

ORIGINAL APPLICATION NO. 217/2024
(Ashok U. Giri Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Shri Prashant Nagargoje, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Registry is directed that the present proceeding be registered as suo moto contempt petition.
3. Issue notice to respondents, returnable on 25.07.2024.
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 25.07.2024.
9. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

M.A.NO.211/2024 IN O.A.NO.460/2024
(Yadav S. Jadhav & 2 Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Heard Shri Sayyed Tauseef Yaseen, learned Counsel for applicants and Shri V.R.Bhumkar, learned Presenting Officer for respondent authorities.

2. Present M.A. has been moved by the applicants seeking interim relief thereby staying effect and implementation of the waiting list uploaded by the respondents on their official website on 13-06-2024. Stay is also sought to the Circular dated 12-03-2024.

3. Present applicants had applied for the post of Unskilled Artizen (Transport) in pursuance of the advertisement issued on 28-08-2023. In the said advertisement educational qualification for the subject post is prescribed as under (paper book page 29):

“i) have passed S.S.C.: and (ii) have completed concern trade in I.T.I. or equivalent institute recognize by Govt. or possess equivalent qualification approved by Govt. and passed N.C.T.V.T. examination or equivalent examination approved by Govt.”

4. As contended in the application the applicants possess the aforesaid qualification. Learned Counsel appearing for the applicants submitted that, that is the reason that the names of the applicants are included in the provisional list of selected candidates according to their category. Learned Counsel submitted that, on 12-03-2024 Government has issued one communication providing explanation as about the educational qualification prescribed for the subject post. Learned Counsel pointed out that in the educational qualification as prescribed in the advertisement, when there is no such requirement of doing the apprenticeship and producing on record the certificate of having completed the apprenticeship, because of the communication dated 12-03-2024, the respondents may insist for such certificate and may disqualify the candidates who are not possessing the said certificate.

5. Learned Counsel further submitted that respondents may exhaust the waiting list and select the candidates having the apprenticeship certificate superseding the claim of the applicants. Learned Counsel submitted that requisite qualification which is prescribed in the advertisement if is held by any candidate, he has to be held eligible and no new requirements/qualification can be introduced. Learned Counsel pointed out that after the entire selection process has been almost completed that the aforesaid exercise is being done by the respondents.

6. Learned Counsel submitted that applicants apprehend that the respondents may instead of issuing orders of appointment in their favour, select other candidates from the respective categories. Learned Counsel submitted that if it so happens, irreparable loss will be caused to the applicants and very purpose of filing the O.A. would get frustrated. In the circumstances, learned Counsel has prayed for interim relief by filing the present M.A.

7. Shri V.R.Bhumkar, learned P.O. opposed for granting any such relief. Learned P.O. submitted

that, it is an inadvertent mistake that, in the particular column the said fact has not been incorporated which has been incorporated in clause immediately below the said clause. Learned P.O. submitted that considering the said fact, it shall be presumed that the similar condition is also to be read for the subject post. Learned P.O. invited our attention to the educational qualification prescribed for the post at Sr.No.5 i.e. Unskilled Artizen (HEMR). In the circumstances, he has prayed for refusing the request of the applicants for interim relief.

8. We have carefully considered the submissions made on behalf of the applicants as well as the respondents. We have also gone through the documents placed on record. In the advertisement, undoubtedly, there is no such condition requiring the candidates to hold and possess the Apprenticeship Certificate. When it is specifically mentioned in respect of the recruitment for the post at Sr.No.5, had it been the real requirement it could not have been missed from its introduction even for the post at Sr.No.4 of Unskilled Artisen (Transport).

9. Perusal of the letter dated 12-03-2024 also reveal that the requirement of holding the Apprenticeship Certificate is not there even in the Recruitment Rules and that is the reason why in the aforesaid letter the Government has asked the concerned department to get introduced the said clause in concerned Recruitment Rules. The condition which was not there in the advertisement, now cannot be newly introduced.

10. Having considered the facts as aforesaid, we, prima facie, find substance in the apprehension in the minds of the applicants. It is brought to our notice that the process of giving orders of appointment has already begun. Learned Counsel brought to our notice that all other formalities have already been completed and on the ground as aforesaid if the respondents decline to issue order of appointment in favour of the applicants and choose the candidates in the waiting list for their appointment, purpose of filing the O.A. would get frustrated. The issue which has been raised by the applicants needs to be considered. Respondents have not yet filed the reply.

11. Considering the facts and circumstances as above, we deem it appropriate to pass the following order:

ORDER

[i] Respondents shall file affidavit in reply to the O.A. within 2 weeks from the date of this order.

[ii] In the meanwhile, if process of issuing appointment orders is commenced, respondents shall ensure that three (3) seats shall be kept vacant against which the applicants are selected by the respondents.

[iii] M.A. stands disposed of accordingly without any order as to costs.

12. Steno copy may be provided to the parties on their request.

13. O.A. to come up on 11-07-2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 602 OF 2024
(Shri sukhdev R. Thakare Vs. The State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Heard Shri K.B. Jadhav, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 01.08.2024.

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.

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 01.08.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 600 OF 2024
(Shri Shayam S Lohi Vs. The State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. When the present matter is taken up for consideration, learned Presenting Officer submits that he will take necessary instructions and will make statement on 27.06.2024.

3. Issue notice to respondents, returnable on 27.06.2024.
The prayer for interim relief is kept open.

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 27.06.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 851 OF 2022
(Prashant B. Kachhawa Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Shri Kiran G. Salunke, learned counsel for the applicant, Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, Shri S.B. Mene, learned special counsel for respondent No. 1 and Shri Ajay S. Deshpande, learned special counsel for respondent Nos. 2 & 3, are present.

2. At the request of learned Chief Presenting Officer, S.O. to 26.06.2024. Interim relief granted earlier to continue till then.

3. **Part heard.**

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 07/2024 IN O.A.NO. 82/2019
(Devendra R. Dandgavhal & Ors. Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Heard Shri Ajay S. Deshpande, learned counsel for the applicants and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. When the present matter is taken up for consideration, learned Chief Presenting Officer has placed on record communication dated 20.06.2024 with annexures therewith received to his office. The annexures reveal that principally the respondents have agreed and in process of complying the order. In the circumstances, S.O. to 21.08.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21.06.2024-HDD

ORIGINAL APPLICATION NO. 1102 OF 2022
(Mehebut Noor Mahammad Rangarej Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Shri R.P. Bhumkar, learned counsel for the applicant, Shri V.G. Pingle, learned Presenting Officer for the respondent authorities and Shri A.S. Hazari, learned counsel holding for Shri Amol B. Chalak, learned counsel for respondent No. 6, are present.

2. S.O. to 25.06.2024 for further consideration.

MEMBER (A)

VICE CHAIRMAN

M.A.NO. 496/2023 IN O.A.NO. 222/2023
(Vijay Umakantrao Awadhane & Ors. Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Shri Ajay S. Deshpande, learned counsel for the applicants and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 26.06.2024. Till then the interim arrangement shall continue.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21.06.2024-HDD

ORIGINAL APPLICATION NO.818/2021

(Dr. Ashwini A. Patil Vs. State of Maharashtra & Ors.)

ORIGINAL APPLICATION NO.16/2022

(Vd. Piyush K. Gandhi & Ors. Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

O.A.NO.818/21

Shri S.D.Joshi, learned Counsel for the applicant, Shri M.B.Bharaswadkar, learned Presenting Officer for the respondent authorities and Shri S.G.Kulkarni, learned Counsel for respondent no.8 and Shri Amol T. Jagtap, learned Counsel for respondent no.9, are present.

Shri Ajit Kadethankar, learned Counsel for respondent no.6, Shri Akshay H. Joshi, learned Counsel for respondent no.7 **are absent.**

O.A.NO.16/22

Shri A.S.Deshmukh, learned Counsel for the applicants, Shri M.B.Bharaswadkar, learned Presenting Officer for the respondent authorities, are present. Shri M.R.Kulkarni, learned Counsel for respondent nos.4 to 7 has filed leave note.

2. S.O. to 25.06.2024. Interim relief granted earlier to continue till then. **High on board.**

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21.06.2024-HDD

**M.A. ST. No. 1165/2024 in O.A. No. 79/2023
(Satish S. Gugale Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Heard Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

3. Leave to implead the State of Maharashtra as party respondent to the Original Application.

4. Learned counsel for the applicant submits that so far as communication dated 01.02.2019 issued by the Desk Officer, Public Works Division, Mantralaya, Mumbai in respect of not treating the period of absence on duty as duty period and passing the order treating the said period as extraordinary leave is concerned, the applicant was never served with this communication dated 01.02.2019 and this communication was filed along with the affidavit in reply filed on behalf of respondent Nos. 1 and 2. Learned counsel submits that in fact, the applicant had worked during the said period and the respondent authorities have not verified this aspect.

//2// M.A. ST. 1165/2024 in
O.A. 79/2023

Learned counsel submits that therefore insertion of para Nos. 12-A to 12-C in the body of the Original Application and prayer clause B-1 is necessary by carrying out the amendment in O.A.

5. Learned Presenting Officer submits that in the event amendment is allowed, then the respondent authorities may be granted liberty to file additional affidavit in reply in O.A.

6. In view of above, the Misc. Application seeking amendment in the O.A. is allowed and the applicant is permitted to amend the Original Application by inserting Para No. 12-A to 12-C and prayer clause B-1 within a period of two weeks from the date of this order and copy of the amended O.A. be served on the other side.

7. The M.A. is accordingly disposed of. No order as to costs.

8. O.A. to come up on board on 10.07.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 921 OF 2016
(Sanjay T. Mali Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Heard Shri A.D. Sugdare, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Though the learned counsel for the applicant has filed written notes of arguments, learned Presenting Officer has submitted that his submissions would rest upon the affidavit in reply filed on behalf of respondent No. 2. In fact, the said affidavit in reply on behalf of respondent No. 2 filed on 22.09.2017, for which the learned Presenting Officer has referred, is outdated affidavit in reply. It has also pointed out by learned counsel for the applicant that in the year 2018, the seniority list was corrected and accordingly published. It further appears from the oral submissions of learned counsel for the applicant, so also, written notes of arguments that junior to the applicant came to be promoted and in view of the same, the applicant is seeking deemed date of promotion from 09.02.2009.

//2//

O.A. No. 921/2016

3. In view of above, learned Presenting Officer is directed to file short affidavit in reply of the concerned respondent/s explaining the present status and particularly answer the question raised in the present Original Application.

4. Further learned counsel for the applicant has also pointed out the order passed by this Tribunal dated 21.09.2018 in O.A. No. 921/2016, wherein the Divisional Commissioner, Nashik and Secretary, Revenue Department, Mantralaya, Mumbai were directed that they shall be free to issue promotion orders from candidates holding post of Naib Tahsildar to the post of Tahsildar, however, no junior having lower position in the seniority in the provisional seniority list dated 13.01.2017 shall be promoted unless the applicant's case is considered by Departmental Promotion Committee (D.P.C.) and is decided in accordance with law.

5. Learned Presenting Officer is also directed to reply about this aspect by filing short affidavit of the concerned respondent/s.

//3//

O.A. No. 921/2016

6. It is a part heard matter. S.O. to 08.07.2024
for further hearing.

MEMBER (J)

KPB ORAL ORDER 21.06.2024

ORIGINAL APPLICATION NO. 618 OF 2019
(Dhondiram G. Kamble Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Shri U.L. Momale, learned counsel for the applicant (**Absent**). Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 04.09.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 349 OF 2020
(Prakash S. Raut Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that it is learnt that the applicant came to be reinstated by revoking his suspension order. However, there are no specific instructions from the applicant in this regard. Learned counsel submits that on the last occasion, the then Presenting Officer has made this oral submissions before the Tribunal and this Tribunal has also orally directed to place the said order on record. However, the said order is yet not produced on record.

3. In view of above, learned Presenting Officer is now directed to take specific instructions in this regard and if the applicant is reinstated by revoking his suspension order, place the said order on record, so the present Original Application can be disposed of.

4. S.O. to 02.07.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 322 OF 2022
(Dr. Datta M. Dhanve Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri S.B. Ghute, learned counsel for respondent Nos. 3 and 4, are present

2. At the request of learned counsel for the applicant, S.O. to 05.08.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 21.06.2024

**ORIGINAL APPLICATION NO. 505 OF 2022
(Najirabi Nasir Shaikh Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 05.08.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 535 OF 2022
(Adikrao S. Mane Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 05.08.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 417 OF 2024
(Digambar B. Kiroale Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Shri S.B. Ghatol Patil, learned counsel for the applicant (**Absent**). Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. Learned counsel Shri A.D. Gadekar, on instruction appears for respondent No. 3 and thus seeks time to file affidavit in reply. Time granted.

3. S.O. to 29.07.2024.

MEMBER (J)

**M.A. No. 470/2023 in O.A. St. No. 1971/2023
(Amogh S. Moharil Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Heard Shri R.N. Bharaswadkar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicant, re-issue notices to respondents, returnable on 12.08.2024.

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.

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 12.08.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 479 OF 2023
(Kaxmikant V. Deshpande Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Shri R.N. Bharaswadkar, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 08.07.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 586 OF 2020
(Sonaji K. Barhate Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri A.B. Rajkar, learned counsel for the applicant, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present. Shri N.U. Yadav, learned counsel for respondent Nos. 2 and 3, is **absent**.

2. At the request of learned counsel for the applicant, S.O. to 05.08.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION ST. NO. 2447 OF 2023
(Dr. Ambadas V. Sontakke Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri N.B. Narwade, learned counsel for the applicant (**Absent**). Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. Even though the circulation is sought, none present for the applicant. The office has raised an objection about the jurisdiction.

3. As none present for the applicant, S.O. to 06.08.2024.

MEMBER (J)

**M.A. No. 213/2024 in O.A. St. No. 744/2024
(Raghunath S. Chavan Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri Ajay Deshpande, learned counsel for the applicant (**Absent**). Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 16.07.2024.

MEMBER (J)

Later on :

3. Shri Ajay Deshpande, learned counsel for the applicant, is present.

4. Issue notices to the respondents in M.A., returnable on 06.08.2024.

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

//2//

M.A. 213/2024 in
O.A. St. 744/2024

6. 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.

7. 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.

8. 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.

9. S.O. to 06.08.2024.

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

MEMBER (J)

**O.A. Nos. 498, 499, 500 & 501 all of 2024
(Kisanrao P. Patil & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri A.R. Borulkar, learned counsel for the applicants in all these O.As. (**Absent**). S/shri A.P. Basarkar, D.M. Hange and Smt. Resha Deshmukh, learned Presenting Officers for the respondent authorities in respective O.As., are present.

2. In all these matters even though the circulation is sought, none present for the applicants.

3. S.O. to 25.07.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 604 OF 2024
(Prakash H. Kaparde Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Heard Shri Ajay Deshpande, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 06.08.2024.

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.

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 06.08.2024.

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

MEMBER (J)

**ORIGINAL APPLICATION NO. 606 OF 2024
(Maruti B. Garote Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri I.D. Maniyar, learned counsel holding for Shri R.R. Bangar, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 28.06.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 611 OF 2024
(Sambhaji B. Londhe Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Shri R.S. Kasar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. I have heard learned counsel for the applicant for some time.

3. By filing the present Original Application, the applicant is challenging the extension granted to respondent No. 3, who is working as Police Patil of village Maka, Tq. Newasa, Dist. Ahmednagar.

4. Learned counsel for the applicant seeks time to advance his submissions on the point as to how the present Original Application is maintainable and as to what is the locus of the applicant to challenge the aforesaid extension.

5. Learned Presenting Officer is also directed to call the original record from the office of Sub-Divisional Officer, Nagar Division, Ahmednagar in this connection.

6. S.O. to 05.07.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 418 OF 2023
(Dr. Shrimant C. Harkar Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Shri M.R. Deshmukh, learned counsel for the applicant (**Absent**). Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. Even though the learned counsel for the applicant has sought time to file an application seeking amendment on 06.05.2024, none present for the applicant today.

3. It is a part heard matter. As one present for the applicant, S.O. to 04.09.2024 for further hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 717 OF 2023
(Rajendra D. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri D.M. Hange, 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 short affidavit as directed.
3. It is a part heard matter. S.O. to 01.07.2024 for further hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 21 OF 2024
(Ramesh B. Shinde Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Heard Shri H.P. Jadhav, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. It is a part heard matter. At the request of learned Presenting Officer, S.O. to 01.07.2024 for further hearing.

MEMBER (J)

**M.A. No. 156/2023 in O.A. St. No. 601/2023
(Manisha M. Nikalje Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri Ashish Rajkar, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time to file synopsis of events to explain the delay. Time granted.

3. S.O. to 22.07.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 21.06.2024

M.A. No. 192/2023 in O.A. No. 318/2023
(Mohammad Sarvar Abdul Gani Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Shri Ashish Rajkar, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time to file synopsis of events to explain the delay. Time granted.
3. S.O. to 22.07.2024 for hearing.

MEMBER (J)

**M.A. No. 225/2024 in O.A. No. 381/2024
(Govind A. Kokane Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Heard Shri S.P. Dhobale, learned counsel holding for Shri A.N. Gaddime, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. By filing the present Misc. Application, the applicant is seeking permission to produce G.R. dated 27.02.2017.

3. In view of the same and for the reasons stated in the application, the applicant is permitted to produce on record a copy of G.R. dated 27.02.2017 along with certain documents.

4. The M.A. No. 225/2024 is accordingly disposed of. No order as to costs.

MEMBER (J)

**ORIGINAL APPLICATION NO. 381 OF 2024
(Govind D. Kokane Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Heard Shri S.P. Dhobale, learned counsel holding for Shri A.N. Gaddime, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions seeks leave to withdraw the present Original Application with liberty to the applicant to approach this Tribunal, in case any adverse order is passed against him on completion of the process of transfer.

3. Leave granted. The Original Application is disposed of as withdrawn with liberty to the applicant as aforesaid. No order as to costs.

MEMBER (J)

**ORIGINAL APPLICATION ST. NO. 1253 OF 2024
(Daulat V. Tate Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Heard Shri K.B. Jadhav, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, S.O. to 01.07.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 427 OF 2020
(Rahul Bharat Chaudhare Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 12.07.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 426 OF 2020
(Sunil Sahebrao Pagare Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 12.07.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21.06.2024-HDD

M.A.NO. 09/2023 IN O.A.ST.NO. 34/2023
(Mahendra Ambadas Kadam Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Heard Shri D.S. Mutalik, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. By filing the accompanying Original Application the applicant has prayed for quashment of the communication dated 22.07.2019 issued by respondent No. 1, whereby the request of the applicant for his appointment on the post of Assistant Development Officer (Fisheries) has been rejected. Since some delay has occasioned in filing the accompanying Original Application, the present Misc. Application is filed seeking condonation of delay so occurred. Learned counsel submitted that in normal course the limitation to file the O.A. seeking the relief, which has been prayed for was up to 21.07.2020, however, because of CORONA Pandemic the applicant could not take the steps for filing O.A. Learned counsel submitted that if the CORONA period is excluded the delay which has occasioned is not of more than 06 months. Learned counsel in the circumstances prayed for condonation of delay.

3. The respondents have filed affidavit in reply and opposed for condoning the delay. According to the respondents, the applicant has failed in explaining the delay.

4. After having considered the submissions made on behalf of the applicant as well as the respondents, we are inclined to allow the present Misc. Application. In the Corona Pandemic the applicant in fact could not have taken the steps for accompanying Original Application. If the delay is not condoned the applicant will be losing opportunity to prosecute his matter on merit. We are, therefore, inclined to condone the delay. Hence, the following order: -

ORDER

(i) The delay occasioned in filing accompanying Original Application is condoned.

(ii) The Original Application be registered in accordance with law.

(iii) The Misc. Application stands disposed of however, without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION ST.NO. 34 OF 2023
(Mahendra Ambadas Kadam Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Heard Shri D.S. Mutalik, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. After registration of O.A., issue notice to the respondents, returnable on 24.07.2024.

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.

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

7. S.O. to 24.07.2024.

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

MEMBER (A)

VICE CHAIRMAN

M.A.NO. 174/2024 IN O.A. NO. 965/2023
(Ranjit Dattatray Shingare Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Heard Shri R.D. Khadap, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. During pendency of the accompanying Original Application the applicant has received the communication dated 10.04.2024 from respondent No. 3. The applicant intends to bring on record the said information as well as the said document and also intends to add prayer seeking quashment of the said communication.

3. Learned Presenting Officer has submitted for passing appropriate orders.

4. Since the applicant is intending to bring on record the subsequent events and the prayer in context thereof, we are inclined to allow the present Misc. Application. Hence, the following order: -

:: - 2 - ::

**M.A.NO. 174/2024 IN
O.A. NO. 965/2023**

ORDER

(i) The Misc. Application is allowed. The necessary amendment be carried out within one month. The amended copy of O.A. be placed on record.

(ii) The O.A. to come up for hearing on 22.07.2024.

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

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION ST. NO. 376 OF 2022
(Abhilash Vilas Gore Vs. The State of Maharashtra & Ors.)**

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Shri O.Y. Kashid, learned counsel for the applicant (**absent**). Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, is present.

2. S.O. to 18.07.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

M.A.NO. 195/2024 IN O.A.NO. 489/2024
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

M.A.NO. 196/2024 IN O.A.NO. 362/2024
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

M.A.NO. 197/2024 IN O.A.NO. 363/2024
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

M.A.NO. 198/2024 IN O.A.NO. 365/2024
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

M.A.NO. 199/2024 IN O.A.NO. 368/2024
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Shri Avinash Khedkar, learned counsel for the applicants in all these Mas/Intervenors and Shri V.R. Bhumkar learned Presenting Officer for the respondent authorities in all these matters and Shri M.B. Bharaswadkar, learned counsel for respondent No. 2 in O.A. Nos. 362, 363, 365 & 368 all of 2024, are present.

S/Shri Ashish Hajari, learned counsel holding for Shri Amol Chalak, Ajay Deshpande, learned counsel for the respective applicants in respective OAs, are present.

S/Shri G.V. Mohekar & Vijay Dhakane, learned counsel for the applicants in O.A. Nos. 365/2024 & 368/2024 respectively, **are absent.**

// 2 //

2. S.O. to 01.07.2024. Interim relief granted earlier, if any shall remain in force till next date.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21.06.2024-HDD

ORIGINAL APPLICATION NO. 07 OF 2024
(Vilas Ramdas Ghule Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Ms. M.M. Deshpande, learned counsel holding for Shri C.V. Dharurkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 10.07.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 151 OF 2024
(Dipak Sudam Rathod Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Shri A.R. Borulkar, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 11.07.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 89 OF 2022
(Bhaskar V. Shinde Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri G.N. Kulkarni, learned counsel holding for Shri A.M. Hajare, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 07.08.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 21.06.2024

ORIGINAL APPLICATION NO. 817 OF 2021
(Vilas K. Dhole Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Shri K.N. Shermale learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. Even though the last chance is granted, none present for the applicant.

3. However, considering the relief claimed in the Original Application, S.O. to 04.09.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1048 OF 2022
(Ajaykumar B. Chavan Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri P.G. Suryawanshi, learned counsel holding for Shri S.B. Takekar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., S.O. to 24.06.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 21.06.2024

**ORIGINAL APPLICATION NO. 504 OF 2023
(Avinash S. Panpatte Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri A.D. Sugdare, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., S.O. to 25.06.2024 for hearing. Interim relief granted earlier to continue till then.

MEMBER (J)

SAS ORAL ORDER 21.06.2024

**ORIGINAL APPLICATION NO. 508 OF 2023
(Shalini P. Bidarkar Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks time to file the additional affidavit to the extent of amendment as carried out under the permission of this Tribunal. Time granted.

3. S.O. to 08.07.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 569 OF 2023
(Bhagwan R. Shewale Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has pointed out various G.Rs. wherein the interest on delayed payment has been made applicable.

3. Learned counsel for the applicant seeks time to place all the G.Rs. on record along with short affidavit of the applicant.

4. Learned P.O. shall also take instructions in respect of the aforesaid G.Rs. till filing of the affidavit in reply of the applicant.

5. S.O. to 09.07.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 475 OF 2023
WITH
CAVEAT NO. 19 OF 2023
(Sharda N. Dalvi Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Heard Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

Shri I.K. Jadhav/P.L. Jadhav, learned counsel for the Caveator, **absent**.

2. Learned counsel for the applicant on instructions seeks leave to withdraw this Original Application.

3. Leave as prayed for is granted.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 473 OF 2023
(Pragati R. Chondekar Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Shri S.G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

Shri A.S. Shelke, learned counsel for the respondent No.3, is **absent**.

2. At the request of counsel for the applicant, S.O. to 08.07.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 308 OF 2023
(Dattatray B. Kakde Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri V.Y. Patil, learned counsel for the applicant, is **absent**. Smt. R.S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 05.09.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 21.06.2024

O.A.NOS. 604 TO 606 ALL OF 2023
(Bhagwan S. Avhad & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Shri A.D. Sugdare, learned counsel for the applicants in all these O.As. and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. By consent of both the sides, S.O. to 30.07.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 21.06.2024

**ORIGINAL APPLICATION NO. 657 OF 2023
(Laxmi N. Dhotre Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 30.07.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 21.06.2024

**ORIGINAL APPLICATION NO. 758 OF 2023
(Krishna D. Akat Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri C.A. Shingare, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned counsel for respondent Nos. 3 & 4, are present.

2. Learned counsel for the applicant submits that the affidavit in reply on behalf of respondents was filed in the month of April, 2024. Learned counsel for the applicant thus seeks time to file affidavit in rejoinder. Time granted.

3. S.O. to 10.07.2024 for filing rejoinder, if any/for hearing. The interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 887 OF 2023
(Babasaheb B. Karjatkar Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 09.08.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 21.06.2024

ORIGINAL APPLICATION NO. 950 OF 2023
(Amarsing C. Kawale Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 01.07.2024 for hearing.

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

MEMBER (J)

SAS ORAL ORDER 21.06.2024

O.A.NOS. 990 TO 993 ALL OF 2023
(Rakesh M. Shirsath & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicants in all these O.As. and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. Learned Presenting Officer submits that though the affidavit in sur-rejoinder is ready, however, the concerned officer is not available today. Learned P.O. thus seeks short adjournment.

3. Learned counsel for the applicants has opposed only on the ground that the process of general transfers of the year 2024 may be completed soon and if the choice post of the applicants are filled up, the very purpose of filing this Original Applications will be frustrated.

4. It is needless to say that the orders of transfer, if any, without considering the choice of the applicants would be subject to outcome of these Original Applications.

//2// O.A.Nos. 990/2023

5. In view of same, the apprehension expressed by the learned counsel on behalf of applicants may not be sustainable.

6. S.O. to 25.06.2024. The interim relief granted earlier to continue till then.

MEMBER (J)

SAS ORAL ORDER 21.06.2024

**ORIGINAL APPLICATION NO. 262 OF 2021
(Kamalakar P. Mahale Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant has filed a **leave note**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note of learned counsel for the applicant, S.O. to 09.08.2024 for final hearing.

MEMBER (J)

SAS ORAL ORDER 21.06.2024

ORIGINAL APPLICATION NO. 406 OF 2018
(Arun S. Gosavi Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 06.08.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 721 OF 2018
(Bhagwan L. Sangle Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

None present for respondent Nos. 2 & 3.

2. S.O. to 07.08.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 512 OF 2020
(shubash L. Kadam Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri S.C. Bhosale, learned counsel for the applicant and Smt. R.S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 07.08.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 551 OF 2020
(Kiran S. Pathare Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri M.B. Kolpe, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 09.08.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 292 OF 2024
(Maruti V. Surwase Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks time to file affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 09.08.2024. The interim relief granted earlier to continue till then.

MEMBER (J)

**ORIGINAL APPLICATION NO. 401 OF 2024
(Uttam B. Dighule Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks time to file affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 09.08.2024. The interim relief granted earlier to continue till then.

MEMBER (J)

**M.A.NO. 157/2024 IN O.A.ST.NO. 906/2024
(Lakhan K. Mukade Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri G.J, Karne, learned counsel for the applicant, is **absent**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. submits affidavit in reply on behalf of respondent Nos. 2 to 5 along with spare copy for the other side. The same is taken on record.

3. S.O. to 01.08.2024 for filing affidavit in rejoinder, if any and for hearing.

MEMBER (J)

SAS ORAL ORDER 21.06.2024

ORIGINAL APPLICATION NO. 205 OF 2024
(Dinesh Gopal Koli Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Heard Shri D.S. Mutalik, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer submits that by order dated 19.06.2024, the applicant came to be reinstated by revoking his suspension order. Learned P.O. has placed the said order on record which marked 'X' for the purpose of identification.

3. Learned Presenting Officer submits that considering the prayer made in this regard in the Original Application, nothing survives for further consideration. Learned counsel for the applicant has also not denied the same.

4. In view of above, the Original Application is disposed of as infructuous. No costs.

MEMBER (J)

**ORIGINAL APPLICATION NO. 361 OF 2021
(Madhukar G. Misal Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri M.M. Deshpande, learned counsel holding for Shri C.V. Dharurkar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 13.08.2024 for final hearing.

MEMBER (J)

SAS ORAL ORDER 21.06.2024

**ORIGINAL APPLICATION NO. 750 OF 2021
(Subhash B. Choudhary Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 11.07.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 25 OF 2022
(Shailesh V. Gavit Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri J.P. Legal Associate, learned counsel for the applicant (**Absent**). Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 13.08.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 174 OF 2024
(Maksud Ahmed Khan Pathan Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Shri Mohit R. Deshmukh, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 30.07.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 21.06.2024

ORIGINAL APPLICATION NO. 114 OF 2024
(Gangasagar B. Kokate Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Shri M.V. Thorat, learned counsel for the applicant, Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities and Shri D.Y. Nandedkar, learned counsel for respondent No.4, are present.

2. Learned counsel for the applicant and learned counsel appearing for respondent No.4 seek time to file short affidavit for placing certain documents on record. Time granted.

3. S.O. to 28.06.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 83 OF 2024
(Kunal H. Rajput Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Ms. Preeti R. Wankhade, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time to file affidavit in rejoinder. Time granted.

3. S.O.to 30.07.2024 for filing affidavit in rejoinder/for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 38 OF 2024
(Mahesh C. Dhayal & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Shri P.S. Kshirsagar, learned counsel for the applicants, is **absent**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicants, S.O. to 06.09.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1080 OF 2023
(Swapnil S. Parvekar Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri P.G. Suryawanshi, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 30.07.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1025 OF 2023
(Sangita B. Lonari Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri N.N. Bhagwat, learned counsel for the applicant, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Shri S.R. Wani, learned counsel holding for Shri G.V. Wani, learned counsel for the respondent No.4, are present.

2. At the request of learned counsel appearing for respondent No.4, S.O. to 04.07.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 277 OF 2023
(Maroti N. Dhadekar Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri G.N. Kulkarni, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 08.07.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 21.06.2024

ORIGINAL APPLICATION NO. 29 OF 2023
(Malsing T. Naik (Bhil) Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Shri Y.H. Jadhav, learned counsel for the applicant, is **absent**. Smt. R.S. Deshpande, learned Presenting Officer for the respondent authorities and Shri M.S. Mahajan, learned counsel for respondent Nos. 2 to 4, are present.

2. In view of absence of learned counsel for the applicant, S.O. to 05.09.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 21.06.2024

ORIGINAL APPLICATION NO. 978 OF 2022
(Ganesh Jagannath Kharadkar Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

Shri Ajinkya S. Reddy, learned counsel for respondent No.2, is **absent**.

2. Learned counsel for the applicant submits that by filing this Original Application the applicant is seeking direction to the respondents to extend the benefits to the applicant of 'Equal Pay for Equal Work' for the post of Wireless Operator and to take the decision in view of the proposal submitted to the office of respondent authorities on 27.01.2021 (Annexure 'A-3').

3. Learned counsel for the applicant submits that though the Executive Engineer, Jayakwadi Irrigation Division, Nathnagar (N) Paithan has submitted the proposal to the respondent No.2, the respondent No.2 has not forwarded the same to the respondent No.1.

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4. Learned counsel for the applicant submits that the similar situated persons had availed the benefit of higher pay scale including the difference of higher pay since due date i.e. date of Government Resolution dated 29.09.2003. However, the respondent No.2 has not forwarded the said proposal to the respondent No.1 and no decision has been taken to the extent of the applicant so far.

5. Learned counsel for the applicant submits that the purpose of filing this Original Application would be served if the directions are given to the respondent No.2 to forward the said proposal to the respondent No.1 and further the directions to respondent No.1 to decide the same in time bound manner.

6. Learned Presenting Officer submits that in case if the respondents are directed as prayed, the respondents be given liberty to decide the same on it's own merits.

7. In view of same, this Original Application can be disposed of by giving suitable directions to the respondents to decide the said proposal dated

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27.01.2021 (Annexure 'A-3') in time bound manner.
Hence, the following order:-

ORDER

The Original Application is hereby partly allowed.

- (A) The respondent No.2 is hereby directed to forward the proposal submitted to it by the Executive Engineer, Jayakwadi Irrigation Division, Nathnagar (N) Paithan 27.01.2021 (Annexure 'A-3') as expeditiously as possible, preferably within the period of four weeks from the date of this order.
- (B) Upon forwarding the proposal to respondent No.1 as directed above, the respondent No.1 shall decide the same on it's own merits as expeditiously as possible preferably within the period of three months from the date of receipt of the said proposal.
- (C) It is needless to say that in case of any adverse order is passed against the

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applicant, the applicant would be at liberty to approach this Tribunal again.

- (D) In the circumstances, there shall be no order as to costs.
- (E) The Original Application is accordingly disposed of.

MEMBER (J)

**ORIGINAL APPLICATION NO. 805 OF 2022
(Balu B. Chopde Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Shri H.P. Jadhav, learned counsel holding for Shri S.S. Tandale, learned counsel for the applicant and Smt. R.S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 28.08.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 21.06.2024

**ORIGINAL APPLICATION NO. 713 OF 2022
(Gorakh D. Pathade Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Ms. Preeti R. Wankhade, learned counsel for the applicant and Smt. R.S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 28.08.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 21.06.2024

**ORIGINAL APPLICATION NO. 262 OF 2022
(Shantilal M. More Vs. State of Maharashtra & Ors.)**

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

DATE : 21.06.2024

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant has filed a **leave note**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities and Shri M.S. Mahajan, learned counsel for respondent Nos. 2 & 3, are present.

2. In view of leave note of learned counsel for the applicant, S.O. to 30.07.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 212 OF 2022
(Shantilal M. More Vs. State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that the applicant has submitted the representation dated 24.11.2020 (Annexure 'A-4' collectively, page No. 37 of O.A.) to the sole respondent. However, the same is yet not decided.

3. Learned counsel for the applicant submits that by filing this Original Application the applicant is seeking declaration that he is entitled for the benefit of 1st and 2nd Assured Career Progressive Scheme w.e.f. 09.02.1997 and 09.02.2009 respectively and further the 3rd Financial Up-gradation after rendering 30 years of service on 09.02.2015.

4. Learned counsel for the applicant submits that the aforesaid prayers are the subject matter of the said representation dated 24.11.2020 (Annexure 'A-

//2// O.A. 212/2022

4' collectively, page No. 37 of O.A.). Learned counsel for the applicant thus submits that if the directions are given to decide the representation/application in time bound manner, the purpose of filing this Original Application would be served.

5. Learned Presenting Officer submits that in the event if this Tribunal decides to give directions to the sole respondent, then the sole respondent may be given liberty to decide it on it's own merits.

6. In view of above submissions, this Original Application can be disposed of by giving direction to the sole respondent to decide the application/representation submitted by the applicant dated 24.11.2020 (Annexure 'A-4' collectively, page No. 37 of O.A.) in time bound manner on it's own merits. Hence, the following order:-

ORDER

- (A) The Original Application is hereby partly allowed.
- (B) The sole respondent is hereby directed to decide the application/representation submitted by the applicant dated

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24.11.2020 (Annexure 'A-4' collectively, page No. 37 of O.A.) as expeditiously as possible, preferably within the period of three months from the date of this order on it's own merits.

- (C) Needless to say that in case of any adverse order is passed against the applicant, the applicant would be at liberty to approach this Tribunal again.
- (D) In the circumstances, there shall be no order as to costs.
- (E) The Original Application is accordingly disposed of.

MEMBER (J)

O.A.NO. 28/2022 WITH 01/2022 WITH 02/2022
(Girish Ashok Bibave & Ors. Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Shri Sachin Tambe, learned counsel holding for Shri Santosh S. Jadhavar, learned counsel for the applicants in O.A. No. 28/2022, Shri K.G. Salunke, learned counsel for the applicants in O.A. Nos. 01 & 02 both of 2022 and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 28.06.2024. The interim relief granted earlier in O.A. Nos. 01 & 02 both of 2022 to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21.06.2024-HDD

ORIGINAL APPLICATION NO. 385 OF 2024
(Pranita Shivaji Randive Vs. The State of Maharashtra & Ors.)

ORIGINAL APPLICATION NO. 386 OF 2024
(Shital Diliprao Kadam Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Shri B.N. Magar, learned counsel for the applicants in both the matters (**absent**). Shri V.G. Pingle, learned Presenting Officer for the respondent authorities in both the matters, is present.

2. S.O. to 01.07.2024. The status quo granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

C.P. NO. 32/2024 IN O.A. NO. 633/2022
(Dr. Sanjay B. Dhage Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Shri Shamsunder B. Patil, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. The Presenting Officer has tendered across the bar affidavit in reply of respondent no. 02. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 22.07.2024 for hearing. The applicant is at liberty to file rejoinder affidavit, if he so desires.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 415/2024
(Shri Rajesh E. Jagdhane Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 01.08.2024.

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.

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 01.08.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 597/2024
(Dr. Sarika D. Landge Vs. The State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 01.08.2024.

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.

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 01.08.2024.

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

MEMBER (A)

VICE CHAIRMAN

O.A. NO. 177/2024 WITH M.A. ST. 229/2024
(Gajendra Rangnath Vasmatkar & Another Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Shri Ajay S. Deshpande, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. After having considered the matter for some time the learned Presenting Officer has prayed for some time to take certain instructions from the respondent authorities. Time granted.

3. S.O. to 26.06.2024. **The position as on 13.06.2024 be maintained till the next date.**

MEMBER (A)

VICE CHAIRMAN

C.P. NO. 47/2019 IN O.A. NO. 364/2016
(Rudrappa L. Lungare Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Shri E.S. Murge, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. The Presenting Officer has tendered across the bar affidavit in reply of respondent no. 01. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 22.07.2024 for hearing. The applicant is at liberty to file rejoinder affidavit, if he so desires.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 617/2024
(Amit L. Bansode Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Heard Shri A.A. Yadkikar, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant has prayed for the interim relief placing reliance on the order passed by the principal Bench of this tribunal at Mumbai in O.A. No. 473/2024 with M.A. No. 310/2024 on 13.05.2024. It is the case of the applicant that the facts involved in the present matter are identical with the facts involved in the aforesaid matter pending before the principal Bench of the Tribunal at Mumbai.

3. Learned Chief Presenting Officer submits that time be provided till Monday i.e. 24.06.2024 so that he can ascertain whether the answer sheet of the applicant has been assessed or not. Time granted as prayed for.

4. S.O. to 24.06.2024 in the same category.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 439/2024
(Dinesh J. Khonde Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned counsel for the applicant, Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities and Shri Abhijit Namde, learned counsel for respondent no. 02.

2. When the present matter is taken up for consideration, the learned counsel for the applicant has placed on record copy of the order passed in M.A. No. 268/2024 in O.A. No. 207/2023 with O.A. Nos. 203 & 570/2024 by the principal Bench of the Tribunal at Mumbai on 19.06.2024. Learned counsel appearing for respondent no. 02 seeks time till 24.06.2024 to work out the matter. Learned counsel for the applicant consented for adjourning the matter till 24.06.2024.

3. S.O. to 24.06.2024. **High on Board.**

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 307/2024
(Pravin D. Chaware & Ors. Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Heard Shri P.G. Suryawanshi, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant, Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, Shri A.S. Deshmukh, learned counsel for respondent nos. 4, 8, 9, 11 & 15 and Shri V.B. Wagh, learned counsel for respondent nos. 5, 6, 14, 16 & 17.

2. Learned counsel for the applicant has tendered across the bar the rejoinder affidavit of the applicant. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 25.06.2024.

MEMBER (A)

VICE CHAIRMAN

C.P. NO. 32/2024 IN O.A. NO. 633/2022
(Dr. Sanjay B. Dhage Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Shri Shamsunder B. Patil, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. The Presenting Officer has tendered across the bar affidavit in reply of respondent no. 02. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 22.07.2024 for hearing. The applicant is at liberty to file rejoinder affidavit, if he so desires.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 415/2024
(Shri Rajesh E. Jagdhane Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 01.08.2024.

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.

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 01.08.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 597/2024
(Dr. Sarika D. Landge Vs. The State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 01.08.2024.

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.

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 01.08.2024.

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

MEMBER (A)

VICE CHAIRMAN

O.A. NO. 177/2024 WITH M.A. ST. 229/2024
(Gajendra Rangnath Vasmatkar & Another Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Shri Ajay S. Deshpande, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. After having considered the matter for some time the learned Presenting Officer has prayed for some time to take certain instructions from the respondent authorities. Time granted.

3. S.O. to 26.06.2024. **The position as on 13.06.2024 be maintained till the next date.**

MEMBER (A)

VICE CHAIRMAN

C.P. NO. 47/2019 IN O.A. NO. 364/2016
(Rudrappa L. Lungare Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Shri E.S. Murge, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. The Presenting Officer has tendered across the bar affidavit in reply of respondent no. 01. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 22.07.2024 for hearing. The applicant is at liberty to file rejoinder affidavit, if he so desires.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 617/2024
(Amit L. Bansode Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Heard Shri A.A. Yadkikar, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant has prayed for the interim relief placing reliance on the order passed by the principal Bench of this tribunal at Mumbai in O.A. No. 473/2024 with M.A. No. 310/2024 on 13.05.2024. It is the case of the applicant that the facts involved in the present matter are identical with the facts involved in the aforesaid matter pending before the principal Bench of the Tribunal at Mumbai.

3. Learned Chief Presenting Officer submits that time be provided till Monday i.e. 24.06.2024 so that he can ascertain whether the answer sheet of the applicant has been assessed or not. Time granted as prayed for.

4. S.O. to 24.06.2024 in the same category.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 439/2024
(Dinesh J. Khonde Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned counsel for the applicant, Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities and Shri Abhijit Namde, learned counsel for respondent no. 02.

2. When the present matter is taken up for consideration, the learned counsel for the applicant has placed on record copy of the order passed in M.A. No. 268/2024 in O.A. No. 207/2023 with O.A. Nos. 203 & 570/2024 by the principal Bench of the Tribunal at Mumbai on 19.06.2024. Learned counsel appearing for respondent no. 02 seeks time till 24.06.2024 to work out the matter. Learned counsel for the applicant consented for adjourning the matter till 24.06.2024.

3. S.O. to 24.06.2024. **High on Board.**

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 307/2024
(Pravin D. Chaware & Ors. Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Heard Shri P.G. Suryawanshi, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant, Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, Shri A.S. Deshmukh, learned counsel for respondent nos. 4, 8, 9, 11 & 15 and Shri V.B. Wagh, learned counsel for respondent nos. 5, 6, 14, 16 & 17.

2. Learned counsel for the applicant has tendered across the bar the rejoinder affidavit of the applicant. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 25.06.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 609/2024

(Dr. Pramod Kanwarlal Ostwal Vs. The State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE : 21.06.2024

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that in the identical matters the Tribunal has passed the interim order and one of such order passed in O.A. No. 408/2024 is placed on record. Having considered the facts involved in the present matter, which are identical, as submitted by the learned counsel, with the facts involved in the aforesaid O.A. no. 408/2024, we are inclined to pass similar order in the present matter also. Hence, the following order:-

ORDER

(i) Issue notice to the respondents, returnable on 30.07.2024.

(ii) The respondents shall continue the present applicant in service till 31.05.2025 or till decision in the present OA. whichever occurs earlier.

(iii) We make it clear that the continuation of the present applicant till 31.05.2025 will be subject to the outcome of the present O.A. The question of the Respondents' power, in case the applicant fails in his challenge, to pass necessary order in respect of recovery/adjustment of the pay/wages paid to him for the services rendered under the interim order, is kept open. Similarly, the question of continuation of the applicant beyond 31.05.2025 till he attains the age of 60 years is also kept open.

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

(v) 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.

(vi) 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.

(vii) 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.

(viii) S.O. to 30.07.2024.

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O.A. NO. 609/2024

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

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDER 21.06.2024

ORIGINAL APPLICATION NO. 610/2024
(DR. Pankaj R. Gupta Vs. The State of Maharashtra & Ors.)

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

DATE : 21.06.2024

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that in the identical matters the Tribunal has passed the interim order and one of such order passed in O.A. No. 408/2024 is placed on record. Having considered the facts involved in the present matter, which are identical, as submitted by the learned counsel, with the facts involved in the aforesaid O.A. no. 408/2024, we are inclined to pass similar order in the present matter also. Hence, the following order:-

ORDER

(i) Issue notice to the respondents, returnable on 30.07.2024.

(ii) The respondents shall continue the present applicant in service till 31.05.2025 or till decision in the present OA. whichever occurs earlier.

(iii) We make it clear that the continuation of the present applicant till 31.05.2025 will be subject to the outcome of the present O.A. The question of the Respondents' power, in case the applicant fails in his challenge, to pass necessary order in respect of recovery/adjustment of the pay/wages paid to him for the services rendered under the interim order, is kept open. Similarly, the question of continuation of the applicant beyond 31.05.2025 till he attains the age of 60 years is also kept open.

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

(v) 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.

(vi) 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.

(vii) 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.

(viii) S.O. to 30.07.2024.

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O.A. NO. 610/2024

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

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDER 21.06.2024