APPLICATION NO. 410 OF 2022
(Anand Tukaram Chintakute Vs. State of Maharashtra & Ors.)

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

DATE : 21.3.2023

ORAL ORDER :

Shri Nikhil Pradip Dube, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, time granted by way of last chance till 31.3.2023.

3. S.O. to 31.3.2023.

VICE CHAIRMAN

ORAL ORDER 21.3.2023-HDD

**ORIGINAL APPLICATION NO. 760 OF 2022
(Hitesh S. Vispute Vs. State of Maharashtra & Ors.)**

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

DATE : 21.3.2023

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri Yogesh M. Patil, learned counsel for respondent No. 4, are present.

2. Learned Presenting Officer has sought time to file affidavit in reply. The request is opposed by the learned counsel for the applicant stating that due opportunities are already availed by the respondents. In the interest of justice S.O. to 21.4.2023 by way of last chance. It is made clear that if the affidavit in reply is not filed on or before the next date, the matter will be heard without affidavit in reply.

3. S.O. to 21.4.2023.

VICE CHAIRMAN

ORAL ORDER 21.3.2023-HDD

**ORIGINAL APPLICATION NO. 218 OF 2023
(Dr. Sandip T. Jogdand Vs. State of Maharashtra & Ors.)**

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

DATE : 21.3.2023

ORAL ORDER :

Heard Shri R.D. Khadap, learned counsel for the applicant and Shri M.S. Mahajan, Chief learned Presenting Officer for the respondent authorities, is present.

2. Issue notices to the respondents, returnable on 27.4.2023.

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 27.4.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 745 OF 2022
(Karbhari Mohan Bahure Vs. State of Mah. & Ors.)**

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

DATE : 21.3.2023

ORAL ORDER :

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

2. In the present matter the retiral benefits are withheld only on the ground that criminal appeal preferred by the State Government against the order of acquittal recorded in favour of the applicant is pending before the Hon'ble Bombay High Court. It is well settled that merely on the ground that pendency of the appeal against the acquittal, the retiral benefits cannot be withheld. In the circumstances, the Government can very well ask the applicant to execute Indemnity Bond mentioning therein the necessary terms and conditions and on executing such Indemnity Bond the benefits can be released. In the circumstances, the following order is passed: -

ORDER

(i) By obtaining the bond from the applicant in the nature of indemnity to the effect that in the event of his conviction in the criminal prosecution against him, he will redeposit the amounts paid to him which had not been paid to him had he been convicted by the trial court within the period stipulated in the bond, the respondents shall release the retiral benefits in favour of the applicant within 12 weeks from the date of this order.

(ii) The Original Application stands allowed in the aforesaid terms.

(iii) There shall be no order as to costs.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 223 OF 2023
(Govind Datta Mungase Vs. State of Maharashtra & Ors.)**

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

DATE : 21.3.2023

ORAL ORDER :

Heard Shri S.N. Pagare, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. Issue notices to the respondents, returnable on 10.4.2023.

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 10.4.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 99 OF 2023
(Bhimrao Namdeo More Vs. State of Maharashtra & Ors.)**

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

DATE : 21.3.2023

ORAL ORDER :

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

2. At the request of learned Presenting Officer time granted for filing affidavit in reply.
3. S.O. to 27.4.2023.

VICE CHAIRMAN

ORAL ORDER 21.3.2023-HDD

ORIGINAL APPLICATION NO. 236 OF 2023
(Smt. Shalini P. Bidarkar Vs. State of Maharashtra & Ors.)

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

DATE : 21.3.2023

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. When the present matter is taken up for consideration, learned counsel for the applicant sought leave of this Tribunal to file short affidavit on record and also to take on record the documents annexed to the said short affidavit. Since the matter is coming for the first time and notices yet to be issued there is no impediment in allowing the request so made on behalf of the applicant. The short affidavit be taken on record along with documents annexed to it.

3. Heard learned counsel for the applicant. Perused the Original Application. Issue notices to the respondents, returnable on 31.3.2023.

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. Learned counsel for the applicant has insisted for staying effect and operation of the order of suspension on the grounds, which are raised in the O.A. Learned counsel has submitted that to keep the headquarters of the applicant in the period of suspension at Jalgaon Jamod District Buldhana is nothing but harassment to the applicant. Learned counsel submitted that at least directions may be given to the respondents to change the headquarters of the

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O.A. NO. 236/2023

applicant and be at any other office at Aurangabad, so she can mark her presence in the said office. Insofar as request is made limited affidavit is required to be filed by the respondents within 10 days. Short affidavit for limited purpose be filed on or before 31.3.2023.

9. S.O. to 31.3.2023.

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

VICE CHAIRMAN

ORAL ORDER 21.3.2023-HDD

**REV.ST.42/2023 WITH M.A.14/2023 IN O.A.127/2018
(Ashok W. Gosavi Vs. State of Maharashtra & Ors.)**

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

DATE : 21.3.2023

ORAL ORDER :

Heard Shri U.B. Deshmukh, learned counsel for the review petitioner, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri S.D. Joshi, learned counsel for respondent Nos. 5 to 9/ applicants in O.A. N. 127/2018.

2. The petitioner has sought review of the order passed by this Tribunal on 29.10.2018 in O.A. No. 127/2018. It is the contention of the review petitioner that the applicants in the aforesaid O.A. by making a false statement that they are entitled for the increment though in fact they were not, had obtained relief from the Tribunal and according to the review petitioner it amounts to playing fraud on the Tribunal. In the circumstances, according to the petitioner, review petition can very well be maintained and the order dated 29.10.2011 can be reviewed by this Tribunal.

3. Admittedly, the review petitioner was not party to the O.A. No. 127/2018. In this regard, it is the contention of the review petitioner that he may not be

party to the aforesaid O.A., however, he has some nexus with the subject matter as on his complaint the increment granted to the applicants in the aforesaid O.A. were earlier withdrawn by the Government. However, subsequently the applicants in O.A. succeeded in getting awarded the said increments. As such, according to the learned counsel, review petitioner has locus to seek review of the order which has been obtained by misleading the Tribunal. Learned counsel has relied upon the following three judgments in support of his contentions: -

- i) Ram Chandra Singh Vs. Savitri Devi & Ors., 2003 (7) Supreme 267;
- ii) Shah Jamal Sheikh Vs. State of Meghalaya and Ors., W.A. No. 61 of 2014 decided on 29.9.2014; and
- iii) Dr. Ramchandra B. Nirmale Vs. the State of Maharashtra & Ors., Review Application No. 12/2020 In O.A. No. 525/2019 decided by M.A.T. Mumbai on 8.3.2021

4. Learned counsel appearing for the applicant submitted that Section 22 of the Administrative Tribunals Act, 1985 read with Section 151 of CPC empowers this Tribunal to take cognizance of such matters. It is also argued that if any order is obtained by misleading this Tribunal and if it is brought to the notice

of the Tribunal that said order was obtained by fraud the Tribunal cannot decline the request for review of its own order, on request of even a stranger.

5. I have gone through the provisions, which are referred to by the learned counsel appearing for the applicant. I have also gone through the judgments relied upon by the learned counsel for the applicant. There cannot be a dispute about ratio laid down or view taken by this Tribunal in the matters which are cited. However, ratio has to be applied in the facts of the case. In the present matter foremost question is in what capacity the applicant shall be allowed to prosecute the review petition, when apparently he has not falling in the definition of aggrieved party. Insofar as the service matters are concerned, the administrative Tribunals have its own limitations for entertaining the matters and issuing directions in the matters before it. From the nature of the review it is explicit that the matter is being prosecuted as Public Interest Litigation.

6. It is well settled that Public Interest Litigation is not maintainable in service matters. In **Dr. Duryodhan Sahu & Ors. Vs. Jitendra Kumar Mishra & Ors., (1998) 7 SCC 273**, three-Judge Bench of the Hon'ble Apex Court has held that, "If public interest litigations at the

instance of strangers are allowed to be entertained by the Tribunal, the very object of speedy disposal of service matters would get defeated.” In **BALCO EMPLOYEES UNION (REGD.)Vs. UNION OF INDIA & ORS.**, union had challenged the decision of Government of Maharashtra to disinvest 51% as its shares in BALCO in favour of a private party. After referring some of the earlier decisions the Hon’ble Apex Court observed that the Employees’ Union was a busybody and added that Public Interest Litigation was not meant to be a weapon to challenge the financial or economic decisions which are taken by the Government in exercise of their administrative power. Under Section 19 of the Administrative Tribunals Act, 1985, a person aggrieved by any order pertaining to any matter within jurisdiction of a Tribunal can make an application to the Tribunal for redressal of his grievance. Petitioner does not fall within the definition of aggrieved party as is provided under the Administrative Tribunals Act, 1985. Moreover, the applicant has also failed in making out any just cause for filing review application after a long lapse of 4 years.

7. For all above reasons, I see no reason for entertaining the present review petition. Hence, the following order: -

**:: - 5 - :: REV.ST.42/2023 WITH
M.A.14/20 IN O.A.127/18**

ORDER

- (i) The Review Petition is dismissed.
- (ii) In view of dismissal of the Review Petition, M.A. No. 14/2023 stands disposed of.
- (iii) There shall be no order as to costs.

VICE CHAIRMAN

ORAL ORDER 21.3.2023-HDD