

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

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench
Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -21/09/2023

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Urgent Admission Matters						
1	MA394/19 In OAS1674/19	Dhule	Adv.Amruta Paranjape Menezes (Bhaskar K Shinde)	M.A. For Condonation of Delay		25.10.2023
2	MA427/23 In OAS11065/23	A'bad	Adv.K.B. Jadhav (Madhyamsing P Maher)	M.A. For Condonation of Delay		25.10.2023
3	OA829/23	Hingoli	Adv.V.B. Wagh/ Adv.A.S. Therokar/ Adv.V.P. Adkine (Dr. Devidas V Ade)	Pension/ Suspension Period		26.10.2023
4	OA853/23	J'gaon	Adv.Vishwaheet R Jain (Swapnali S Patil)	Police Patil	Circulation	20.10.2023
5	OAS11839/23	O'bad	Adv.Hanmant V Patil (Daulat D Patil)	Police Patil	Circulation with Office Objection	
High On Board Matter						
6	OA722/22	A'bad	Adv.P.R. Tandale (Devidas M Kandhare) <u>Adv.G.N. Patil for R.Nos. 2 & 3</u>	Increment	Rehearing Reply Filed by R-2 & R- 3	
Order Matters						
7	MA503/19 In OAS12016/19	Nanded	Adv.A.B. Rajkar (Amina Begum Maheboob Shaikh)	M.A. For Condonation of Delay	For Hearing	20.10.2023

8	MA29/22 In OAST11/22	Beed	Adv.V.G. Pingle Adv.V.G. Pingle has Filed Leave From 20.09.2023 to 21.09.2023 (Yashvant M Kadam)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R- 6	20.10.2023
9	MA131/22 In OAST528/22	P'bhani	Adv.V.B. Wagh (Sitaram V Inkare)	M.A. For Condonation of Delay	For Hearing	12.10.2023
Due Admission Matters						
10	OA149/20 with	Nanded	Adv.S.L. Bhapkar (Vitthal S Ambatwad)	Extension in age/ Benefits of G.R./ Consequential Retirement Benefits	Part Heard For Hearing Reply Filed by R-1 to R- 4 & R-6	12.10.2023
11	OA150/20 with	A'nagar	Adv.Sanjay L Bhapkar (Ramkrishna D Nagargoje)	Benefits of G.R./ Consequential Retirement Benefits/ Extension in age of Retirement	For Hearing Reply Filed by R-1 to R- 4	
12	OA151/20	Beed	Adv.Sanjay L Bhapkar (Krantikumar V Penurkar)	Benefits of G.R./ Consequential Retirement Benefits/ Extension in age of Retirement	For Hearing Reply Filed by R-1 to R- 4 & R-6	
13	OA82/21	A'bad	Adv.Amruta Paranjape- Menezes (Deepak S Zinjurde)	Arrears	For Admission Reply filed by R-1 to R- 3	26.10.2023
14	OA613/21	P'bhani	Adv.S.S. Jadhavar (Digambar R Deshpande)	Directions/ Leave	Reply Filed by R-3	16.10.2023
15	OA630/21	Beed	Adv.K.B. Jadhav (Babsaheb H Dahifale)	Recovery	For Hearing Reply Filed by R-1 to R- 4	6.10.2023
16	OA790/21	Hingoli	Adv.Suchita Dhongde (Gajanan B Aundhekar)	Benefit of Revised Assured Carrier Progress Scheme	For Hearing Reply Filed by R-2 & R- 3	13.10.2023

17	OA11/22	Nanded	Adv.Girish N Kulkarni(Mardikar) (Sahebrao D Wankhade)	REfixation/ Revise Pension	For Hearing Reply Filed by R-1 & R- 2	13.10.2023
18	OA38/22	A'nagar	Adv.P.G. Tambade/ Adv.A.P. Palve (Dilip B Bharaskar)	Transfer	For Hearing Reply Filed by R-4	16.10.2023
19	OA518/22	O'bad	Adv.H.M. Shiakh (Ganesh A Mundhe)	Suspnesion/ Reinstatment	For Hearing Reply Filed by R-1, R-2 & R-4	29.9.2023
20	OA686/22	A'bad	Adv.H.M. Shaikh (Shaikh Musa Shaikh Mohioddin)	Suspension Period Duty	For Hearing Reply Filed by R-1 & R- 2	29.9.2023
21	OA860/22	A'bad	Adv.Avinash S Deshmukh (Harichandra A Gawali)	Provisional Pension	For Hearing Reply Filed by R-1 to R- 4	17.10.2023
22	OA937/22	Nanded	Adv.J.B. Chouhdary Adv.J.B. Choudhary has Filed Leave Note On 21.09.2023 (Bharat S Khandaray)	REgularisation of Suspension Period	For Hearing	17.10.2023
23	OA987/22	A'bad	Adv.T.K. Rathod (Fatema Rahim Beg & Ors.)	Arrears of Wages	For Hearing Reply Filed by R-1 to R- 4	9.10.2023
24	OA1018/22	N'bar	Adv.Suchita Dhongde (Mangilal N Shirsath)	Pension/ Regularization	For Hearing Reply Filed by R-2 & R- 3	13.10.2023
25	OA19/23 with	A'nagar	Adv.S.D. Joshi (Dr. Ajit P Thorbole)	Suspension	For Hearing Short Affidavit Reply Filed R-1 & R-3 Reply Filed by R-2	6.10.2023
26	OA20/23	A'nagar	Adv.S.D. Joshi (Nanasaheb S Agale)	Suspension	For Hearing Short Affidavit Reply Filed R-1 & R-3 Reply Filed by R-2	6.10.2023

27	OA39/23	A'bad	Adv.U.S. Jadhav (Raju R Patil)	Leave Encashment	For Hearing	13.10.2023
28	OA61/23	Latur	Adv.A.S. Deshmukh (Madhav D Shinde)	Transfer	For Hearing Reply Filed by R-1 to R- 4	6.10.2023
29	OA114/23	Beed	Adv.H.M. Shaikh (Goapl D Suryawanshi)	Suspension	For Hearing Reply Filed by R-1 to R-4	25.9.2023
30	OA202/23	A'bad	Adv.S.S. Dambe (Kailash T Gadekar)	Benefit og ACPS	For Hearing Reply Filed by R-1 & R- 2	6.11.2023
31	OA512/23	J'gaon	Adv.C.V. Dharurkar (Jaykumar R Koli)	Transfer	For Hearing Reply Filed by R-1 to R- 4	6.10.2023
32	OA739/23	J'gaon	Adv.Vinod P Patil (Prashant N Kedar)	Transfer	For Hearing	26.9.2023
33	OA740/23	J'gaon	Adv.Vinod P Patil (Hitesh D Yadhav)	Transfer	<u>For Further Consideration</u> For Hearing	26.9.2023
Final Hearing Matters						
34	OA487/18	Latur	Adv.S.G. Kulkarni (Ramchandra L Kulkarni)	Benefits o f G.R./ Arrears of Pay	Reply Filed by R-1 to R- 4	30.10.2023
35	OA54/19	Dhule	Adv.P.B. Patil (Varsha S Pawara) <u>Adv.V.C. Patil(Ashtekar) for R.No.3</u>	Police Patil	Reply Filed by R-2 & R- 3	26.10.2023
36	OA190/19	A'nagar	Adv.J.S. Deshmukh (Dr.Chandrakant B Lamture)	Annual Increments/ Arrears/ Leave	Reply filed by R-1 to R- 4	26.10.2023
37	OA66/21	Dhule	Adv.S.R. Patil (Gajendra T Patil)	Suspension	Reply Filed by R-1 to R- 4	27.10.2023
38	OA107/21	A'bad	Adv.J.B. Choudhary Adv.J.B. Choudhary has Filed Leave Note On 21.09.2023 (Sukhdeo T Shinde)	Time Bound Pormotion/ ACPS	Reply Filed by R-2 to R-4	30.10.2023
39	OA186/21	Beed	Adv.K.B. Jadhav (Namdeo A Fad)	Recovery	For Hearing Reply Filed by R-1 to R- 3	6.10.2023

40	OA425/21	Nanded	Adv.A.B. Rajkar (Kirtimala M Sonwale)	Transfer	Reply Filed by R-2	16.10.2023
41	OA488/21	A'bad	Adv.Kakasaheb B Jadhav (Sayed Naimuddin Sayed Moinuddin)	Retirement Benefits/ Deemed Date of Promotion	Reply Filed by R-1 to R- 5	26.10.2023
42	OA20/22	P'bhani	Adv.S.D. Dhongde (Dnyaneshwar B Sanap)	Absorption		26.10.2023
43	OA402/22	Nanded	Adv.K.G. Salunke (Maroti C Panchal)	Relieve	Reply Filed by R-1, R-2, R-4 & R-6	17.10.2023

Compassionate Appointment Substitution Matter

Date: -21/09/2023

Time : 03:00 P.M.

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	OA470/22	P'bhani	Adv.Vivek G Pingle Adv.V.G. Pingle has Filed Leave Note From 20.09.2023 to 21.09.2023 (Prasad D Mule) <u>Adv.S.B. Mene for R.No.3</u>	Compassionate Appointment	For Hearing Reply Filed by R-2 & R- 3	29.9.2023

Date: -21/09/2023

S.B. For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	OA229/22	P'rbn	Adv R L Jakhade/ Adv S A Kulkarni (Suresh K Bharati)	Posting	By way of Last Chance For Filing Affidavit in Reply <u>Ref Order</u> <u>Dtd.</u> <u>20.01.2023</u>	17.10.2023

2	OA671/22	Dhule	Adv S D Dhongde (Kiran S Pawar)	Grant of Leave	By way of One More Last Chance For Filing Affidavit in Reply Ref Order Dtd. 20.01.2023	16.10.2023
3	OA795/22	Latur	Adv V P Golewar (Dr. Vishwanath S Biradar)	Pension & Pensionary Benefits/ Arrears of Salary	Last Chance For Filing Affidavit in Reply	3.10.2023
4	OA1044/22	Beed	Adv P R Tandale (Vilas K Shinde)	Annual Increment	For Filing Affidavit in Reply	
5	OA1069/22	A'nagar	Adv V B Wagh (Sachin R Shinde)	Posting	Await Service	17.10.2023
6	OA1113/22	A'bad	Adv A S Deshmukh (Dinesh U Jadhav)	Transfer	Reply Filed By R-1 to R-3 & For Filing Affidavit in Rejoinder	6.10.2023
7	OA1147/22	Jalgaon	Adv K B Jadhav (Janardan G Koli)	Absotption	Reply Filed By R-1 to R-4 & For Filing Affidavit in Rejoinder	26.10.2023
8	OA1162/22	Nanded	Adv S B Patil (Bhimrao N Kokate)	Re-fixation of Pay & Recovery	Reply Filed By R-1 to R-5 & For Filing Affidavit in Rejoinder	25.9.2023
9	Review05/23 In OA349/23	Latur	Adv Preeti R Wankhade (Suresh M Hakke)	Review	For Reply	26.9.2023
10	OA56/23	A'bad	Adv D B Pawar- Pathrekar (Uma G Rajput) (Househod & Family Pensioner Wife of Deceased-Medical officer)	Recovery From Family Pension	Reply Filed By R-1 & For Filing Affidavit in Reply R-2 to R-4	9.10.2023
11	OA67/23	Dhule	Adv V B Wagh (Nilesh C Nemane)	Suspension	Await Service	18.10.2023

12	OA73/23	P'rbn	Adv D K Rajput (Jyoti C Hatkar)	Suspension/ Re-insateme	For Reply	19.10.2023
13	OA117/23	A'bad	Adv G K Mane (Bhagyashri A Taru)	Compassionate Appointment	For Reply	6.10.2023
14	OA200/23	A'nagar	Adv S D Joshi (Rajendra G Mane)	Absorption	Reply Filed By R-2 R-4 to R- 6 & For Filing Affidavit in Rejoinder	9.10.2023
15	OA274/23	Jalgaon	Adv V B Wagh (Dinesh S Thakur)	Deputation/ Transfer	For Reply	18.10.2023
16	OA279/23	A'bad	Adv Suchita Dhongde (Sheshrao R Kharate)	Benefit of G.R/ Pensionery Benefits	Short Affidavit Reply Filed By R-5 & For Reply	30.10.2023
17	OA290/23	A'bad	Adv K M Nagarkar (Popat L Bale) Adv K B Jadhav For R-2	Absorption	For Filing Affidavit in Reply	30.10.2023
18	OA308/23	Beed	Adv V Y Patil (Dattatray B Kakde)	Direction/ Pension	Await Service	10.10.2023
19	OA404/23	A'bad	Adv Kiran G Salunke (Javedkhan M Pashakhan Pathan)	Direction/ Posting	By way of Last Chance For Filing Affidavit in Reply	3.10.2023
20	OA417/23	Dhule	Adv A S Deshmukh (Chandershekar P Nikam)	Recovery/ Refund of Recovered Amount	For Reply	18.10.2023
21	OA427/23	P'rbn	Adv H P Jadhav (Amol J Parakhe & Ors.)	Compassionate Appointment	For Filing Affidavit in Reply	19.10.2023
22	OA451/23	P'rbn	Adv Shamsunder B Patil (Dr. Vidhya B Sarpe)	Transfer	By Way of Last Chance For Filing Affidavit in Reply	3.10.2023
23	OA603/23	Jalgaon	Adv S B Bhosale (Gutam B Sonwane)	Retirement Benefits	For Reply	17.10.2023

24	OA692/23	Nanded	Adv S G Kulkarni (Vijaykumar M Nawale)	Transfer	Await Service	5.10.2023
25	OA698/23	A'bad	Adv Avinash S Deshmukh (Suresh R Warade)	Transfer	Await Service & For Filing Affidavit in Reply	4.10.2023
26	OA769/23	A'nagar	Adv V B Wagh (Sunita D Jarhad)	Deemed Date of Promotion	Await Service	6.11.2023
Order Matters						
27	MA560/22 In OASt3026/22	Jalgaon	Adv G A Nagori (Indubai J Mali) <u>Adv Yogesh M Patil For R-3</u>	M.A For Condonation of Delay	For Reply	25.10.2023
28	MA238/23 In OA438/23	Pune	Adv P R Tandale (Dr. Dilip C Godse & Ors.)	M A For Condonation of Delay	For Filing Affidavit in Reply	25.10.2023
29	MA311/23 In OASt1107/23	Beed	Adv Shashikant T Chalikwar (Smt. Asha Mohan Raut, Legal Heir/ Widow of Late Mohan Bhanudasrao Raut)	M.A For Condonation of Delay	For Reply	20.10.2023
30	MA318/23 In OASt243/23	A'bad	Adv M M Kadtu (Annasaheb D Pagare)	M.A For Condonation of Delay	Await Service	25.10.2023

Date: -21/09/2023

Suplimentary Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matter						
1	OA497/23	A'nagar	Adv D T Devane (Ravindra P Sathe)	Transfer	Reply Filed By R-1 For Hearing	Disposed of

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

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

DB is Not Available

Date: -21/09/2023

Sr · N o	Case No.	Distric t	Advocate's & Applicant's Name	Subject	Remarks	Next date
Urgent Admission Matters						
1	OA854/23	A'bad	Adv.Rameez M Shaikh (Shaikh Danish Abdul Rafat)	Selection Process		27.9.2023
2	OA857/23	Nanded	Adv.Sudhir R Barlinge (Prakash D Waghmare)	Promotion		27.9.2023
Order Matters						
3	MA219/22 In OA810/21 with	A'nagar	Adv.CPO MAT A'bad (The Divisional Commissioner Nashik & Ors.) <u>Adv.V.B. Wagh in</u> <u>OA810/21</u> (Ganesh B Agale)	M.A. For Modification	For Hearing	25.10.2023
4	MA220/22 In OA381/21	A'nagar	Adv.CPO MAT A'bad (The Divisional Commissioner Nashik & Ors.) <u>Adv.V.B. Wagh in</u> <u>OA381/21</u> (Manjushree S Deokar)	M.A. For Modification	For Hearing	25.10.2023
5	MA144/23 In RevSt513/23 In OA490/18	A'bad	Adv.Talekar & Associates (Bhanudas D Vaishnav)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R-4	26.10.2023
Due Admission Matters						

6	OA891/18	A'bad	Adv.Party In Person (Dr.Uddhav S Khaire)	Challenging G.R.	For Hearing Reply Filed by R-1 & R-2	25.10.2023
7	OA78/19	Latur	Adv.S.B. Solanke (Dr.Mamata R Chincholikar)	Challenging G.R.	For Hearing Reply Filed by R-1 to R-3	25.10.2023
8	OA246/19	Latur	Adv.S.B. Solanke (Shriniwas S Kulkarni & Ors.)	Appointment	For Hearing Reply Filed by R-1 to R-4	25.10.2023
9	OA491/20	Dhule	Adv.Vivek G Pingle Adv.Vivek G Pingle has Filed Leave Note From 20.09.2023 to 21.09.2023 (Rajnikant D Patil)	Appointment	For Hearing Reply Filed by R-1 to R-5	1.11.2023
10	OA64/22	Nanded	Adv.Avinash S Deshmukh (Bhimrao K Gaikwad)	Promotion	For Hearing	9.10.2023
11	OA162/22	J'gaon	Adv.Maheshkumar S Sonawane (Gopal P Patil)	Selection Process	For Hearing Reply Filed by R-2	1.11.2023
12	OA167/22	P'bhani	Adv.Jiwan J Patil (Pravin K Kokande)	Promotion	For Hearing Reply Filed by R-2 & R-3	28.11.2023
13	OA172/22	Hingoli	Adv.J.J. Patil (Suresh S Bobade)	Promotion	For Hearing Reply Filed by R-1 & R-2	28.11.2023
14	OA456/22	Latur	Adv.Talekar & Associates (Narsappa S Birajdar)	Dismissal	For Hearing Reply Filed by R-1 to R-4	3.11.2023
15	OA512/22	A'bad	Adv. R. A. Joshi (Sunil B Magre & Ors)	Examination	For Hearing Reply Filed by R-2	3.11.2023
16	OA581/22	Beed	Adv.Avinash V Choudhari (Vijay B Deshmukh)	Promotion	For Hearing Reply Filed by R-1 to R-3	3.11.2023

17	OA601/22	P'bhani	Adv.S.R. Shirsat (Deepak U Kulkarni)	Seniority List	For Admission Reply Filed by R-1 to R-3	3.11.2023
18	OA735/22	Hingoli	Adv.Suchita Dhongde (Vinodkumar B Ambhore)	Seniority List	For Admission Reply Filed by R-1 to R-3	3.11.2023
19	OA941/22	A'bad	Adv.S.D. Joshi (Ramesh D Narwade)	Major Punishment/ Compulsory Retirement	For Admission Reply Filed by R-2 & R-3	6.11.2023
20	OA942/22	A'bad	Adv.S.D. Joshi (Abdul Razzaq Abdul Rahim Shaikh)	Major Punishment/ Compulsory Retirement	For Admission Reply Filed by R-2 & R-3	6.11.2023
21	OA222/23	Nanded/ A'bad	Adv.Ajay S Deshpande (Vijay U Awadhane & Ors.)	Seniority List	Reply Filed by R-1 & R-3	25.10.2023
Final Hearing Matters						
22	TA2/12 WP9902/11	O'bad	Adv.A.L. Tikle/ Adv.R.V.Naiknaware (Radha N Choure)	Selection/ Appointment	Reply Filed by R-2	25.10.2023
23	OA556/14	A'bad	Adv.A.S. Deshpande (Sanjay R Patange)	Promotion	Reply Filed by R-1 to R-5	25.10.2023
24	OA487/16	A'bad	Adv.A.N. Ansari (Mohammed Badar Akbar Siddiqui)	Punishment	Reply Filed by R-1 to R-3 For Reply For R-4	30.10.2023
25	OA251/17	Latur	Adv.J.G. Toshniwal (Dr.Sham P Toshniwal)	Selection/ Appointment	Reply filed by R-1 & R-2	26.10.2023
26	OA762/17	Beed	Adv.A.N. Nagargoje (Manoranjan R Dhas)	Cancellation of Nomination of Nominee of Freedom Fighter	Reply filed by R-2 & R-3	26.10.2023

27	OA245/19	Beed	Adv.Hrishikesh V Tungar (Subhadra J Mahuwale)	Recovery/ Major Punishment	Reply Filed by R-1 & R-2	3.11.2023
28	OA374/19	A'bad	Adv.V.B. Wagh (Dr. Mohammad Sharif Bismilla Khan Pathan)	Voluntary Retirement	Reply Filed by R-1 to R-4	3.11.2023
29	OA55/20	J'gaon	Adv.A.S. Bayas (Bhagwan D Sonwane)	Condonation of Technical Breaks in Service/ Benefits of ACPS	Reply Filed by R-1 to R-4	6.11.2023
30	OA22/21	Nanded	Adv.Avinash S Deshmukh (Muktyarsing R Theng)	Departmental Enquiry	Reply Filed by R-1 & R-2	16.10.2023
31	OA220/21	A'bad	Adv.H.M. Shiakh (Sayyed Shoukatali Sabirali)	Departmental Enquiry	Reply Filed by R-1 to R-5	21.11.2023
32	OA277/21	Latur	Adv.K.B. Jadhav (Shivaji N Wagh)	Reversion	Reply Filed by R-1 & R-4	6.10.2023

DB is Not Available

Date: -21/09/2023

for reply board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	CP49/23 In OA315/19	Nanded	Adv.S.L. Bhapkar (Jeevan G Shinde)	Contempt Petition	For Reply	12.10.2023
2	OA1007/19	O'bad	Adv.K.R. Doke/ Adv.S.K. Doke (Mustafa D Khonde)	Promotion/ Declaration	For Reply	6.11.2023
3	OA451/20	Latur	Adv.Kuldeep S Patil/ Adv.P.D. Hajare (Shrihari S Solanke)	Wait List	As a Last Chance For Filing Affidavit in Reply For R-1 & For Filing Affidavit in Rejoinder to Reply Filed by R-2 & R-3	20.10.2023
4	TA17/22 WP5627/22	A'bad	Adv.S.B. Patil (Yadav S Sonkamble & Ors.) <u>Adv.Javashree Gite for R.No.5</u>	Extention of Age	Await Service For R-2 & For Filing Affidavit in Reply For R-5 & Other Respondents	20.10.2023

5	OA684/22	Latur	Adv.Uddhav L Momale (Shivraj V Chidre)	Dismissal	Await Service of Notice	25.10.2023
6	OA707/22	Beed	Adv.M.S. Karad (Jay B Chavan)	Appointment	As a Last Chance For Filing Affidavit in Reply	17.10.2023
7	OA752/22	J'gaon	Adv.Amol B Chalak (Manisha C Panchal)	Show Casue Notice (Termination)	For Filing Affidavit in Rejoinder to Reply Filed by R-2 & R-3	9.10.2023
8	OA825/22	Jalna	Adv.Avinash R Borulkar (Pallavi V Alaspure & Ors.)	Promotion	As a Last Chance For Filing Affidavit in Reply	27.10.2023
9	OA840/22	Hingoli	Adv.A.R. Borulkar (Vikram V Mhaske & Ors.)	Promotion	As a Last Chance For Filing Affidavit in Reply	27.10.2023
10	OA938/22	P'bhani	Adv.A.R. Borulkar (Chandrao U Kadam)	Directions/ Promotion	As a Last Chance For Filing Affidavit in Reply	27.10.2023
11	OA958/22	P'bhani	Adv.S.S. Thombre (Vasant S Tupkari)	Termination	For Filing Affidavit in Reply	9.10.2023
12	OA988/22	Jalna	Adv.J.S. Deshmukh (DR. Nitinkumar B Shah)	Eligibility/ Appointment	Await Service of Notice	6.10.2023
13	OA1130/22	Nanded	Adv.V.P. Kadam (Shivaji V Kale & Ors.)	Challenging Govt. Notification	As a Last Chance For Filing Affidavit in Reply	3.11.2023
14	OA220/23	Nanded	Adv.A.S. Deshpande (Manusri Ansar Nisar Ahmed & Ors.)	Selection Process (MPSC)	For Filing Affidavit in Rejoinder	20.10.2023
15	OA502/23	Beed	Adv.S.S.Thombre (Mahesh V Bansode)	Selection Process	Await Service	26.10.2023
16	OA507/23	A'bad	Adv.Sachin S Deshmukh (Mamta B Ghayal)	Selection Process (MPSC)	For Filing Affidavit in Reply	27.10.2023

17	OA524/23	A'bad	Adv.S.B. Kakde (Suwarnamala S Bikkad)	Selection Process (MPSC)	For Filing Affidavit in Reply	27.10.2023
18	OA678/23	A'bad	Adv.Ashish Rajkar/ Adv.A.S. Kulkarni (Dilip R Shinde)	Major Punishment	For Filing Affidavit in Reply	27.10.2023
Order Matters						
19	MA213/23 In OA425/20 with	A'bad	Adv.Sharad V Natu/ Adv.H.A. Joshi (Sachin U Shinde & Ors.) <u>Adv.M.B. Bharaswadkar for R.Nos.2 to 7 & 11 in OA425/20</u>	Seniority List		27.10.2023
20	OA338/23	A'bad	Adv.R.A. Joshi (Sachin U Shinde & Ors.) <u>Adv.M.B. Bharaswadkar for R.No.1</u>	Seniority	Await Service for R-2 & R-3	27.10.2023
21	MA236/23 With MASt954/23 In OA44/13	A'bad	Adv.Abasaheb D.Shinde (Dr.Rashmi P Dhale)	M.A. For Condonation of Delay	Await Service For R-1	30.10.2023

DB is Not Available

Date: -21/09/2023

Suplimentary Board

Time :- 03:00 P.M.

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Order Matter						
1	MA404/23 In MA395/23 In MA396/23 In OA778/23	Dhule Etc.	Adv.Mahesh K Bhosale In MA404/23 (Bhushan M Bhamare) Adv.A.S. Khedkar In MA395/23 (Nitin A Jadhav & Ors.) Adv.A.S. Khedkar/ Adv.Pranoti R Karpe In MA396/23 (Ravikiran D Sonawane & Ors.) Adv.Sanket S Kulkarni/ Adv.S.S. Kurundkar (Mukund R Jawale) Adv.A.S. Khedkar (Yogesh P Pore & Ors.) Adv.D.T. Devane (Sarala V Patil) Adv.Avinash S Deshmukh In OA778/23 Vitthal G Shinde & Ors.) Adv.Ganesh P Darandale For R.Nos.7, 12, 32, 24 In OA778/23 Adv.J.B. Choudhary for R.Nos.8, 28 & 36 In OA778/23	MA404/23 For Vacating I.R. M.A.395/23 For Vacating I.R. M.A.396/23 For Vacating I.R. OA778/23 For Selection Process	Circulation	MA reserved for orders

ORIGINAL APPLICATION NO. 853 OF 2023
(Swapnali W/o Sandip Patil Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 21.9.2023

ORAL ORDER :

Heard Shri Vishajeet R. Jain, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. The present matter pertains to Police Patil for village Tahakali Tq. Bhusawal, Dist. Jalgaon. The present applicant had applied for the said post and he secured 44 marks out of 80 in the written examination. Learned counsel appearing for the applicant submitted that the candidates securing not less than 45% marks in the written examination only were to be qualified to participate in the further selection process. Learned counsel submitted that insofar as village Tahakalli is concerned, there were two other candidates. Since they did not secure 45% marks in the written examination they were not qualified for further process and were also not called for the interview.

3. Learned counsel submits that the present applicant was called for interview and at the time of verification of the documents the objection has been raised by Smt. Jagrati Kiran Choudhary & Smt. Manisha

Sanjay Mahajan to the selection of the applicant on the ground that she has three children born after the cut of date and, as such, she is disentitled for qualifying any post under the Government.

4. Learned counsel further submits that the present applicant had previously married to one Sanjay Kadu Patil and from that wedlock she has one son. Said Sanjay Patil died in the year 2007 and thereafter the applicant contracted second marriage with Shri Sandip Patil and from the said wedlock she had more two children. It is the contention of the learned counsel that insofar as the family of the applicant consisting of applicant, her husband Sandip and two children born out of that marriage is concerned, the applicant cannot be disqualified on the ground of not having small family.

5. Learned counsel further submits that Sub Divisional Magistrate however, did not consider this aspect and no one has been held entitled for appointment on the post of Police Patil for village Tahakali. Learned counsel submitted that the respondents may initiate the fresh process for appointment of Police Patil for the said village and in the circumstances has prayed for restraining the respondents from initiating any fresh selection process

for the post of Police Patil of village Tahakali till decision of the present O.A.

6. Shri N.U. Yadav, learned Presenting Officer has opposed the request so made on behalf of the applicant. Learned P.O. submitted that the applicant gave birth to three children after the cut of date is undisputed and in such circumstances Sub Divisional Magistrate has rightly rejected the candidature of the present applicant. Learned P.O. in the circumstances has opposed for granting any interim relief. It is further contended that fresh process may take much more time and, as such, there is no such urgency for passing any such interim order restraining the respondents to initiate fresh selection process of the post of Police Patil.

7. After having heard learned counsel appearing for the applicant and the learned Presenting Officer for the respondent authorities, as well as, after having gone through the provisions under the Rules of 2005, *prima facie*, it appears that there is substance in the contention raised by the applicant. The definition of small family as has been given in the said rules, favours the contention of the present applicant.

8. However, since there is nothing on record to show that the fresh selection process for appointment of Police

Patil for the said village is commenced and is likely to be expedited, restraining order at this stage does not appear necessary. In the circumstances, I deem it appropriate to issue notice to the respondents. Hence, the following order: -

ORDER

(i) Issue notice to respondents, returnable on 20.10.2023. **In the meanwhile if fresh selection process for appointment of Police Patil for village Tahakali Tq. Bhusawal, Dist. Jalgaon, is commenced, it would be open for the applicant to press his prayer for interim relief, which is kept open.**

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

(iii) 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.

(iv) 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.

(v) The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the

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O.A. NO. 853/2023

Registry before due date. Applicant is directed to file affidavit of compliance and notice.

(vi) S.O. to 20.10.2023.

(vii) Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORAL ORDERS 21.9.2023-hdd

ORIGINAL APPLICATION NO. 698 OF 2023
(Suresh R. Warade Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 21.9.2023

ORAL ORDER :

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

2. Learned Chief Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 3 and the same is taken on record and copy thereof has been served on the other side.

3. List the matter for hearing on 4.10.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDERS 21.9.2023-hdd

ORIGINAL APPLICATION NO. 795 OF 2022
(Dr. Vishwanath S. Biradar Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 21.9.2023

ORAL ORDER :

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

2. Learned Presenting Officer submits that the affidavit in reply has been approved yesterday only and some time may be required to reach the said signed copy to the office of C.P.O. One week's time is sought. Granted.

3. S.O. to 3.10.2023.

VICE CHAIRMAN

ORAL ORDERS 21.9.2023-hdd

ORIGINAL APPLICATION NO. 427 OF 2023
(Amol Jayram Parakhe & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 21.9.2023

ORAL ORDER :

Shri H.P. Jadhav, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Despite availing due opportunities the respondents have not filed affidavit in reply. Today also time is sought. The request is opposed by the learned counsel for the applicants.

3. List the matter for hearing on 19.10.2023.

VICE CHAIRMAN

ORAL ORDERS 21.9.2023-hdd

REV. NO. 5/2023 IN O.A.NO. 349/2023
(Suresh M. Hakke Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 21.9.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Smt. Preeti R. Wankhade, learned counsel for the applicant and Shri D.R. Patil, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 26.9.2023.

VICE CHAIRMAN

ORAL ORDERS 21.9.2023-hdd

ORIGINAL APPLICATION NO. 451 OF 2023
(Dr. Vidhya B. Sarpe Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 21.9.2023

ORAL ORDER :

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

2. Learned Presenting Officer has sought time for filing affidavit in reply. Request is opposed by the learned counsel appearing for the applicant. In the interest of justice, time granted till 3.10.2023.

VICE CHAIRMAN

ORAL ORDERS 21.9.2023-hdd

**ORIGINAL APPLICATION NO. 769 OF 2023
(Sunita D. Jarhad Vs. State of Maharashtra & Ors.)**

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 21.9.2023

ORAL ORDER :

Smt. A.S. Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 6.11.2023.

VICE CHAIRMAN

ORAL ORDERS 21.9.2023-hdd

ORIGINAL APPLICATION NO. 739 OF 2023
(Prashant N. Kedar Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 21.9.2023

ORAL ORDER :

Shri Vinod P. Patil, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

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

3. Learned counsel appearing for the applicant seeks two days' time to file rejoinder affidavit. Granted.

4. S.O. to 26.9.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 740 OF 2023
(Hitesh Dharma Yadhav Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 21.9.2023

ORAL ORDER :

Shri Vinod P. Patil, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

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

3. Learned counsel appearing for the applicant seeks two days' time to file rejoinder affidavit. Granted.

4. S.O. to 26.9.2023.

VICE CHAIRMAN

ORAL ORDERS 21.9.2023-hdd

O.A.NOS. 149, 150 & 151 ALL OF 2020
(Vitthal J. Ambatwad & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 21.9.2023

ORAL ORDER :

Shri S.L. Bhapkar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these matters, are present.

2. These are the part heard matters. However, learned P.O. who is dealing with these matters is not available today. Hence, list all these matters on 12.10.2023.

3. It is made clear that, if any sur-rejoinder is to be filed by the respondents, the same be filed on or before the next date and copy be served on the learned counsel for the applicants well in advance. These matters will be heard in any case on the next date.

4. S.O. to 12.10.2023.

VICE CHAIRMAN

M.A. NO. 395/2023 IN O.A. NO. 778/2023
(Nitin Arjun Jadhav & Ors Vs. State of Mah. & Ors.)

M.A. NO. 396/2023 IN O.A. NO. 778/2023
(Ravikiran D. Sonawane & Ors Vs. State of Mah. & Ors.)

M.A. NO. 404/2023 IN O.A. NO. 778/2023
(Bhushan M. Bhamare & Ors Vs. State of Mah. & Ors.)

ORIGINAL APPLICATION NO. 778/2023
(Vitthal G. Shinde & Ors Vs. State of Mah. & Ors.)

CORAM : **Justice Shri P.R. Bora, Vice Chairman**
(This matter is placed before the Single Bench
due to non-availability of Division Bench)

DATE : **21.9.2023**

ORAL ORDER :

Heard Shri Avinash S. Khedkar, leaned counsel for the applicants in M.A. Nos. 395 & 396 both of 2023, Shri M.K. Bhosale, learned counsel for the applicant in M.A. 404/2023 (respondent No. 19 in O.A.), M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, Shri Avinash S. Deshmukh & Shri S.S. Kulkarni, leaned counsel for the applicants in O.A., Shri Ganesh Darandale, learned counsel for respondent Nos. 7, 12, 24 & 32 in O.A., Shri D.T. Devane, learned counsel for respondent in O.A. and Shri K.B. Bhise, learned counsel holding for Shri J.B. Choudhary, learned counsel for respondent Nos. 8, 28 & 36 in O.A.

2. Learned counsel Shri Avinash Deshmukh has tendered rejoinder affidavit in O.A. Same is taken on record and copy thereof has been served on the other side.

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3. Learned C.P.O. has tendered copy of communication received to him from MPSC. Same is taken on record.

4. Arguments of learned counsel appearing for the parties and learned C.P.O. appearing for MPSC and State authorities are heard.

5. M.As. are reserved for order.

VICE CHAIRMAN

KPB ORAL ORDERS 21.9.2023

ORIGINAL APPLICATIN NO. 487 OF 2016
(Mohammed Badar Akbar Siddiqui Vs. State of Maharashtra & Ors.)

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

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

DATE : 21.09.2023

ORAL ORDER :

Shri Asif Ali, learned counsel holding for Smt. A.N. Ansari, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for respondent authorities, are present.

2. Learned Presenting Officer has submitted affidavit in reply on behalf of respondent No. 4 and the same is taken on record and copy thereof has been served on the other side.

3. List the matter for hearing on 30.10.2023. In the meanwhile, it would be open for the applicant to file rejoinder affidavit, if he so desires.

VICE CHAIRMAN

ORIGINAL APPLICATIN NO. 988 OF 2022
(Dr. Nitinkumar B. Shah Vs. State of Maharashtra & Ors.)

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

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

DATE : 21.09.2023

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for respondent authorities, are present.

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

3. Await service of notice upon the respondents.

4. S.O. to 06.11.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 39 OF 2023
(Raju R. Puri Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 18.09.2023

ORAL ORDER :

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

2. S.O. to 13.10.2023 for hearing.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 518 OF 2022
(Ganesh A. Mundhe Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 18.09.2023

ORAL ORDER :

Heard Shri H.M. Shaikh, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Part heard.

3. S.O. to 29.09.2023 for hearing.

VICE CHAIRMAN

KPB ORAL ORDERS 21.09.2023

ORIGINAL APPLICATION NO. 686 OF 2022
(Shaikh Musa Shaikh Mohioddin Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 18.09.2023

ORAL ORDER :

Heard Shri H.M. Shaikh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Part heard.
3. S.O. to 29.09.2023 for hearing.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 114 OF 2023
(Gopal D. Suryawanshi Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 18.09.2023

ORAL ORDER :

Heard Shri H.M. Shaikh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Part heard.
3. S.O. to 29.09.2023 for hearing.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 678 OF 2023
(Dilip R. Shinde Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench)

DATE : 21.09.2023

ORAL ORDER :

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

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

3. List the matter for hearing on 27.10.2023. In the meanwhile, it would be open for the applicant to file rejoinder affidavit, if he so desires.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 220 OF 2023

(Mansuri Ansar Nisar Ahmed & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

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

DATE : 21.09.2023

ORAL ORDER :

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

2. Learned Presenting Officer has submitted affidavit in reply on behalf of respondent No. 4. Same is taken on record and copy thereof has been served on the other side.

3. List the matter for hearing on 20.10.2023. In the meanwhile, it would be open for the applicants to file rejoinder affidavit, if they so desires.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 117 OF 2023
(Bhagyashri A. Taru Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 21.09.2023

ORAL ORDER :

Shri G.K. Mane, learned counsel for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer has submitted affidavit in reply on behalf of respondent Nos. 3 & 4. The same is taken on record along with extra copy for the applicant.

3. List the matter for hearing on 06.10.2023. In the meanwhile, it would be open for the applicant to file rejoinder affidavit, if he so desires.

VICE CHAIRMAN

**M.A. No. 394/2019 in O.A. St. No. 1674/2019
(Bhaskar K. Shinde Vs. State of Maharashtra & Ors.)**

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 21.9.2023

ORAL ORDER :

Heard Smt. A.S. Therokar, learned counsel holding for Smt. Amruta Paranjape-Menezes, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents in M.A., returnable on 25.10.2023.

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

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

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

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

7. S.O. to 25.10.2023.

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

VICE CHAIRMAN

**M.A. No. 427/2023 in O.A. St. No. 1065/2023
(Madhyamsing P. Maher Vs. State of Maharashtra & Ors.)**

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 21.9.2023

ORAL ORDER :

Heard Shri K.B. Jadhav, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents in M.A., returnable on 25.10.2023.

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

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

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

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

7. S.O. to 25.10.2023.

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

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 829 OF 2023
(Dr. Devidas V. Ade Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 21.9.2023

ORAL ORDER :

Heard Smt. A.S. Therokar, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 26.10.2023.

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 26.10.2023.

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

VICE CHAIRMAN

**M.A. No. 318/2023 in O.A. St. No. 243/2023
(Annasaheb D. Pagare Vs. State of Maharashtra & Ors.)**

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 21.9.2023

ORAL ORDER :

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

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

3. Learned counsel for the applicant submits that the respondent No. 1 has yet to be served. It is pointed out that the respondent Nos. 2 and 3 have today filed their affidavit in reply in M.A. In the circumstances, the request is made for issuance of fresh notice to respondent No. 1. In the result, the following order is passed :-

ORDER

(i) Issue fresh notice to respondent No. 1 in M.A., returnable on 25.10.2023.

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

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(iii) 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.

(iv) 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.

(v) 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.

(vi) S.O. to 25.10.2023.

(vii) Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

KPB ORAL ORDERS 21.9.2023

ORIGINAL APPLICATIN NO. 958 OF 2022
(Vasant S. Tupkari & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench)

DATE : 21.09.2023

ORAL ORDER :

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent authorities, are present.

2. Learned C.P.O. has sought time to file affidavit in reply on behalf of respondents. Time granted as prayed for.

3. S.O. to 09.10.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATIN NO. 752 OF 2022
(Manisha C. Panchal Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench)

DATE : 21.09.2023

ORAL ORDER :

Shri A.B. Chalak, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent authorities, are present.

2. S.O. to 09.10.2023 for filing rejoinder affidavit by the applicant. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

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

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench)

DATE : 21.09.2023

ORAL ORDER :

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

2. S.O. to 09.10.2023 for hearing. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATIN NO. 277 OF 2021
(Shivaji N. Wagh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench)

DATE : 21.09.2023

ORAL ORDER :

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

2. S.O. to 06.10.2023 for final hearing. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATIN NO. 22 OF 2021
(Muktyarsing R. Theng Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench)

DATE : 21.09.2023

ORAL ORDER :

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

2. S.O. to 15.10.2023 for final hearing. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATIN NO. 512 OF 2023
(Jaykumar R. Koli Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2023

ORAL ORDER :

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

2. S.O. to 06.10.2023 for hearing. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

KPB ORAL ORDER 21.09.2023

ORIGINAL APPLICATIN NO. 61 OF 2023
(Madhav D. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2023

ORAL ORDER :

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

2. S.O. to 06.10.2023 for hearing. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATIN NO. 56 OF 2023
(Uma G. Rajput Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2023

ORAL ORDER :

Shri D.B. Pawar-Pathrekar, learned counsel for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for respondent authorities, is present.

2. Learned P.O. has sought time to file affidavit in reply on behalf of respondent Nos. 2 to 4. Time granted as prayed for.

3. S.O. to 09.10.2023 for hearing. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATIN NO. 1113 OF 2022
(Dinesh U. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2023

ORAL ORDER :

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

2. S.O. to 06.10.2023 for filing rejoinder affidavit by the applicant, if any. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

KPB ORAL ORDER 21.09.2023

ORIGINAL APPLICATIN NO. 630 OF 2021
(Babasaheb H. Dahifale Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2023

ORAL ORDER :

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

2. S.O. to 06.10.2023 for hearing. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

KPB ORAL ORDER 21.09.2023

ORIGINAL APPLICATIN NO. 186 OF 2021
(Namdeo A. Fad Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2023

ORAL ORDER :

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

2. S.O. to 06.10.2023 for final hearing. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATIN NOS. 19 & 20 BOTH OF 2023
(Dr. Ajit P. Thorbole & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2023

ORAL ORDER :

Shri Ashish Rajkar, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicants in both the O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent authorities in both the O.As., are present.

2. S.O. to 06.10.2023 for hearing. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

KPB ORAL ORDER 21.09.2023

ORIGINAL APPLICATIN NO. 497 OF 2023
(Ravindra Prabhakar Sathe Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2023

ORAL ORDER :

Heard Shri D.T. Devane, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondent authorities.

2. The grievance of the applicant is that when he is on the verge of retirement, he has been transferred vide impugned order dated 19.05.2023 from Karjat, Dist. Ahmednagar to Bodwad, Dist. Jalgaon, which is approximately distance of more than 350 kms. The applicant is admittedly Group-C (Class-III) employee. Though certain other grounds are also raised by the applicant in exception to the impugned order of transfer, the learned counsel for the applicant while arguing the matter focused only on the point that the applicant is due to retire on 30.06.2024 on attaining the age of superannuation.

3. Learned counsel for the applicant submitted that on the basis of interim order passed by this Tribunal on 26.06.2023, the respondents have

//2//

O.A. No. 497/2023

continued the applicant on his existing place. The learned counsel submitted that no one was given posting in place of the applicant and thereafter till today no one has been given posting. Learned counsel in the circumstances, has prayed for disposing of the present Original Application by directing the respondents to allow the applicant to continue and discharge his duties on his existing post till his retirement i.e. 30.06.2024.

4. Learned counsel has invited my attention to the provisions under the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (for short "the Transfer Act 2005") and more particularly to Section 5(1)(a) thereof, which provides that the employee, who is on the verge of retirement or their period of less than one year is remaining for his retirement may request for his retention which can be favorably considered by the competent authority.

5. Shri S.K. Shirse, learned Presenting Officer appearing for the respondent authorities submitted that the provision referred to and relied upon by the

applicant may not be applicable in this case for the reason that when the order of transfer was issued, more than one year period was remaining for his retirement. Learned P.O. further pointed out that the applicant was not only due for transfer, but overdue for transfer, since he is working on the existing post since 2018. Learned P.O. submitted that in such circumstances, no case can be said to be made out in favour of the applicant.

6. After having considered the facts involved in the present matter and more particularly having regard to the fact that at the time when the applicant was transferred from Karjat to Bodwad vide the impugned order dated 19.05.2023, no one was given posting in his place. As has been submitted by the learned counsel for the applicant till today no one has been appointed in his place, however, that may be because of the interim order passed by this Tribunal. However, the fact remains that the applicant is presently working at Karjat and if his date of retirement is taken into account, he will retire within 9 months period. In the circumstances,

//4//

O.A. No. 497/2023

I see substance in the submissions and the prayer made by the learned counsel for the applicant.

7. In the affidavit in reply nothing adverse has been said against the applicant. Having regard to the fact that only few months are remaining for retirement of the applicant on his attaining age of superannuation, request of the applicant for his retention at the existing place deserves to be considered. It may be in all respect impracticable and unjust also to ask the applicant to resume duty at the transferred place, which is at the distance of more than 350 km from the existing place and to get retired from the said place. Taking into account the fact that the Government servant has to discharge several obligations before his retirement, a specific provision has been made in the Transfer Act, 2005 which enables retention of the Government servant at the existing place when the period of less than 1 year has remained for his retirement. Present is the fit case wherein such discretion can be exercised in favour of the applicant. As I have noted hereinabove, there is nothing adverse against the applicant for not considering his request for his retention.

//5//

O.A. No. 497/2023

8. After having considered the facts and circumstances as above, I am inclined to allow the present Original Application with the following order:-

ORDER

- (i) The impugned order dated 19.05.2023 is quashed and set aside to the extent of present applicant.
- (ii) The respondents shall allow the applicant to continue to discharge his duties on his existing post till the date of his retirement i.e. 30.06.2024 provided the conduct of the applicant and service rendered by the applicant remain satisfactory in the said period.
- (iii) The Original Application is allowed in the aforesaid terms.
- (iv) There shall be no order as to costs.

VICE CHAIRMAN