

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

*List of Cases set down for Physical Hearing/Admission/Order/etc.before Hon'ble Single Bench  
Before: - THE HON'BLE JUSTICE SHRI V. K. JADHAV, MEMBER (J)*

**Date: -21/02/2024**

**For Reply Board**

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
<b>Due Admission Matters</b>						
1	OA266/22	Nanded	Adv H I Pathan (Sharada D Upewad)	Benefits of Old Pension Scheme	Await Service R-3, R-4, R-6	28.3.2024
2	OA460/23	A'bad	Adv Dhananjay Mane (Manisha t Gite)	Transfer	Await Service R-1 & For Filing Affidavit in Reply	15.3.2024
3	OA461/23	A'bad	Adv Dhananjay Mane (Pravin Y Pawar)	Transfer	Await Service R-1 & R-4 & For Filing Affidavit in Reply	15.3.2024
4	OA522/23	A'bad	Adv Dhanjay A Mane (Mahesh E Vispute)	Transfer	For Filing Affidavit in Reply	15.3.2024
5	OA709/23	A'bad	Adv K B Jadhav (Deepak R Chavan) <b><u>Adv Avinash Deshmukh For R-6</u></b>	Transfer	As a Last Chance For Filing Affidavit in Reply of other Respondent	19.3.2024

6	OA1031/23	Nanded	Adv Santosh S Dambe (Dr. Pradeep M Thakkarwad)	Suspension	For Filing Affidavit in Reply	6.3.2024
7	OA1076/23	A'nagar	Adv Avishkar S Shelke (Sunil P Wakchaure)	Regularization Service	For Filing Affidavit in Reply	20.3.2024
8	OA18/24	P'rbn	Adv B B Kulkarni (Jaydatt R Bhusare)	Compassionate Appointment <b>Substitution</b>	For Filing Affidavit in Reply	20.3.2024
9	OA36/24	Jalna	Adv M A Kulkarni (Saraswati K Bhojne)	Compulsory Leave	Await Service	29.2.2024
10	OA74/24	Beed	Adv O D Mane Adv A O Mane (Keshav M Khade)	Suspension	For Filing Affidavit in Reply	Disposed of as withdrawn
11	OA104/24	P'rbn	Adv Gajanan Kadam (Vishnu S Darade)	Transfer	For Filing Affidavit in Reply	13.3.2024
12	OA112/24	Jalgaon	Adv S D Joshi (Aniruddha P Sontakke)	Transfer	For Filing Affidavit in Reply	6.3.2024
13	OA116/24	P'rbn	Adv J M Murkute (Madhav A Lokulwar)	Transfer	For Filing Affidavit in Reply	13.3.2024
<b>Order Matters</b>						
14	MA307/23 In OAS1057/23	A'bad	Adv S S Kulkarni/ Adv Anil R Ahire (Jayashri U Tribhuvan)	M.A For Condonation of Delay	For Filing Affidavit in Reply	27.3.2024
15	MA383/23 In OAS1196/23	Jalgaon	Adv Vinod P Patil/ Adv S P Dhoble (Vishwas C Mohite)	M.A For Condonation of Delay	For Filing Affidavit in Reply	28.3.2024
16	MA472/23 In OAS1915/23	A'bad	Adv K B Jadhav (Dr. Jyoti S Deshmukh)	M.A For Condonation of Delay	For Filing Affidavit in Reply	6.3.2024

**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 JUSTICE SHRI. P.R. BORA, VICE CHAIRMAN**

**And**

**THE HON'BLE SHRI. VINAY KARGAONKAR, MEMBER (A)**

**Date:- 21/02/2024**

<b>Sr. No</b>	<b>Case No.</b>	<b>District</b>	<b>Advocate's &amp; Applicant's Name</b>	<b>Subject</b>	<b>Remarks</b>	
<b>Urgent Admission Matters</b>						
<b>1</b>	CP20/24 In OA792/23	Chh. S'Nagar	Adv.S S Thombre (Jyoti R Pawar)	Contempt Petition	<b>26.03.2024</b>	
<b>2</b>	OA1023/23	P'bhani	Adv.S S Jadhavar (Vinayak U Banchod)	Challenging Notification	<b>05.03.2024</b>	
<b>3</b>	MA63/24 In OAS317/24	A'bad	Adv.S D Joshi (Dr.Pandit R Rathod & Ors.)	M.A. For Sue Jointly	<b>13.03.2024</b>	
<b>4</b>	MA66/24 In OAS315/24	P'bhani	Adv.Ajay Deshpande (Prashant G Bedgajar & Ors.)	M.A. For Sue Jointly	<b>M.A. allowed 21.03.2024</b>	
<b>5</b>	OA182/24	A'bad	Adv.Vishal S Kadam (Ganesh V Pohokar)	Selection Process	<b>06.03.2024</b>	
<b>6</b>	OA193/24	A'bad	Adv.Ajay S Deshpande (Supriya P Ghule)	Appointment	<b>21.03.2024</b>	
<b>7</b>	OA496/21	Latur	Adv.R K Ashtekar (Prathamesh S Vaidhya & Ors.) <b><u>Adv.K G Salunke for R.Nos.8 to 10 &amp; 12 in OA496/21</u></b>	Seniority List/ Promotion	26.03.2024	

8	MASt333/24 In MA40/24 In OA155/24	Beed	Adv. B R Kedar (Pradeep M Chaudhari)	M.A.St333/24 For Amendment M.A.40/24 For Sue Jointly	07.03.2024	
9	MA93/17 In OA801/22	A'bad	Adv.H A Joshi (Manjushree B Deshpande)	M.A. For Amendment	07.03.2024	
10	MA68/20 In OAS2452/19	Dhule	Adv.S S Thombre/ Adv.R D Khadap (Swati P Patil)	M.A. For Condoantion of Delay	11.03.2024	
11	MA198/20 In OAS2667/20	Dhule	Adv.A M Hajare (Pratibha G Ahire)	M.A. For Condonation of Delay	21.03.2024	
12	MA86/22 In OAS1792/21	A'bad	Adv.A V Thombre (Sanjay P Tarte)	M.A. For Condonation of Delay	21.03.2024	
13	MA348/22 In OAS1262/22	A'bad	Adv.Suchita Dhongde <b>Adv.Suchita Dhongde has Filed Leave Note From 13.02.2024 to 23.02.2024</b> (Deorao S Aher)	M.A. For Condonation of Delay	26.03.2024	
14	MA240/23 In OAS826/23	A'bad	Adv.V B Wagh (Swamidas V Chobe)	M.A. For Condonation of Delay	13.03.2024	
15	MA441/23 In OA659/21 with	Beed	Adv.M S Karad (Sushilkumar B Rakh)	M.A. For Interim Relief	22.02.2024	
16	MA442/23 In OA661/21 with	Beed	Adv.M S Karad (Ganesh R Sanap)	M.A. For Interim Relief	22.02.2024	
17	MA443/23 In OA183/22 with	Beed	Adv.M S Karad (Ashok M Jaybhaye & Ors.)	M.A. For Interim Relief	22.02.2024	

<b>18</b>	MA444/23 In OA185/22 with	Beed	Adv.M S Karad (Ramdas B Sanap & Ors.)	M.A. For Interim Relief	22.02.2024	
<b>19</b>	MA445/23 In OA186/22 with	Beed	Adv.M S Karad (Ganesh V Darade & Ors.)	M.A. For Interim Relief	22.02.2024	
<b>20</b>	OA878/22 with	Beed	Adv.M S Karad (Dattatray A Galgate)	Appointment	22.02.2024	
<b>21</b>	OA907/22 with	Beed	Adv.M S Karad (Ajay S Rathod & Ors.)	Appointment	22.02.2024	
<b>22</b>	OA908/22 with	Beed	Adv.M S Karad (Chandrakant K Sanap & Ors.)	Appointment	22.02.2024	
<b>23</b>	OA909/22 with	Beed	Adv.M S Karad (Rahul Y Pawal & Ors.)	Appointment	22.02.2024	
<b>24</b>	OA910/22 with	Beed	Adv.M S Karad (Pankaj R Rathod & Ors.)	Appointment	22.02.2024	
<b>25</b>	OA911/22 with	Beed	Adv.M S Karad (Dipak D Sanap & Ors.)	Appointment	22.02.2024	
<b>26</b>	OA912/22 with	Beed	Adv M S Karad (Yuvraj N Rakh)	Appoointment	22.02.2024	
<b>27</b>	OA1101/22 with	Beed	Adv.M S Karad (Dipak S Sanap & Ors.)	Appointment	22.02.2024	
<b>28</b>	OA1103/22 with	Beed	Adv.M S Karad (Satish B Bhavar & Ors.)	Appointment	22.02.2024	
<b>29</b>	OA1104/22 with	Beed	Adv.M S Karad (Vishwanath B Nagargoje & Ors.)	Appointment	22.02.2024	
<b>30</b>	OA1105/22 with	Beed	Adv.M S Karad (Sanjaykumar V Sanap & Ors.)	Appointment	22.02.2024	

31	OA986/22 with	Beed	Adv.M S Karad (Avinash A Rakh)	Selection/ Appointment	22.02.2024	
32	OA998/22 with	Beed	Adv.M S Karad (Hanuman A Baglane & Ors.)	Selection/ Appointment	22.02.2024	
33	OA1054/22 with	Beed	Adv M S Karad (Yogesh A Bangar & Ors.)	The Experience Certificate/ Appointment	22.02.2024	
34	OA1076/22 with	Beed	Adv.M S Karad (Dnyaneshwar V Parjane & Ors.)	The Seasonal Experience Certificate/ Appointment	22.02.2024	
35	OA167/23 with	Beed	Adv M S Karad (Kailas B Shinde)	Appointment	22.02.2024	
36	OA985/22 with	Beed	Adv.M S Karad (Vitthal H Wanve)	Selection/ Appointment	22.02.2024	
37	OA1077/22 with	Beed	Adv.M S Karad (Ganesh D Nagargoje & Ors.)	The Experience Certificate/ Appointment	22.02.2024	
38	OA1078/22 with	Beed	Adv M S Karad (Vikas N Khedkar & Ors.)	The Experience Certificate/ Appointment	22.02.2024	
39	OA63/23 with	Beed	Adv M S Karad (Sanjay G Mahske)	Appointment	22.02.2024	
40	OA705/22 With		Adv. M S Karad (Amol V Sanap & Ors.)	Selection Process	22.02.2024	
41	OA707/22 with	Beed	Adv M S Karad (Jay B Chavan)	Appointment	22.02.2024	
42	OA658/21 with	Beed	Adv.M S Karad (Sayed Taufik Harun)	Appointment	22.02.2024	

43	OA660/21 with	Beed	Adv.M S Karad (Vaibhav S Gaikwad)	Appointment	22.02.2024	
44	OA182/22 with	Beed	Adv.M S Karad (Laxman M Misal & Ors.)	Appointment	22.02.2024	
45	OA184/22 with	Beed	Adv.M S Karad (Nagesh N Kharat & Ors.)	Appointment	22.02.2024	
46	OA187/22 with	Beed	Adv.M S Karad (Sujoyot S Bhandari & Ors.)	Appointment	22.02.2024	
47	OA391/22 with	Beed	Adv.M S Karad (Akash G Garje)	Appointment	22.02.2024	
48	OA428/22 with	Beed	Adv.M S Karad (Ravi N Khade & Ors.)	Appointment	22.02.2024	
49	OA429/22	Beed	Adv.M S Karad (Ramesh S Ghubade & Ors.)	Appointment	22.02.2024	
<b>Due Admission Matters</b>						
50	OA859/23	A'bad	Adv.V B Wagh/ Adv. A S Therokar/ Adv. V P Adkine (Aruna B Kharat & Ors.)	Seniority List		
51	OA274/17	A'bad	Adv.Yogesh P Deshmukh (Anil A Beedkar & Ors.)	Termination	13.03.2024	
52	OA567/18	A'nagar	Adv.Avishkar S Shelke (Shubhangi M Sonawane)	Selection/ Appointment	13.03.2024	
53	OA892/18 With	A'bad	Adv.S S Thombre (Dhananjay D Chandodkar & Ors.)	Discharge From Service	05.03.2024	
54	OA901/18	Beed	Adv.S S Thombre (Bhagwat S Somase)	Termination	05.03.2024	

55	OA78/19	Latur	Adv.S B Solanke (Dr.Mamata R Chincholikar)	Challenging G.R.	01.03.2024	
56	OA93/19	A'bad	Adv.J M Murkute (Priyanka J Janephalkar)	Appointment	27.02.2024	
57	OA109/19	A'bad	Adv.V B Wagh (Dr. Sonali B Sayamber)	Pay Scale/ Recovery	08.04.2024	
58	OA232/19	A'bad	Adv.Vivek G Pingle (Maruti T Kamble & Ors.)	Condonation of Technical Break & Counting Earlier Period of Temp. Service	08.04.2024	
59	OA246/19	Latur	Adv.S B Solanke (Shriniwas S Kulkarni & Ors.)	Appointment	01.03.2024	
60	OA631/19 With	Beed	Adv.Rahul D Khadap (Dilip V Kadam)	Termination (Nominee of Freedom Fighter)	02.04.2024	
61	OA677/19 With	A'bad	Adv.S S Thombre (Trimbak S Chavan)	Termination (Nominee of Freedom Fighter)	02.04.2024	
62	OA714/19	Beed	Adv.Rahul D Khadap (Prakash R Arsul)	Termination (Nominee of Freedom Fighter)	02.04.2024	
63	OA668/19	A'bad	Adv Anup S Dhanuka (Sonali D Agrawal)	Appointment	03.04.2024	
64	OA1069/19	A'bad	Adv.Vivek G Pingle (Prabhakar M Kathar)	Reinstate in Service	20.03.2024	
65	OA265/20	O'bad	Adv.Avinash S Deshmukh (Gulab H Panchal)	Reversion	26.02.2024	



66	OA467/20	A'bad	Adv.Ajay S Deshpande (Krishna T Wagh & Ors.)	Advertisement	21.03.2024	
67	OA401/21	Nanded	Adv.Shamsunder B Patil (Ramreddy R Aitwar)	Major Punishment	05.03.2024	
68	OA598/21	J'gaon	Adv.S D Dhongde <b>Adv.S D Dhongde has Filed Leave Note From 05.02.2024 to 15.03.2024</b> (Bramhdev M Latpate)	Departmental Exam	05.04.2024	
69	OA636/21	Beed	Adv.S D Joshi (Vitthal S Jadhav)	Revision of Pay Scale/ Punishment	27.03.2024	
70	OA747/21	N'bar	Adv.J S Deshmukh (Dr.Deepak V Vasave)	Challenging Clause (H) of Order	28.03.2024	
71	OA181/22	Nanded	Adv.V B Wagh (Sahebrao B Chavhan)	Appointment	01.03.2024	
72	OA225/22	Latur	Adv.K B Jadhav (Sanjaykumar N Deshatwar)	Exemption From Passing Departmental Exam/ Benefit of T.B.P.	01.04.2024	
73	OA256/22	O'bad	Adv.Suchita Dhongde <b>Adv.Suchita Dhongde has Filed Leave Note From 13.02.2024 to 23.02.2024</b> (Ashok S Patil)	Major Punishment	02.04.2024	
74	OA354/22	A'nagar	Adv.V B Wagh (Riyaj Mehmud Deshmukh)	Promotion	27.03.2024	
75	OA367/22	P'bhani	Adv.R A Joshi (Ikramoddin Khiyamoddin Khatib)	Appointment	19.03.2024	

76	OA401/22	A'bad	Adv.Suchita Dhongde <b>Adv.Suchita Dhongde has Filed Leave Note From 13.02.2024 to 23.02.2024</b> (Kirti M Nagargoje)	ACR Promotion	02.04.2024	
77	OA523/22	A'bad	Adv.S A Deshmukh (Gajanan Y Bansode)	Promotion	27.03.2024	
78	OA547/22 with	P'bhani	Adv.Amol B Chalak (Ganesh S Chavan)	Examination/ Eligibility/ Select List	05.03.2024	
79	MA161/23 In OA616/22 with	Pune	Adv A S Khedkar (Abhijit T Pore)	M.A For Adding Party as Applicant		
80	OA784/22	Dhule	Adv.A S Khedkar (Jitesh P Wagh) <b><u>Adv.S S Thombre For R.No.9</u></b>	Selection Process		
81	OA137/23	A'bad	Adv.K B Jadhav (Vijay V Pagare)	Termination	07.03.2024	
82	OA875/23	A'bad	Adv.K B Jadhav (Avadhut A Sisal)	Selection Process	01.03.2024	
83	OA945/23 with	P'bhani	Adv.S S Jadhavar (Sumit M Lande & Ors.)	Selection Process	05.03.2024	
84	OA960/23	Jalna	Adv.S S Jadhavar (Mahadu R Munmane)	Selection Process	05.03.2024	

<b>Final Hearing Matters</b>						
85	TA2/12 WP9902/11	O'bad	Adv.A L Tikle/ Adv.R V Naiknaware (Radha N Choure)	Selection/ Appointment	27.02.2024	

86	OA185/16	Dhule	Adv.A S Shelke (Lalu J Pawara) <b><u>Adv.K B Jadhav for R.No.4</u></b> <b><u>Adv.C V Bhadane for R.No.3</u></b>	Reversion	05.03.2024	
87	OA749/16	J'gaon	Adv.Talekar Associates(Madhavi Ayyappan) (Sachi A Palkhe)	Selection/ Appointment	05.03.2024	
88	OA256/17	A'bad	Adv.A S Deshmukh (Rajendra R Londhe)	Dismissal	06.03.2024	
89	OA345/17	P'bhani	Adv.V G Pingle (Abhiman M Kale) <b><u>Adv.Shamsunder B Patil for R.Nos.2 to 6</u></b>	Termination	04.03.2024	
90	OA513/17	Latur	Adv.A D Gadekar (Dinkar R Bhosrekar)	Punishment/ Recovery/ D.E.	06.03.2024	
91	OA664/17	A'bad	Adv.Ajay Deshpande (Shaikh Kalim Sk. Mannu)	Dismissal	28.02.2024	
92	OA12/18	O'bad	Adv.P R Kadam/ Adv.M P Tripathi (Khandu T Chavan)	Appointment	<b>04.03.2024</b>	
93	OA149/18	O'bad	Adv.M B Kolpe (Dhananjay L Jadhav)	Appointment	07.03.2024	
94	OA189/18	A'nagar	Adv.Rahul O Awsarmal (Dhiraj A Salve & Ors.) <b><u>Adv.V B Wagh for R.No.4 to 8</u></b>	Seniority	07.03.2024	
95	OA383/18	A'bad	Adv.Shamsunder B Patil (Meraj Begum Syeed Abdul Khalak)	Seniority	05.03.2024	
96	OA696/18	Nanded	Adv.Avinash S Deshmukh (Sandeep O Chetti)	Selection/ Direction	14.03.2024	

97	OA925/18 With	A'bad	Adv.Abhishek C Deshpande (Kisan D Pawar & Ors.)	Removal From Service	04.03.2024	
98	OA464/19		Adv.Ashish B Rajkar (Dayanand F Gange)	Removal From Service	04.03.2024	
99	OA212/19 With	Jalna	Adv.D R Irale Patil (Sunder S Waghmare)	Seniority	01.03.2024	
100	OA213/19 With	A'bad	Adv.D R Irale Patil (Rajdhar K Dandge)	Seniority/ Promotion	01.03.2024	
101	OA214/19	A'bad	Adv.D R Irale Patil (Sarjerao N Wagh)	Seniority/ Promotion	01.03.2024	
102	OA55/20	J'gaon	Adv.A S Bayas (Bhagwan D Sonwane)	Condonation of Technical Breaks in Service/ Benefits of ACPS	14.03.2024	
103	OA37/21	A'bad	Adv.S D Joshi (Shriram B Jadhav & Ors.)	Revised Pay Scale	14.03.2024	
104	OA292/21	Nanded	Adv.S S Gangakhedkar/ (Kashinath H Devtule)	Appointment	14.03.2024	

**Date: -21/02/2024**

**For Reply Board**

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
<b>Due Admission Matters</b>						
1	CP20/23 In OA295/21	P'rbn	Adv J S Deshmukh (Dr. Zohra S Ataullah Khan)	Contempt Petition	05.04.2024	
2	CP21/23 In OA293/21	Nanded	Adv J S Deshmukh (Dr. Khan B Sultana)	Contempt Petition	05.04.2024	

3	CP22/23 In OA294/21	P'bhani	Adv.J.S. Deshmukh (Dr. Shaikh Kaleem Mustafa)	Contempt Petition	05.04.2024	
4	CP23/23 In OA526/18	Latur	Adv.J.S. Deshmukh (Dr. Prachi K Haridas)	Contempt Petition	05.04.2024	
5	CP24/23 In OA780/19	Jalna	Adv.J.S. Deshmukh (Dr.Shaikh Heena Navbahar)	Contempt Petition	05.04.2024	
6	CP48/23 In OA479/21	Dhule	Adv A S Deshmukh (Lotan D Vishi)	Contempt Petition	01.03.2024	
7	CP73/23 In OA620/23	Jalna	Adv Sachin G Joshi (Anita J Bhaltilak)	Contempt Petition	01.03.2024	
8	OA422/18	Beed	Adv K G Salunke (Dr. Raghuvir V Bhosale)	Dismissal	<b><u>11.03.2024</u></b>	
9	OA424/21	A'nagar	Adv J S Deshmukh (Dr. Vaibhav G Wakade) <b><u>Adv V D Patnoorkar For R-4</u></b>	Challenging G.R/ Transfer	18.03.2024	
10	OA81/22	A'bad	Adv.S.B. Patil (Archana T Tribhuvan)	Challenging Clause of An Advertisement/ Recruitment Process	01.04.2024	
11	OA261/22	A'bad	Adv.V.R. Jain (Dadarao U Phule)	Appointment	27.03.2024	
12	OA388/22	Beed	Adv.S.S. Jadhavar (Sunil P Jaybhaye)	Expunge of Adverse Remarks	04.04.2024	
13	OA543/22	Beed	Adv.V.S. Kadam (Mohan N Sawant)	Selection List	<b><u>21.03.2024</u></b>	
14	OA659/22	Beed	Adv Kiran G Salunke (Navnath C Ugalmugale)	Seniority/ Promotion	01.04.2024	

15	OA831/22	Nanded	Adv A S Deshmukh (Dr. Sambhaji B Patil)	Challenging Conditions of G.R	01.04.2024	
16	OA867/22	A'bad	Adv C V Dharurkar (Shaikh Suraiyya Kamruddin) <b><u>Adv V S Kadam</u></b> <b><u>For R-2 &amp; R-3</u></b>	Seletct List/Selection Appointment	<b><u>04.04.2024</u></b>	
17	OA1053/22	Dhule	Adv.R.L. Jakhade/ Adv.S.A. Kulkarni (Vilas R Malche)	Dismissal Period	<b><u>06.03.2024</u></b>	
18	OA1092/22	A'bad	Adv.Mohit Deshmukh (Satish S Gadve & Ors.)	Challenging Notification	<b>29.02.2024</b>	
19	OA101/23	A'nagar	Adv.A.M. Hajare (Anant A Kokate)	Charge Sheet/ Departmental Enquiry	21.03.2024	
20	OA164/23	Jalna	Adv.S.A. Deshmukh (Vishnu B Jaybhaye)	Departmental Enquiry	21.03.2024	
21	OA233/23	Beed	Adv.Sachin S Deshmukh (Bhagwat B Garje)	Termination/ Departmental Enquiry	11.03.2024	
22	OA234/23	Latur	Adv.Sachin S Deshmukh (Navnath B Anwane)	Termination/ Departmental Enquiry	<b>11.03.2024</b>	
23	OA235/23	Beed	Adv.Sachin S Deshmukh (Devendra T Jadhav)	Termination/ Departmental Enquiry	11.03.2024	
24	OA343/23	Nanded	Adv M A Kulkarni (Narayan S Annamwar)	Promotion	12.04.2024	
25	OA610/23	Latur	Adv R D Biradar/ Adv S U Shaikh (Shridhar R Kundatwad)	Removal From Service	04.03.2024	

26	OA622/23	J'gaon	Adv.A.S. Deshmukh (Shobha B Jadhav)	Promotion	12.03.2024	
27	OA666/23	Latur	Adv.S.K. Mathpati (Sanjay S Panchagalle)	Continuation of Service	26.03.2024	
28	OA913/23	Beed	Adv Ajay S Deshpande (Bhausahab R Sarawade)	Departmental Enquiry	14.03.2024	
29	OA981/23	Latur	Party in Person (Swati S Maknikar)	Appointment	01.03.2024	
30	TA05/24 WP1226/24	Beed	Adv V B Wagh/ Adv Shriniwas wagh (Sainath U Deokar)	Selection Process	01.03.2024	
31	OA76/24	A'bad	Adv Kiran G Salunke (Abuzar Moshin Shaikh)	Selection Process	04.04.2024	
<b>Order Matters</b>						
32	MA450/23 In OA626/19	A'nagar	Adv.S.K. Mathpati (Sheshrao R Giri)	M.A. For Amendment	11.03.2024	
33	MA477/23 In OA641/19	A'nagar	Adv.S.K. Mathpati (Vinod S Wadekar & Ors.)	M.A. For Amendment	11.03.2024	
34	MA478/23 In OA642/19	Latur	Adv.S.K. Mathpati (Nandkishor B Pathak & Ors)	M.A. For Amendment	11.03.2024	

**M.A. No. 82 OF 2020 IN O.A. St. No. 172 OF 2020  
(Arshad Khan Gulab Khan Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Heard Shri V.G. Pingle, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. By this application the applicant is seeking condonation of delay caused in filing the accompanying Original Application.

3. Learned counsel for the applicant submits that the Original Application relates to recommendation made by Lad-Page Commission. There is a delay of 2 months caused in filing accompanying Original Application challenging the impugned communication dated 01.12.2018. This Misc. Application seeking condonation of delay is pending since 27.01.2020. Learned counsel for the applicant submits that there is no inaction or intentional and deliberate delay on the part the applicant.



//2// M.A. 82/2020 in  
O.A.St. 172/2020

4. Learned Presenting Officer for the respondent authorities submits that appropriate order may be passed.

5. The applicant has well explained the delay which is only for a period of 2 months. The applicant has approached the department within one year after attending the age of majority.

6. Thus considering the entire facts of the case and for the reason stated in the application, the delay caused in filing the accompanying O.A. deserves to be condoned. Hence, the following order:-

**ORDER**

- (i) M.A. No. 82/2020 is allowed.
- (ii) The delay of 2 months caused in filing the accompanying O.A. is hereby condoned.
- (iii) Accompanying O.A. be registered and numbered in accordance with law.
- (iv) No order as to costs.

**MEMBER (J)**

**ORIGINAL APPLICATION ST. NO. 172 OF 2020**  
**(Arshad Khan Gulab Khan Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Heard Shri V.G. Pingle, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 10.04.2024.
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.

//2// O.A.St.172/2020

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 10.04.2024.

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

**MEMBER (J)**

sas ORAL ORDER 21.02.2024

**M.A. No. 86 OF 2023 IN O.A. St. No. 347 OF 2023  
(Nana Tanga Ware Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri Rahul Dhase, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time to file synopsis of events. Time granted.
3. S.O. to 07.03.2024 with liberty to other side to file affidavit in reply, if any, till then.

**MEMBER (J)**

sas ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION NO. 188 OF 2022  
(Gorakh M. Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri Girish L. Awale, learned counsel for the applicant, is **absent**. Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 12.04.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION NO. 369 OF 2022  
(Madhukar K. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri Rahul Shemre, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. By consent of both the sides, S.O. to 03.04.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION NO. 596 OF 2022  
(Kantabai B. Phad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri Manoj U. Shelke, learned counsel for the applicant and Shri M.A. Golegaonar, learned counsel for respondent No.5, are **absent**. Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant and learned counsel for respondent No.5, S.O. to 12.04.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 653 OF 2022  
(Mankha Gulab Tadvi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri M.U. Shelke, learned counsel for the applicant, is **absent**. Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 12.04.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 21.02.2024



**ORIGINAL APPLICATION NO. 1036 OF 2022**  
**(Sumedh D. Waghmare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

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

2. By consent of both the sides, S.O. to 23.02.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION NO. 720 OF 2021**  
**(Ramchandra G. Sawant Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Heard Shri S.B. Patil, learned counsel for the applicant and B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. By order dated 18.11.2021 this Tribunal has issued notices to the respondents and also passed interim relief of stay to the impugned order of transfer dated 03.08.2021 (Annexure 'A-6') and the said order has been continued till date. In paragraph No. 6 of the order dated 18.11.2021, this Tribunal has made the following observation:-

“6. After having perused the impugned order of transfer dated 03.08.2021 (Annexure A-6), which is in the form of Corrigendum, it appears that there is no mention of any exceptional circumstances or special reason as contemplated under Section 4(4) and 4(5) of the Transfer Act, 2005 in the impugned order. Prima-facie, it appears that the impugned order is passed in contravention of the provisions of the Transfer Act, 2005. Hence, this is a fit case to grant interim stay to the impugned order of transfer. Accordingly, interim relief of stay to the impugned order of transfer dated 03.08.2021 (Annexure A-6) is

//2//

O.A. 720/2021

hereby granted till filing of the affidavit in reply by the respondents.”

3. Learned counsel for the applicant submits that the applicant came to be transferred from Osmanabad to Parbhani by issuing the transfer order dated 03.08.2021 (Annexure ‘A-6’) which is in the form of corrigendum. The applicant remained protected by interim relief order till date and during pendency of this O.A., the said post at Parbhani also filled up by order dated 01.06.2023. Learned counsel for the produced the copy of said order dated 01.06.2023. The same is taken on record and marked as document ‘X’ for the purpose of identification.

4. On perusal of the same, it appears that one Ganesh Mathaji Sagare has been transferred to Government Technical High School Center Parbhani, Dist. Parbhani Aurangabad, Parbhani as full time teacher.

5. In view of above, this Original Application can be disposed of in terms of the interim relief order

//3// O.A. 720/2021

since the post at Parbhani is also no more vacant.  
Hence, the following order:-

**ORDER**

- (A) The Original Application is hereby disposed of in terms of interim relief order dated 18.11.2021.
- (B) No costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 545 OF 2023  
(Vaishali A. Salve Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 15.03.2024 for hearing.

3. The interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 855 OF 2023  
(Ramesh G. Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Smt. Vijaya Adkine, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 12.04.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION NO. 74 OF 2024**  
**(Keshav M. Khade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant on instructions submits that by order dated 29.01.2024, the applicant has been reinstated. Learned counsel for the applicant produced the copy of order dated 29.01.2024. The same is taken on record and marked as document 'X' for the purpose of identification.

3. Learned counsel for the applicant thus on instructions seeks leave to withdraw this Original Application. Leave granted.

4. The Original Application is disposed of as withdrawn. No costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 26 OF 2024**  
**(Chandrakant G. Ubale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits affidavit in rejoinder. The same is taken on record and copy thereof is given to learned P.O.

3. S.O. to 19.03.2024 for hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 873 OF 2023**  
**(Sunil G. Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 19.03.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION NO. 112 OF 2024**  
**(Aniruddha S/o Prakash Sontakke Vs. State of**  
**Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Learned P.O. seeks time to file affidavit in reply. Time Granted.

3. Learned counsel for the applicant submits that the son of the applicant is suffering from autism and his treatment is going on at Pune and even he is admitted in school at Pune. Learned counsel for the applicant submits that the transfer of the applicant may be considered as per his request in the general transfer of the year 2024-2025.

4. Learned P.O. is directed to take instructions in this regard and make submission while filing reply on the next date of hearing.

5. S.O. to 06.03.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 158 OF 2018**  
**(Dr. Yogesh U. Sathe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri S.G. Kulkarni, learned counsel holding for Shri A.S. Deshpande, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 15.03.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 858 OF 2019**  
**(Annarao L. Bhosale & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri S.B. Kakde, learned counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 15.03.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 985 OF 2019**  
**(Suresh S. Chate Vs. State of Maharashtra & Ors.)**  
**WITH**  
**ORIGINAL APPLICATION NO. 996 OF 2019**  
**(Sainath R. Thombre Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicants in both the O.As. and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities in both the O.As, are present.

2. S.O. to 14.03.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 197 OF 2020**  
**(Vijay R. Suryawanshi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 15.03.2024 for final hearing.

**MEMBER (J)**

SAS ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION NO. 579 OF 2020  
(Dr. Shaikh Ambreen Fatema Abdul Hafiz Vs. State of  
Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri S.G. Kulkarni, learned counsel holding for Shri A.S. Deshpande, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 15.03.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 172 OF 2021**  
**(Baliram S. Pandule Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Smt. Vijay Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 15.03.2024 for final hearing.

3. The interim relief granted earlier to continue till then.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 56 OF 2022  
(Sidram M. Koli Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri K.P. Rodge, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 15.03.2024 for final hearing.

**MEMBER (J)**

SAS ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION NO. 815 OF 2023**  
**(Bijusing Dharamsing Gusinge Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri S.S. Tandale, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. This is a part heard matter.

3. Learned Presenting Officer placed on record the copy of G.R. dated 22.04.2017 and also circular issued by Additional Principal Chief Conservator of Forest dated 17.05.2022.

4. Learned counsel for the applicant seeks time to take specific instructions from the applicant in respect of said circular dated 17.05.2022 particularly about clause No. 3.

5. S.O. to 11.03.2024 for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 76 OF 2024**  
**(Abuzar Moshin Shaikh Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

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

2. Learned 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 learned counsel for the applicant.

3. S.O. to 04.04.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 21.02.2024-HDD

**M.A.ST. 333/2024 IN M.A. 40/2024 IN O.A. 155/2024**  
**(Pradeep Maganlal Chaudhari Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Heard Shri Swaraj S. Tandale, learned counsel holding for Shri B.R. Kedar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The learned counsel appearing for the applicant undertakes to remove the office objections.

3. The applicant has filed the present M.A. seeking amendment to the O.A. so as to bring on record the events, which have subsequently occurred after filing of the O.A. The applicant also intends to take some additional grounds in challenge of the said order and one prayer in context with the subsequent issuance of the appointment, is also to be added.

4. After having considered the submissions, we see no difficulty in allowing the present application. Learned C.P.O. has also fairly submitted for passing appropriate order. Hence, the following order: -

**:: - 2 - :: M.A.ST. 333/2024 IN M.A.  
40/2024 IN O.A. 155/2024**

**ORDER**

- (i) The Misc. Application is allowed.
- (ii) The applicant to carry out the necessary amendment within one week from today and place on record the amended copy of the O.A.
- (iii) There shall be no order as to costs.
- (iv) The Original Application to come up for hearing on 07.03.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 21.02.2024-HDD

**ORIGINAL APPLICATION NO. 182 OF 2024**  
**(Ganesh Vijay Pohokar Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Heard Shri Vishal S. Kadam, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel appearing for the applicant seeks leave of this Tribunal to add candidate likely to be affected, if the present O.A. is allowed by this Tribunal, as the respondent. Leave granted as prayed for. The necessary amendment be carried out within one week from today.

3. Issue notices to the respondents, returnable on 06.03.2024. **If the appointment orders are not yet issued to the candidates against the seats reserved for OBC (General), one seat in the said quota be kept unfilled until further orders.**

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

5. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly

authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

8. S.O. to 06.03.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 63/2024 IN O.A.ST.NO. 317/2024**  
**(Dr. Pandit Raosaheb Rathod & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

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

**MEMBER (A)**

**VICE CHAIRMAN**



**ORIGINAL APPLICATION ST.NO. 317 OF 2024**  
**(Dr. Pandit Raosaheb Rathod & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. The grievance of the applicant is in respect of percentage of the B.A.M.S. degree holders in the promotional post. It is argued that because of amendment to the MMHS Group-A (Recruitment) Rules, 2000 number of B.A.M.S. incumbents is likely to be substantially reduced. Learned counsel appearing for the applicants has, therefore, sought interim relief, thereby seeking directions against the respondents to restrain them from proceeding further with the recruitment process initiated in pursuance of the advertisement No. 1/24 published on 31.01.2024.

3. It appears to us that unless other side is heard and given an opportunity to explain the circumstances, it may not be just and proper even to consider the matter

for grant of interim relief. In the circumstances, we deem it appropriate to pass the following order: -

**ORDER**

- (i) Issue notices to the respondents, returnable on 13.03.2024.
- (ii) Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- (iii) Applicants are 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. Applicants are directed to file affidavit of compliance and notice.

(vi) **The respondents shall file short affidavit in reply on or before the next date, positively, in respect of the request of interim relief made by the applicant and if possible shall endeavour to file affidavit in reply to the O.A. itself.**

(vii) S.O. to 13.03.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 12 OF 2018**  
**(Khandu Trimbak Chavan Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

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

2. Learned counsel appearing for the applicant has tendered certain documents. The same are taken on record. Learned counsel shall deposit the check of the cost amount in the registry. Copies of the documents filed on record be given to the all concerned.

3. List the matter for further consideration on 04.03.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 21.02.2024-HDD

**ORIGINAL APPLICATION NO.892/2018**  
(Dhananjay Chandodkar & Ors. Vs. State of Maharashtra & Ors.)  
**WITH**  
**ORIGINAL APPLICATION NO.901/2018**  
(Bhagwat Somase Vs. State of Maharashtra & Ors.)

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

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

2. S.O. to 05-03-2024. Interim relief granted earlier in O.A.No.892/2018 to continue till then.

**MEMBER (A)**  
YUK ORAL ORDER 21.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.343/2023**  
**(Narayan S. Annamwar Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Smt. M.A.Kulkarni, learned counsel for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted. However, if reply is not filed on or before the next date, matter will be heard without reply.

3. S.O. to 12-04-2024 for hearing.

**MEMBER (A)**  
YUK ORAL ORDER 21.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.859/2023**  
**(Aruna B. Kharat & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

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

2. Arguments are concluded. Reserved for order.

**MEMBER (A)**  
YUK ORAL ORDER 21.02.2024

**VICE CHAIRMAN**

**M.A. NO. 66/2024 IN O.A. ST. NO. 315/2024**  
**(Shri Prashant Ganeshrao Badgajar & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Heard Shri Ajay S. Deshpande, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

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

**MEMBER (A)**

**VICE CHAIRMAN**



**ORIGINAL APPLICATION ST. NO. 315/2024**

**(Shri Prashant Ganeshrao Badgajar & Ors. Vs. State of Maharashtra & Ors.)**

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

**AND**

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Heard Shri Ajay S. Deshpande, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. It is the grievance of the applicants that for the post of Dietician they have not been considered on the ground that they do not possess the requisite qualification as prescribed in the advertisement. In the advertisement, the qualification prescribed is B.Sc. (Home Science), whereas the applicants possess degree in B. Tech. (Food Technology). It is the contention of the learned counsel for the applicants that B.Tech. (Food Technology) in-fact is more advance course and Syllabus prescribed for B.Sc. (Home Science) is covered in the said course. Learned counsel also brought to our notice that in Writ Petition No. 704/2024 filed against the order passed by this Tribunal in O.A. No. 1113/2023 the

Hon'ble High Court has given interim protection to the said petitioners, thereby directing the respondents therein not to fill in 04 posts of Dietician till outcome of the said writ petition and other appointments are made subject to decision of the said writ petition. Learned counsel prayed for similar relief in this O.A. The applicant no. 01 and 02 have applied for the posts at Latur, whereas applicant no. 03 applied for the post at Nagpur. Learned counsel submits that as per the instructions received to him, all these posts are still lying vacant. Learned Presenting Officer on instructions submitted that 01 post of Latur is filled in and 02 posts are still vacant. In view of above, following order is passed:-

**ORDER**

(i) Issue notice to respondents, returnable on 21.03.2024. **The respondents shall keep unfilled 02 posts at Latur and 01 post at Nagpur of Dieticians till filing the affidavit in reply.**

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

(vi) S.O. to 21.03.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 193/2024**  
**(Smt. Supriya Popatrao Ghule Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Heard Shri Ajay S. Deshpande, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. It is the grievance of the applicant that though she has the valid claim for appointment against the Open seat on the post of Steno-Typist, respondent no. 04, who has secured less marks than her, is shown in the list of Open General waitlisted candidates and her name has been included in the list of Open (Woman) waitlisted candidates. Learned counsel for the applicant submitted that the candidate at sr. no. 01 since has remained absent for document verification, she is out of race and the next candidate is likely to be pushed at her place. In the circumstances applicant's name should be in the wait list at sr. no. 01. The applicant has received 156 marks, whereas respondent no. 04 has received 154 marks. Learned counsel in the circumstances

has prayed for interim relief, thereby restraining the respondents from making appointment of respondent no. 04.

3. Learned Chief Presenting Officer sought time to file affidavit in reply. Learned C.P.O., however, opposed for grant of any interim relief stating that the applicant seems to have applied from Open (Women) category and, as such, her name is included in the waitlisted candidates maintained for Open (Women) category. The argument so advanced is prima-facie unacceptable.

4. We have perused the list of selected candidates, as well as, list of waitlisted candidates. There appears prima-facie substance in the contention raised on behalf of the applicant that the applicant having received more meritorious position than the respondent no. 04, her name must have been included in the list of Open (General) candidates and not in the list of Open (Women) category. In view of above, we deem it appropriate to pass the following order:-

**ORDER**

(i) Issue notice to respondents, returnable on 21.03.2024, **till then the respondents shall not issue the order of appointment in favour of respondent no. 04.**

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

(vi) S.O. to 21.03.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**C.P. NO. 20/2024 IN O.A. NO. 792/2023**  
**(Smt. Jyoti R. Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

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

2. Learned counsel for the petitioner seeks leave to substitute the name of respondent no. 03. Leave granted as prayed for. Amendment be carried out forthwith.

3. Issue notice to respondent no. 03, returnable on 26.03.2024

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

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

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

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

8. S.O. to 26.03.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 496/2021**  
**(Prathamesh S. Vaidhya & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri R.K. Ashtekar, learned counsel for the applicants, Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri K.G. Salunke, learned counsel for respondent nos. 8 to 10 & 12, are present.

2. On request of learned counsel appearing for the applicants, S.O. to 26.03.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 21.02.2024



**ORIGINAL APPLICATION NO. 1023/2023**  
**(Vinayak U. Banchod Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri S.S. Jadhavar, 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 seeks time to file affidavit in reply on behalf of respondents. Time granted by way of last chance.

3. S.O. to 5.3.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 21.02.2024

**T.A. NO. 05/2024 (W.P. NO. 1226/2024)**  
**(Sainath U. Deokar Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri V.B. Wagh, 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 seeks time to file affidavit in reply of the respondents. Time granted.

3. S.O. to 1.3.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 21.02.2024

**M.A. NO. 450/2023 IN O.A. NO. 626/2019**  
(Sheshrao R. Giri Vs. State of Maharashtra & Ors.)

**M.A. NO. 477/2023 IN O.A. NO. 641/2019**  
(Vinod S. Wadekar & Ors. Vs. State of Maharashtra & Ors.)

**M.A. NO. 478/2023 IN O.A. NO. 642/2019**  
(Nandkishor B. Pathak Vs. State of Maharashtra & Ors.)

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri S.K. Mathpati, learned counsel for the applicants in all these matters and S/shri M.S. Mahajan, M.P. Gude & V.R. Bhumkar, learned Chief Presenting Officer and learned Presenting Officers for the respondent authorities in respective matters, are present.

2. By filing the present Misc. Applications the applicants are intending to bring on record subsequent events more particularly in context with the judgment of the Hon'ble High Court in writ petition No. 13760/2019. Pleadings by way of amendment are in consonance with the original pleadings. The amendment applications, therefore, allowed. The amendment be carried out within 01 week and amended copy of O.As. be supplied to other side.

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**M.A. NO. 450/2023 IN O.A.**  
**NO. 626/2019 & ORS.**

3. The Misc. Applications stand disposed of without any order as to costs.

4. The O.As. to come up on board on 11.3.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 21.02.2024

**C.P. NO. 73/2023 IN O.A. NO. 620/2023**  
**(Anita J. Bhaltilak Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri S.G. Joshi, learned counsel for the petitioner and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered affidavit in reply on behalf of respondent no. 01. Same is taken on record and copy thereof has been supplied to learned counsel for the applicant.

3. S.O. to 1.3.2024. Liberty granted to the petitioner to file rejoinder affidavit, if she so desires.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION NO. 622/2023**  
**(Shobha B. Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

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

2. Time is again sought by the learned Presenting Officer for filing affidavit in reply. Last chance was already granted.

3. List the matter for hearing on 12.3.2024 without affidavit in reply of the respondents.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION NO. 666/2023**  
**(Sanjay S. Panchagalle Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted by way of last chance.

3. S.O. to 26.3.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION NO. 913/2023**  
**(Bhausahab R. Sarawade Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri Ajay S. Deshpande, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered the affidavit in reply on behalf of respondent nos. 1 & 2. Same is taken on record and copy thereof has been supplied to other side.

3. S.O. to 14.3.2024. The interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 21.02.2024



**ORIGINAL APPLICATION NO. 981/2023**  
(Swati S. Maknikar Vs. State of Maharashtra & Ors.)

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Smt. Swati S. Maknikar – party in person and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits that the relevant record could not be received till today and, therefore, sought time. Time granted.

3. S.O. to 1.3.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION NO. 547/2022**  
(Ganesh Chavan Vs. State of Maharashtra & Ors.)

**WITH**

**M.A. NO. 161/2023 IN O.A. NO. 616/2022**  
(Abhijit T. Pore Vs. State of Maharashtra & Ors.)

**WITH**

**ORIGINAL APPLICATION NO. 784/2022**  
(Jitesh Wagh Vs. State of Maharashtra & Ors.)

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

S/shri Amol Chalak & A.S. Khedkar, learned counsel for the applicants in respective matters, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these matters and Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for respondent no. 9 in O.A. No. 784/2022, are present.

2. Shri Khedkar, learned counsel has tendered rejoinder affidavit on behalf of the applicant in M.A. No. 161/2023 in O.A. No. 616/2022. Rejoinder is annexed with some documents. Same is taken on record and copy thereof has been supplied to other side.

3. Learned counsel for respondent no. 9 in O.A. no. 784/2022 seeks time to file affidavit in reply. Time granted.

4. S.O. to 05.03.2024. The interim relief granted earlier to continue.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 705/2022**  
**(Amol V. Sanap & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri M.S. Karad, 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 seeks time to file the affidavit in reply of the respondents. Time granted.

3. S.O. to 4.4.2024.

**MEMBER (A)**

ARJ ORAL ORDER 21.02.2024

**VICE CHAIRMAN**

**M.A.NO.441/2023            IN            O.A.NO.659/2021**  
**M.A.NO.442/2023            IN            O.A.NO.661/2021**  
**M.A.NO.443/2023            IN            O.A.NO.183/2022**  
**M.A.NO.444/2023            IN            O.A.NO.185/2022**  
**M.A.NO.445/2023 IN O.A.NO.186/2022**  
**(Sushilkumar B. Rakh & Ors. Vs. State of Maharashtra & Ors.)**

**O.A.NOS.878/2022, 907/2022 to 912/2022, 1101/2022, 1103/2022, 1104/2022, 1105/2022, 986/2022, 998/2022, 1054/2022, 1076/2022, 167/2023, 985/2022, 1077/2022, 1078/2022, 63/2023, 707/2022, 658/2021, 660/2021, 182/2022, 184/2022, 187/2022, 391/2022, 428/2022, 429/2022,**  
**(Dattatray A. Galgate & Ors. Vs. State of Maharashtra & Ors.)**

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

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

2. Learned Chief Presenting Officer has tendered affidavit in replies on behalf of respective respondents in O.A. Nos. 658/2021, 659/202, 660/2021, 661/2021 and 183/2022. Same are taken on record and copies thereof are supplied to other side.

3. S.O. to 22.02.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 12.02.2024

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

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri Sachin Deshmukh, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present.

2. Learned Chief Presenting Officer has tendered affidavit in reply on behalf of respondent nos. 1 & 2. Same is taken on record.

3. S.O. to 11.3.2024.

**MEMBER (A)**

ARJ ORAL ORDER 21.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 98 OF 2020 WITH  
CAVEAT NO. 78/2019**

**(Bhavana R. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Heard Shri Avinash Deshmukh, learned counsel for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities and Shri Manish Bhambre, learned counsel for respondent No. 2 (Caveator).

2. Part heard.
3. Learned Presenting Officer is hereby directed to call record and proceedings.
3. S.O. to 07.03.2024 for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 460 OF 2023**  
**(Manisha T. Gite Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

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

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

3. S.O. to 15.03.2024. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 461 OF 2023**  
**(Pravin Y. Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

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

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

3. S.O. to 15.03.2024. Interim relief granted earlier to continue till then.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 522 OF 2023**  
**(Mahesh E. Vispute Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri Dhananjay Mane, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 15.03.2024. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 116 OF 2024**  
**(Madhav A. Lokulwar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri J.M. Murkute, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents.

3. Learned counsel submits that the applicant has already submitted representation dated 11.01.2024 (Annexure A-9) before the respondent No. 2 and the same is pending. Learned counsel submits that the respondent No. 2 may be directed to decide the representation dated 11.01.2024.

4. In view of above, S.O. to 13.03.2024 for filing affidavit in reply.

5. Meanwhile, respondent No. 2 is at liberty to decide the representation dated 11.01.2024 (Annexure A-9) submitted by the applicant about his transfer.

**MEMBER (J)**

**M.A. No. 472/2023 in O.A. St. No. 1915/2023  
(Dr. Jyoti S. Deshmukh Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Ms. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 06.03.2024.

**MEMBER (J)**

KPB ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION NO. 1106 OF 2023  
(Motiram T. Nikam Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri Sachin Patil, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits that during the course of the day sur-rejoinder will be filed.

3. S.O. to 13.03.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION NO. 106 OF 2023**  
**(Mohammad Fiaz Mh. Ibrahim Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri D.R. Irale Patil, learned counsel for the applicant (**Absent**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities and Shri A.V. Thombre, learned counsel holding for Shri K.S. Solanke, learned counsel for respondent No. 3, are present.

2. At the request of learned counsel for respondent No. 3, S.O. to 14.03.2024 for hearing.

3. Learned counsel for respondent No. 3 has assured that he will inform about the adjournment to the learned counsel appearing for the applicant.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 421 OF 2021**  
**(Manohar M. Bharanae Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri V.G. Pingle, learned counsel for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri Shamsunder B. Patil, learned counsel for respondent No. 3, are present.

2. At the request of learned counsel for the applicant, S.O. to 03.04.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION NO. 1094 OF 2022  
(Madhav B. Wagaje Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 15.03.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION NO. 1095 OF 2022  
(Tukaram S. Pohare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri D.K. Dagadkhari, 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 counsel for the applicant, S.O. to 15.03.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 21.02.2024



**ORIGINAL APPLICATION NO. 1031 OF 2023**  
**(Dr. Pradeep M. Thakkarwad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri S.S. Dambe, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 06.03.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 709 OF 2023  
(Deepak R. Chavan Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for respondent No. 6, are present.

2. Even though the last chance is granted, no affidavit in reply has been filed.

3. List the matter for admission hearing on 19.03.2024 with liberty to the other side to file affidavit in reply till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 812 OF 2023**  
**(Dr. Ravindra K. Deshmukh Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri A.P. Yenegure, learned counsel holding for Shri S.V. Suryawanshi, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. The present matter is listed for hearing without affidavit in reply of the respondents.

3. At the request of learned counsel for the applicant, S.O. to 19.03.2024 for hearing with liberty to the other side to file affidavit in reply till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 110 OF 2021  
(Dr. Namdeo R. Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. It is a part heard matter. At the request of learned Presenting Officer, S.O. to 07.03.2024 for further hearing.

**MEMBER (J)**

KPB ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION NO. 448 OF 2023**  
**(Vikas Daulatrao Wagh Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri S.U. Choudhari, learned counsel for the applicant (**Absent**). Heard Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Even though the circulation is sought, none present for the applicant today and even on the last date. The Original Application is hereby dismissed in default.

**MEMBER (J)**

KPB ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION ST. NO. 835 OF 2023  
(Shuddhodhan R. Sardar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri R.B. Ade, learned counsel for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. The office has raised an objection about the territorial jurisdiction and also to the effect that the Original Application is barred by limitation.

3. As none present for the applicant, as a last chance, S.O. to 03.04.2024 for passing necessary orders.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1108 OF 2022**  
**(Rajendra T. Dawange Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 to 5. Same is taken on record and copy thereof is given to learned counsel for the applicant.

3. S.O. to 20.03.2024 for hearing and filing rejoinder affidavit, if any.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 303 OF 2014**  
**(Prakash N. Shrivastav Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri A.D. Sugdare, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer seeks time to comply with the order dated 07.02.2024. Time granted.

3. Learned Presenting Officer is directed to keep District Social Welfare Officer, Chatrapati Sambhaji Nagar present on the next date of hearing before this Tribunal.

4. It is a part heard matter. S.O. to 06.03.2024 for further hearing.

**MEMBER (J)**



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

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri A.D. Sugdare, learned counsel holding for Shri V.G. Pingle, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. It is a part heard matter. At the request of learned Presenting Officer, S.O. to 12.03.2024 for further hearing.

**MEMBER (J)**

KPB ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION NO. 512 OF 2021  
(Usha A. Gaikwad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Shri A.D. Gadekar, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. It is a part heard matter. At the request of learned Presenting Officer, S.O. to 23.02.2024 for further hearing.

**MEMBER (J)**

KPB ORAL ORDER 21.02.2024

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

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

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

2. It appears from the affidavit in reply filed on behalf of respondent that the preliminary departmental enquiry has been ordered by the respondent on 19.05.2022 against the applicant for his work period in LCB and the said preliminary departmental enquiry is still in process.

3. Learned counsel for the applicant on instructions submits that in the said preliminary departmental enquiry the applicant has been exonerated.

4. In view of above submissions, learned Presenting Officer is hereby directed to take specific instructions in this regard from the concerned respondent/s till the next date of hearing.

5. It is a part heard matter. S.O. to 14.03.2024 for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1140 OF 2022**  
**(Rameshwar Anantrao Harbhare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Heard Shri Avishkar Shelke, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 and 2. Same is taken on record and copy thereof is already given to learned counsel for the applicant.

3. Learned Presenting Officer submits that during pendency of the present Original Application, by order dated 27.09.2023, the respondent No. 2 has granted subsistence allowances to the applicant and forwarded the proposal in respect of the same to the respondent No. 1 on 03.10.2023. The respondent No. 1 has also approved the said proposal and accordingly respondent No. 3 has issued cheque bearing No. 031665 dated 21.11.2023 of Rs. 15,72,371/- to the applicant. Learned Presenting Officer submits that even the respondent No. 2 has also regularized the suspension period of the applicant by passing an order on 05.01.2024.

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O.A. No. 1140/2022

4. Learned counsel for the applicant on instructions from the applicant has not disputed the same. Learned counsel however submits that during pendency of the present Original Application the applicant has been retired on attaining the age of superannuation on 31.01.2023.

5. Learned Presenting Officer submits that as per the affidavit in reply filed on behalf of respondent Nos. 1 and 2, the respondent authorities are going to send the service book of the applicant for pay verification purpose to the Pay Verification Unit, Ch. Sambhaji Nagar and after verification from the Pay Verification Unit, Ch. Sambhaji Nagar, the proposal will be sent to the Accountant General, Nagpur for further approval and the said process has been undertaken.

6. In view of above, nothing survives for further consideration in the present Original Application. The Original Application accordingly disposed of. No order as to costs.

**MEMBER (J)**

**T.A. 10/2024 (W.P. No. 944/2024)**  
**(Amruta U. Wavare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Heard Shri A.R. Tapse, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. The office has raised an objection that the Original Application is not within limitation.

3. By this Original Application, the applicant is seeking directions to the respondents to grant him the benefits as per the G.R. dated 11.09.2019 issued by respondent No. 1 and fixation of pay of the applicant in Level 10 pay matrix of 7<sup>th</sup> Pay Commission.

4. Learned counsel for the applicant submits that the office has raised an objection that the Original Application is beyond limitation from the date of first representation dated 12.08.2021 submitted by the applicant. Learned counsel has brought to the notice of this Tribunal that on 25.11.2021, so also, on

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25.05.2023 the respondent No. 4 has forwarded the proposal to respondent No. 3 stating therein that the respondent No. 4 has already fixed the pay of the applicant in Level 10 and the same may be approved. However, the said proposals are yet not decided. Learned counsel submits that in view of the same, there is recurring cause of action and there is no question of delay as such.

5. On perusal of the said correspondence/ proposals forwarded by respondent No. 4 to respondent No. 3, it appears that there is recurring cause of action. In view of the same, the office objection stands overruled.

6. Issue notices to the respondents, returnable on 10.04.2024.

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

8. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with

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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.

9. 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.

10. 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.

11. S.O. to 10.04.2024.

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

**MEMBER (J)**



**ORIGINAL APPLICATION ST. NO. 147 OF 2024**  
**(Nandkumar V. Nagapure Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant has accepted that the applicant has not filed departmental appeal. Learned counsel however, submits that the applicant has already filed representation dated 29.01.2024, which is pending before the respondent No. 1 i.e. the District Collector, Ahmednagar. Learned counsel submits that the applicant may file departmental appeal meanwhile his representation may be considered by respondent No.1.

3. Thus, the Original Application is disposed of with liberty to the applicant to file departmental appeal, if so desired and the respondent No. 1 can also decide the representation filed by the applicant dated 29.01.2024 meanwhile. Needless to state that in case of any adverse order passed against the applicant, the applicant would be at liberty to approach this Tribunal.

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

**MEMBER (J)**

**ORIGINAL APPLICATION ST. NO. 215 OF 2024  
(Dinesh G. Koli Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. The office has raised an objection that the Original Application is barred by limitation, since the suspension order is passed on 29.08.2015.

3. Learned counsel for the applicant submits that the applicant is not challenging the suspension order dated 28.09.2015 in the present Original Application. The applicant is seeking relief of revocation of suspension order. Learned counsel on instructions submits that the applicant has acquiesce right to challenge the order of suspension.

4. Learned counsel for the applicant further submits that the applicant though suspended by order dated 29.08.2015, he remained in jail till the year 2018 and finally he came to be released on bail

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O.A. St. 215/2024

under the orders of the Hon'ble Supreme Court on 13.11.2018. The charge-sheet has been served on the applicant even in the year 2022. The Departmental Enquiry is completed and the report has been submitted by the enquiry officer. The disciplinary authority has neither served the copy of the enquiry report on the applicant nor taken any action. Learned counsel submits that it is learnt that the enquiry officer exonerated the applicant in the D.E. Learned counsel submits that the applicant is seeking revocation of suspension order, since the applicant is under suspension for more than 09 years.

5. In view of above, I do not think that the office objection is sustainable. Hence, issue notices to the respondents, returnable on 03.04.2024.

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

7. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with

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O.A. St. 215/2024

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.

8. 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.

9. 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.

10. S.O. to 03.04.2024.

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

**MEMBER (J)**

**M.A. St. No. 54/2024 in O.A. St. No. 55/2024  
(Arun N. Kadam & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Heard Shri A.S. Sonkawade, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. The office has raised an objection that the applicant Nos. 9, 11, 15, 17, 19 to 21, 24, 26 to 37, 41 to 43 do not come within the territorial jurisdiction of this Tribunal.

3. Learned counsel for the applicants submits that all the applicants were from the same department and they are seeking directions against the respondents to revise the pay matrix of Tutors in the Public Health Department and Medical Education Department at par with other employees as resolved by G.R. dated 13.02.2023 along with appropriate deem date and arrears of salary. Learned counsel submits that the applicant Nos. 1 to 8, 10, 12 to 14, 16, 18, 22, 23, 25, 38 to 40, 44 & 45 are presently working under the jurisdiction of this Tribunal, whereas the applicant Nos. 11, 15, 26 to 29, 33 to 37 & 41 to 43 are presently working at

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M.A. St. 54/2024 in  
O.A. St. 55/2024

Nagpur, amenable to the Nagpur Bench of this Tribunal and the applicant Nos. 9, 17, 19 to 21 & 24 are presently working at Nashik and applicant Nos. 30 to 32 are presently working in Mumbai and hence amenable to the Principal Seat of this Tribunal at Mumbai. The applicants have preferred the common Original Application praying for same relief under the same cause of action.

4. Learned counsel for the applicants submits that in terms of Rule 4 sub-rule (5)(a) of the Maharashtra Civil Services (Procedure) Rules, 1988, the Tribunal may permit more than one person to join together and file a single application if it is satisfied, having regard to the cause of action and the nature of relief prayed for, that they have a common interest in the matter. Learned counsel further submits that in terms of Rule 6 of the said Rules, 1988, the application shall ordinarily be filed by the applicants with the Registrar of the Bench within whose jurisdiction (i) the applicant is posted for the time being, or (ii) the cause of action has arisen, or (iii) the respondent or any of the respondents against whom relief is sought,

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ordinarily resides. Learned counsel submits that though the applicants are working in different cities amenable to the different Benches of this Tribunal, however they have got common cause of action as against the common relief. In view of the same, in terms of the aforesaid provisions, the applicants are seeking permission to sue jointly in view of Rule 4 sub-rule (5)(a) of the Maharashtra Civil Services (Procedure) Rules, 1988.

5. Learned counsel for the applicants has placed reliance in a case of **Nilesh Raosaheb Tagad and Ors. Vs. State of Maharashtra and Ors. in W.P. No. 3228/2020**, decided on 21.09.2020, wherein in respect of the similarly situated employees the Division Bench of the Hon'ble High Court of Bombay, Bench at Aurangabad after referring Rule 4 sub-rule (5)(a) of the Maharashtra Civil Services (Procedure) Rules, 1988 has quashed and set aside the order passed by the Tribunal holding that the Tribunal has no jurisdiction in such type of cases and further held that the Tribunal shall consider the Original Application filed by the petitioners on its own merits.

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6. In view of above submissions, it is necessary to reproduce herein below the provisions of Rule 4 sub-rule (5)(a) of the Maharashtra Civil Services (Procedure) Rules, 1988, which is relevant for the present discussions, as the sub-clause (b) may not be relevant of the said Rules, 1988 :-

***“4. Procedure for filing application.-***

*“(5)(a) more than one person to join together and file a single application if it is satisfied, having regard to the cause of action and the nature of relief prayed for, that they have a common interest in the matter”*

7. In the aforesaid W.P. No. 3228/2020, decided on 21.09.2020, in para Nos. 8, 9 & 10, the Division Bench of the Hon’ble High Court of Bombay, Bench at Aurangabad has made the following observations:-

*“8. A tribunal may get the jurisdiction to entertain an application in any one of the contingencies referred to in Rule 6 of the Maharashtra Administrative Tribunal Rules. An applicant may file the application before the tribunal within whose*



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*jurisdiction he is posted or the cause of action has arisen or the respondent or any of the respondents against whom relief is sought, ordinarily resides.*

*9. Petitioner no. 1 is resident within the jurisdiction of the tribunal at Aurangabad, petitioner no. 2 is resident within the jurisdiction of the tribunal at Mumbai and petitioner no. 3 is resident within the jurisdiction of the tribunal at Nagpur.*

*10. If the place of residence would have been the only consideration, then the order of the tribunal would have been justified. It appears that the tribunal has failed to consider the other two contingencies i.e. where the cause of action has arisen or the respondent or any of the respondents against whom relief is sought, ordinarily resides. The advertisement of which Clauses 6.4.3 and 6.4.4 were under challenge is for filling in the posts throughout the State of Maharashtra. The advertisement is not restricted to filling in the posts at a particular place. The concept of cause of action has not been considered by the tribunal. The posts are to be filled in by the State Government and the said posts could be filled in by the State Government at any place in the State of Maharashtra. The advertisement is not limited to fill in the posts at a particular place. In that view, it cannot be said that the cause of action has not arisen within the jurisdiction of the tribunal at Aurangabad.”*

8. In the instant case, the applicant Nos. 1 to 8, 10, 12 to 14, 16, 18, 22, 23, 25, 38 to 40, 44 & 45 are presently working under the jurisdiction of this Tribunal, the applicant Nos. 11, 15, 26 to 29, 33 to

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M.A. St. 54/2024 in  
O.A. St. 55/2024

37 & 41 to 43 are presently working at Nagpur, which amenable to the Nagpur Bench of this Tribunal and the applicant Nos. 9, 17, 19 to 21 & 24 are presently working at Nashik and applicant Nos. 30 to 32 are presently working in Mumbai and hence amenable to the Principal Seat of this Tribunal at Mumbai. Thus the place of working would not have been the only consideration. There are other two contingencies i.e. the common cause of action has arisen and the applicants serving in the same department are seeking common relief. Thus the view expressed by the Division Bench of the Hon'ble High Court of Bombay, Bench at Aurangabad is squarely applicable to the facts and circumstances of the present case. Thus considering the entire aspect of the case and in terms of the above discussions, I hold that this Tribunal gets the jurisdiction to entertain this Original Application, as they are seeking the same relief.

9. The office objection is hereby overruled.

10. In view of above, the present Misc. Application is allowed in terms of prayer clause 7(A), subject to

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O.A. St. 55/2024

payment of court fee stamps, if not paid. The accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

11. Accordingly, M.A. stands disposed of. No order as to costs.

**MEMBER (J)**

KPB ORAL ORDER 21.02.2024

**ORIGINAL APPLICATION ST. NO. 55 OF 2024**  
(Arun N. Kadam & ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 21.02.2024**

**ORAL ORDER :**

Heard Shri A.D. Sonkawade, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Upon registration, issue notices to the respondents, returnable on 12.04.2024.

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

4. Applicants are 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. Applicants are directed to file affidavit of compliance and notice.

7. S.O. to 12.04.2024.

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

**MEMBER (J)**