ORIGINAL APPLICATION NO. 830/2022 (Shri Saheb P. Kapure Vs. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

<u>DATE</u> : 21.10.2022

ORAL ORDER :

Shri Abhay R. Rathod, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing the affidavit in reply of the respondents. Time granted.

3. S.O. to 15.11.2022.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 639/2019 (Shri Ajit V. Pawar Vs. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (This matter is placed before the Single Bench

due to non-availability of Division Bench.)

<u>DATE</u> : 21.10.2022

ORAL ORDER :

Ms. Anagha Pandit, learned counsel holding for Shri S.B. Talekar, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, Shri C.V. Dharurkar, learned counsel for respondent no. 3 and Shri S.B. Solunke, learned counsel for respondent no. 4, are present.

2. S.O. to 30.11.2022 for filing the affidavits in reply by the concerned respondents.

VICE CHAIRMAN

C.P. NO. 32/2022 IN O.A. NO. 547/2020 (Shri Vishvajit S. Kotkar Vs. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora,

Vice Chairman

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

<u>DATE</u> : 21.10.2022

ORAL ORDER :

Heard Shri S.D. Joshi, learned Counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Issue simple notice to respondents, returnable on 5.12.2022.

3. 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.

4. 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.

5. 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.

- 6. S.O. to 5.12.2022.
- 7. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

M.A. 333/2022 IN O.A. NO. 472/2022 (Shri Pandhari G. Devershe Vs. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

<u>DATE</u> : 21.10.2022

ORAL ORDER :

Heard Shri Sanjay Kolhare, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. The present application is filed seeking restoration of O.A. No. 472/2022, which was dismissed for want of prosecution vide order passed by this Tribunal on 2.8.2022. The learned counsel submits that there was some miscommunication and dates were missed and that was the reason neither the applicant nor the learned counsel remained present. The learned counsel submits that henceforth without asking for any adjournment the O.A. will be proceeded further. In view of the submissions so made, the following order is passed :-

<u>O R D E R</u>

(i) The present Misc. Application stands allowed however without any order as to costs.

(ii) Original Application No. 472/2022 is restored to its original file and the same be listed for hearing on 8.12.2022.

ARJ ORAL ORDERS 21.10-2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 926/2022 (Shri Biradar Adil Turab Vs. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

<u>DATE</u> : 21.10.2022

ORAL ORDER :

Heard Shri Sayyed Tauseef Yaseen, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. It is the contention of the learned counsel for the applicant that in pursuance of advertisement No. 5/2019 published on 17.1.2020 by the respondent no. 1 i.e. the MPSC inviting applications from the eligible candidates for selection and appointment on the vacant posts of Assistant Motor Vehicles Inspector, the applicant submitted his The learned counsel submits that the application. applicant succeeded in passing the preliminary, as well as, mains examination and in merit list he stands at sr. No. 222. He submits that the applicant has secured 217 marks. The learned counsel further submitted that in the meanwhile the MPSC vide notification dated 15.1.2021 permitted the candidates who have applied for the subject post claiming reservation in SEBC category to exercise the option of migration either to Open class or EWS category. The learned counsel submitted that once the process had started and had not culminated, the MPSC could not have provided such relaxation, which has adversely effected the rights of the candidates coming from EWS category.

3. The learned counsel relied upon the judgment delivered by the Division Bench of Hon'ble Bombay High Court on 29.7.2022 in W.P. No. 2663/2021 & the group. The learned counsel has also relied upon the judgment of Hon'ble Bombay High Court in Writ Petition No. 2207/2021 with other writ petitions delivered on 4.3.2022. The learned counsel invited my attention to the observations made in para nos. 1 & 2 of the judgment in writ petition No. 2207/2021. The learned counsel submits that the present applicants have raised the same grievance and aggrieved by the decision of the MPSC of changing the criteria after issuance of advertisement in midst of the recruitment process. He has therefore prayed for following reliefs :-

"A. This Original Application may kindly be allowed.

B. The Government Resolution 23.12.2020 and dt. 31.05.2021 issued by General Administration Deparatment, Government of Maharashtra may kindly be quashed and set aside as being unconstitutional, illegal and arbitrary,

C. The Notification dated 15.01.2021 revised select list published by the M.P.S.C. at **Exhibit-I** may kindly be quashed and set aside as being illegal and arbitrary.

D. The merit list of the Mains Examination published on 22.03.2022 by the M.P.S.C. at **Exhibit – K** may kindly be quashed and set aside as being illegal and arbitrary.

E. To direct the M.P.S.C. to publish Fresh Merit List without implementing the GR. Dated 23.12.2020, Notification dated 15.01.2021, GR dated 31.05.2021 and proceed in accordance with law.

::-2-::

F. Pending hearing and final disposal of this Original Application, merit List of the Mains Examination dated 22.03.2022 by the M.P.S.C. at **Exhibit – K** may not be acted upon.

::-3-::

G. Ad-interim relief in terms of prayer clause (F) may kindly be granted.

H. Any other reliefs as this Hon'ble Tribunal deems fit may kindly be granted in favour of the applicant and oblige."

3. The learned CPO has sought time for filing the reply. He however pointed out that the provisional select list has already been published by the MPSC on 11.10.2022. He further contended that the applicants are under an obligation to point out as to how the applicants are affected by selection of the candidates in the provisional selection list. Unless said fact is brought on record the applicant may not have any locus to raise the grievance.

4. The learned counsel for the applicant then submitted that it is difficult for the applicant to provide the information as about the marks secured by the candidates migrating from SEBC category to EWS category. The learned counsel further submitted that such information can only be provided by the respondents. The learned counsel further submitted that the quarrel of the applicant is on principle that the norms of the recruitment cannot be changed in midst of the recruitment process.

5. There cannot be a dispute on the issue that the norms of eligibility, educational qualification or the criteria of experience cannot be changed after the recruitment process has commenced. In the instant matter there is no dispute that the MPSC has permitted the SEBC candidate to exercise the option of migrating to either in Open Class

or EWS category. Prima facie the act of MPSC of issuance of such notification and give some relaxation appears against the settled legal principles. In the circumstances, I deem it appropriate to pass the following order: -

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<u>order</u>

1. Issue notice to respondents, returnable on 5.12.2022.

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

3. 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.

4. 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.

5. 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.

6. Though I am not inclined to stay the process of preparing final select list it is clarified that the selection of SEBC candidates migrated to EWS category on the strength of MPSC's notification dated 15.01.2021 shall be subject to outcome of the present O.A.

- 7. The respondents shall file the reply by the next date.
- 8. S.O. to 5.12.2022.
- 9. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 930/2022 (Shhagir Rustum Pathan Vs. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

<u>DATE</u> : 21.10.2022

ORAL ORDER :

Heard Shri P.D. Suryawanshi, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The applicant was appointed in the year 2008 on the post of Multipurpose Health Worker (for short MPW). It is the contention of the applicant that his said appointment was in pursuance of the advertisement dated 17.10.2007 published in daily newspaper 'Dainik Pudhari'. As has been contented in the application the applicant came to be appointed vide order dated 26.9.2008 and since then he is in continuous service of the Government. The learned counsel submitted that in the year 2014 one notice was served upon the applicant requiring the applicant to furnish certain information. He submitted that the information was to be submitted only in Yes or No format. Thereafter for about 8 years there was no action and the applicant continued to discharge his duties. Thereafter suddenly on 15.9.2022 the directions are given to the Commissioner of Health Services to terminate the services of 47 employees who have secured the appointment without undergoing the regular recruitment process.

O.A. NO. 930/2022

3. The learned counsel submits that the applicant apprehends that most probably name of the applicant is there in the said list. The learned counsel submitted that the applicant has entered into the Government services after having undergone the regular recruitment process and the allegations as are made are incorrect and improper. The opportunity of hearing has also not been given to the applicant. The learned counsel submitted that having regard to the fact that the applicant is discharging the duties as a Government servant for more than 14 years his interest deserves to be protected and he has therefore prayed for interim relief as has been prayed in the application.

4. The learned CPO has opposed for granting any interim relief in favour of the applicant. The learned CPO submitted that such appointments are not restricted to one District, but all over the State and it was a big scam which has been now surfaced and the Government has therefore taken decision to conduct enquiry and take necessary actions. The learned CPO in the circumstances prayed for rejecting the request of interim relief.

5. I have carefully considered the submissions advanced by the learned counsel appearing for the applicant and the learned CPO for the respondents. I have also gone through the documents placed on record. The contentions as are raised by the applicant in the present application cannot be at this juncture disbelieved without anything contrary on record. Secondly, it also cannot be ignored that the applicant is in Government service for more than 14 years and without giving him opportunity of hearing his services cannot be terminated. In the circumstances, I deem it appropriate to pass the following order :-

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ORDER

1. Issue notice to respondents, returnable on 5.12.2022.

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

3. 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.

4. 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.

5. 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.

6. The respondents shall not take any coercive action like removal / discharging the applicant from Government service till affidavit in reply is filed by them.

- 7. S.O. to 5.12.2022.
- 8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 931/2022 (Jubiruddin Hamidoddin Shaikh Vs. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

<u>DATE</u> : 21.10.2022

ORAL ORDER :

Heard Shri P.D. Suryawanshi, learned Counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. The applicant was appointed in the year 2008 on the post of Multipurpose Health Worker (for short MPW). It is the contention of the applicant that his said appointment was in pursuance of the advertisement dated 17.10.2007 published in daily newspaper 'Dainik Pudhari'. As has been contented in the application the applicant came to be appointed vide order dated 26.9.2008 and since then he is in continuous service of the Government. The learned counsel submitted that in the year 2014 one notice was served upon the applicant requiring the applicant to furnish certain information. He submitted that the information was to be submitted only in Yes or No format. Thereafter for about 8 years there was no action and the applicant continued to discharge his duties. Thereafter suddenly on 15.9.2022 the directions are given to the Commissioner of Health Services to terminate the services of 47 employees who have secured the appointment without undergoing the regular recruitment process.

3. The learned counsel submits that the applicant apprehends that most probably name of the applicant is there in the said list. The learned counsel submitted that the applicant has entered into the Government services after having undergone the regular recruitment process and the allegations as are made are incorrect and improper. The opportunity of hearing has also not been given to the applicant. The learned counsel submitted that having regard to the fact that the applicant is discharging the duties as a Government servant for more than 14 years his interest deserves to be protected and he has therefore prayed for interim relief as has been prayed in the application.

4. The learned PO has opposed for granting any interim relief in favour of the applicant. The learned PO submitted that such appointments are not restricted to one District, but all over the State and it was a big scam which has been now surfaced and the Government has therefore taken decision to conduct enquiry and take necessary actions. The learned PO in the circumstances prayed for rejecting the request of interim relief.

5. I have carefully considered the submissions advanced by the learned counsel appearing for the applicant and the learned PO for the respondents. I have also gone through the documents placed on record. The contentions as are raised by the applicant in the present application cannot be at this juncture disbelieved without anything contrary on record. Secondly, it also cannot be ignored that the applicant is in Government service for more than 14 years and without giving him opportunity of hearing his services cannot be terminated. In the circumstances, I deem it appropriate to pass the following order :-

::-2-::

ORDER

1. Issue notice to respondents, returnable on 5.12.2022.

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

3. 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.

4. 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.

5. 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.

6. The respondents shall not take any coercive action like removal / discharging the applicant from Government service till affidavit in reply is filed by them.

- 7. S.O. to 5.12.2022.
- 8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

M.A. NO. 471/2022 IN ORIGINAL APPLICATION NO. 579/2022 (Dr. Satyavijay N. Jadhav Vs. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

<u>DATE</u> : 21.10.2022

ORAL ORDER :

Shri P.R. Tandale, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. The present case is not on board. It is taken on board at the request of learned counsel for the applicant.

3. Learned counsel for the applicant has tendered across the bar M.A. No. 471/2022 seeking interim relief. It is taken on record and copy supplied to the other side.

4. Learned Chief Presenting Officer seeks time to file affidavit in reply. Time granted.

5. S.O. to 16.11.2022.

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO.514 OF 2021 (Gautam G. Dhule V/s. State of Maharashtra & Ors.)

(Gautam G. Dhule V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 21.10.2022.

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. By consent of both the sides, S.O. to 22.11.2022 for final hearing.

MEMBER (J)

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO.99 OF 2021 (Shrikant V. Mundhe V/s. State of Maharashtra & Ors.)

(Shrikant V. Mundhe V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J)

<u>DATE</u> : 21.10.2022.

ORAL ORDER:

Heard Shri V.M. Maney, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

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

3. By consent of both the sides, S.O. to 16.11.2022 for final hearing.

MEMBER (J)

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO.830 OF 2018 (Shailendra H. Mali V/s. State of Maharashtra & Ors.)

(Shallendra H. Mall V/s. State of Manarashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J)

<u>DATE</u> : 21.10.2022.

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent Nos.1 to 4. Shri M.V. Bhamre, learned Advocate for the respondent No.5 has filed a **leave note**.

2. By consent of both the sides, S.O. to 02.12.2022 for final hearing.

MEMBER (J)

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO.894 OF 2018 (Shivaji B. Satote V/s. State of Maharashtra & Ors.)

(Shivaji B. Satote V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

<u>DATE</u> : 21.10.2022.

ORAL ORDER :

Heard Shri R.P. Bhumkar, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos.1 & 2 and Shri S.B. Mene, learned Advocate for the respondent Nos.3 & 4.

2. By consent of all the parties, S.O. to 02.12.2022 for final hearing.

MEMBER (J)

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CORAM : Hon'ble Shri V.D. Dongre, Member (J)

<u>DATE</u> : 21.10.2022.

ORAL ORDER :

Heard Shri R.J. Godbole, learned Advocate for the applicants in all these O.As. and Shri I.S. Thorat, learned Presenting Officer for the respondents in all these O.As.

2. By consent of both the sides, S.O. to 10.11.2022 for re-hearing.

MEMBER (J)

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO.308 OF 2019 (Laxman B. parandkar V/s. State of Maharashtra & Ors.)

(Laxman B. parandkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 21.10.2022.

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 21.11.2022 for final hearing.

MEMBER (J)

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO.317 OF 2019 (Mangala D. Lasurkar (Died) L.Rs. Purushottam E. Joshi V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022.

ORAL ORDER :

Heard Shri D.K. Dagadkhair, learned Advocate for the applicant and Shri S.K. Shrise, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 02.12.2022 for final hearing.

MEMBER (J)

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO.1048 OF 2019 (Ramchandra L. Kulkarni V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u> : 21.10.2022.

ORAL ORDER :

Heard Shri K.M. Nagarkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent No.1.

2. Learned Advocate Shri S.B. Mene submits that he would file VAKALATNAMA on behalf of the respondent Nos.2 to 4 during the course of the day.

3. By consent of both the sides, S.O. to 02.12.2022 for final hearing.

SAS ORAL ORDERS 21.10.2022

MEMBER (J)

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO.1084 OF 2019 (Ravindra M. Garje V/s. State of Maharashtra & Ors.)

(Ravindra M. Garje V/s. State of Manarashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

<u>DATE</u> : 21.10.2022.

ORAL ORDER:

Heard Shri Dhananjay Mane, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 02.12.2022 for final hearing.

SAS ORAL ORDERS 21.10.2022

MEMBER (J)

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO.152 OF 2021 (Vishnu S. Misal V/s. State of Maharashtra & Ors.)

(VISINU S. MISAI V/S. State of Manarashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u> : 21.10.2022.

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri I. S. Thorat, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 06.12.2022 for final hearing. Interim relief granted earlier to continue till then.

MEMBER (J)

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO.319 OF 2021 (Netaji G. Shinde V/s. State of Maharashtra & Ors.)

(Netaji G. Sninde V/s. State of Manarashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

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<u>DATE</u> : 21.10.2022.

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 05.12.2022 for final hearing.

MEMBER (J)

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO.362 OF 2021 (Usha A. Pawar V/s. State of Maharashtra & Ors.)

(Usha A. Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u> : 21.10.2022.

ORAL ORDER :

Heard Shri H.P. Jadhav, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Affidavit-in-rejoinder filed by the applicant is taken on record and copy thereof has been served on the other side.

3. By consent of both the sides, S.O. to 02.12.2022 for final hearing.

SAS ORAL ORDERS 21.10.2022

MEMBER (J)

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO.56 OF 2022 (Sidram M. Koli V/s. State of Maharashtra & Ors.)

(Sidram M. Koli V/s. State of Manarashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J)

<u>DATE</u> : 21.10.2022.

ORAL ORDER:

Heard Shri K.P. Rodge, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 02.12.2022 for final hearing.

MEMBER (J)

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO.66 OF 2022 (Nathu N. Khartade V/s. State of Maharashtra & Ors.)

(Nathu N. Khartade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 21.10.2022.

ORAL ORDER:

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 05.12.2022 for final hearing.

MEMBER (J)

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO.402 OF 2022 (Maroti C. Panchal V/s. State of Maharashtra & Ors.)

(Maroti C. Panchal V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 21.10.2022.

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 09.11.2022 for final hearing.

MEMBER (J)

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD M.A.NO.373 OF 2022IN O.A.NO.525 OF 2020 (Anita Ramkishan Pagare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u> : 21.10.2022.

ORAL ORDER :

Heard Shri A.B. Rajkar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned P.O. for the respondents opposed the application.

3. The Original Application is filed challenging the Government order dated 04.04.2020 issued by the respondent No.3 to the extent of appointment of respondent No.4 to the post of Safaigar (सफाईगार) which was allegedly on some bogus documents produced by the said respondent No.4.

4. The respondents failed to consider the claim of the applicant, who is daughter of the deceased Government servant. The deceased Government servant had nominated the applicant. However, the said nomination was not considered.

5. It is submitted that in the affidavit-in-reply, the respondents disclosed the actual appointment letter dated 03.06.2020 issued to the respondent No.4. The applicant is seeking her appointment to the post of Safaigar (सफाईगार) as per Lad-Page Committee Recommendation. The applicant seeks to challenge

//2// M.A.373/2022 In O.A.525/2020

the said appointment letter dated 03.06.2020 issued to the respondent No.4 in addition to earlier impugned order dated 04.04.2020.

6. In view of above, it is evident that the proposed amendment is relating to the contentions raised in the Original Application. Hence it is not going to change the nature of Original Application. In fact, the proposed amendment would be just and proper to determine the real question of controversy between the parties. The applicant came to know the subsequent development during pendency of this Original Application. Hence I proceed to pass the following order:-

<u>O R D E R</u>

- (A) The Misc. Application No.373/2022 in O.A.No.525/2020 is allowed.
- (B) The applicant to carry out amendment within the period of three weeks from the date of this order and to serve the copy of amended O.A. on the other side.
- (C) No order as to costs.

MEMBER (J)

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO.525 OF 2020 (Anita Ramkishan Pagare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u> : 21.10.2022.

ORAL ORDER :

Heard Shri A.B. Rajkar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. S.O. to 02.12.2022 for filing affidavit-in-reply to the amendment O.A., if any/ for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 688 OF 2022 (Ashok K. Ghuge V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Smt. Amruta Paranjape-Menezes, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 23.11.2022.

MEMBER (J)

KBP ORAL ORDERS 21.10.2022

ORIGINAL APPLICATION NO. 805 OF 2022 (Balu B. Chopde V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 21.10.2022.

ORAL ORDER :

Heard Shri Swaraj Tandale, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 01.12.2022.

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

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

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

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

7. S.O. to 01.12.2022.

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

MEMBER (J)

KBP ORAL ORDERS 21.10.2022

ORIGINAL APPLICATION ST. NO. 74 OF 2022 (Gopichand B. Wadile V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Shri S.P. Koli, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 01.12.2022 for passing necessary order.

MEMBER (J)

KBP ORAL ORDERS 21.10.2022

ORIGINAL APPLICATION NO. 903 OF 2019 (Dr. Vithal R. Mekane V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Shri A.D. Kaware, learned Advocate for the applicant (**Absent**). Heard Shri I.S. Thorat, learned Presenting Officer for the respondent Nos. 1 to 3. Shri A.B. Shinde, learned Advocate for respondent No. 4, **absent**.

2. As none present for the applicant, S.O. to 01.12.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 111 OF 2020 (Rajednra S. Buwa V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Shri Anand Deshpande, learned Advocate for the applicant (**Absent**). Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 01.12.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 158 OF 2020 (Jilani Kasim Mujavar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri B.R. Jaybhay, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks liberty to file affidavit in reply on behalf of respondent Nos. 1 to 3. Liberty granted. The affidavit in reply is taken on record and copy thereof has been served on the other side.

3. Learned Advocate for the applicant submitted that the original applicant died during Covid-19 situation and therefore, he will take necessary steps.

4. At the request of learned Advocate for the applicant, S.O. to 25.11.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 479 OF 2020 (Nitin R. Jadhav & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. ORAL ORDER:

Heard Shri V.P. Patil, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.

3. At the request of learned Advocate for the applicants, S.O. to 28.11.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 133 OF 2021 (Balasaheb A. Chivate V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Smt. Suchita Dhongde, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 29.11.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 364 OF 2021 (Vinayak K. Kalambkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. ORAL ORDER:

Shri V.S. Kadam, learned Advocate for the applicant (**Absent**). Heard Smt. Deepali Deshpande, learned Presenting Officer for the respondent No. 1 & 4 and Shri G.N. Patil, learned Advocate for respondent Nos. 2 & 3.

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

3. As none present for the applicant, S.O. to 29.11.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 389 OF 2021 (Baburao C. Mahire V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM : Hon'ble Shri V.D. Dongre, Member (J)DATE : 21.10.2022.

ORAL ORDER :

Heard Shri Yogesh Jadhav, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent No. 1 and Shri S.A. Kulkarni, learned Advocate holding for Shri S.P. Pandit, learned Advocate for respondent Nos. 2 to 4.

2. Learned Advocate for the respondent Nos. 2 to 4 submits that he does not wish to file sur-rejoinder.

3. By consent of all the parties, S.O. to 29.11.2022 for admission.

KBP ORAL ORDERS 21.10.2022

ORIGINAL APPLICATION NO. 414 OF 2021 (Shaikh Gulab Sher Muhammad Shaikh V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Smt. Suchita Dhongde, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 28.11.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 470 OF 2021 (Nanda K. Kshirsagar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. ORAL ORDER:

Heard Shri M.B. Kolpe, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Presenting Officer pursuant to the farad sheet order dated 26.09.2022 submitted that there are vacancies of the post of Staff Nurse as reflected in the copy of communication dated 06.05.2022 placed on record by the learned Advocate for the applicant on last occasion. However, the power to fill up those vacancies vests in the respondent No. 1.

3. In view of above, S.O. to 23.11.2022 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 570 OF 2021 (Shivkumar B. Chamkure V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Shri C.R. Thorat, learned Advocate for the applicant (**Absent**). Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 28.11.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 599 OF 2021 (Bhima D. Chavan & Ors. V/s. State of Maharashtra & Ors.)

_____ **OFFICE ORDER TRIBUNAL'S ORDERS** _____

CORAM : Hon'ble Shri V.D. Dongre, Member (J) DATE : 21.10.2022.

ORAL ORDER :

Heard Shri Yogesh Jadhav, learned Advocate for the applicants, Shri B.S. Deokar, learned Presenting Officer for the respondent No. 1 and Shri S.A. Kulkarni, learned Advocate holding for Shri S.P. Pandit, learned Advocate for respondent Nos. 2 to 5.

2. Learned Advocate for the respondent Nos. 2 to 5 submits that he does not wish to file sur-rejoinder.

3. By consent of all the parties, S.O. to 29.11.2022 for admission.

KBP ORAL ORDERS 21.10.2022

ORIGINAL APPLICATION NO. 35 OF 2022 (Vikas R. Pradhan V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents.

2. Record shows that the pleadings are complete. The present matter is pertaining to deleting the name of the applicant from waiting list of compassionate appointment on the ground of crossing the age of 45 years during COVID-19. Hence, the O.A. is admitted and it be fixed for final hearing on 02.12.2022.

KBP ORAL ORDERS 21.10.2022

ORIGINAL APPLICATION NO. 68 OF 2022 (Laxman S. Kolhe V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 22.11.2022 for admission.

MEMBER (J)

M.A. No. 470/2022 in O.A. No. 228/2022 (Dr. Saurabh P. Kulkarni V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. ORAL ORDER:

Heard Shri M.B. Kolpe, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The learned Presenting Officer opposed the present Misc. Application.

3. This is an application made by the applicant seeking amendment in the O.A. placing on record the subsequent events which took place during pendency of the O.A. During pendency of the O.A., the impugned suspension order of the applicant dated 08.06.2020 (Annexure A-8 in O.A.) is revoked by the order dated 08.04.2022 issued by the respondent No. 1. In spite of revocation of suspension order, the applicant wants to pursue the O.A., as according to him the impugned illegally issued suspension order was by the respondent No. 5 i.e. the Incident Commander / Administrator, Government Medical College, Jalgaon without jurisdiction.

4. In view of above, it is evident that the proposed amendment is in respect of subsequent relevant development in the matter. Hence, the proposed

//2// M.A. 470/2022 in O.A. No. 228/2022

amendment is not going to change the nature of original proceedings. In fact, the proposed amendment is just and necessary to determine the real question of controversy between the parties. Hence, I proceed to pass following order :-

<u>O R D E R</u>

- (i) The M.A. No. 470/2022 is allowed.
- (ii) The applicant shall carry out the necessary amendment in the O.A. within a period of three weeks and to serve the amended copy of the O.A. on the other side. The point of limitation is kept open.
- (iii) Accordingly, M.A. No. 470/2022 stands disposed of with no order as to costs.

KBP ORAL ORDERS 21.10.2022

ORIGINAL APPLICATION NO. 327 OF 2022 (Muzaffar Abdul Sayyed Shaikh V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. ORAL ORDER:

Heard Shri M.R. Kulkarni, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submitted that the applicant has been reinstated in service by revoking the suspension, but he is not allowed to join duties. In that regard, he placed on record a copy of order of reinstatement dated 17.10.2022 and his representation dated 17.10.2022. Same are taken on record and marked as document 'X collectively' for the purpose of identification.

3. Learned Advocate for the applicant seeks time to take necessary steps for amendment in the present O.A. Time granted.

4. S.O. to 28.11.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 600 OF 2022 (Dr. Rahimoddin Rasulsab Shaikh V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. ORAL ORDER:

Heard Shri J.B. Choudhary, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3 and Shri P.R. Tandale, learned Advocate for respondent No. 4.

2. Learned Advocate for the applicant filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.

3. Learned Advocate for the applicant submitted that in spite of interim relief order dated 05.07.2022 passed by this Tribunal in the present O.A., the applicant is without salary since the impugned order of relieving. He further submitted that the respondent No. 4 has failed to implement the said interim relief order dated 05.07.2022. He submitted that the said aspect is not covered by the respondent No. 4 in it's affidavit in reply.

4. Learned Advocate for the respondent No. 4 to seek necessary instructions in that regard from the respondent No. 4 and to place on record the facts in that regard on the next date of hearing.

//2// O.A. No. 600/2022

5. Learned Advocate for the respondent No. 4 has also placed on record a copy order dated 10.10.2022 issued by the Dy. Director of Health Services, Latur. Same is taken on record and marked as document 'X' for the purpose of identification.

6. S.O. to 10.11.2022 for hearing.

KBP ORAL ORDERS 21.10.2022

ORIGINAL APPLICATION NO. 604 OF 2022 (Rahul V. Talke V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri Swaraj Tandale, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Pleadings are complete. The present matter is pertaining to suspension. Hence, the O.A. is admitted and it be fixed for hearing at the stage of admission on 23.11.2022.

MEMBER (J)

M.A. No. 227/2021 in O.A. St. No. 901/2021 (Anil V. Mahajan V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 29.11.2022 for hearing.

MEMBER (J)

M.A. No. 399/2021 in O.A. St. No. 1725/2021 (Sunanda B. Maske & Ors. V/s. State of Maharashtra & Ors.) _____

OFFICE ORDER TRIBUNAL'S ORDERS

> CORAM : Hon'ble Shri V.D. Dongre, Member (J) DATE : 21.10.2022. **ORAL ORDER** :

Heard Shri H.P. Jadhav, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicants, S.O. to 28.11.2022 for hearing.

MEMBER (J)

M.A. No. 400/2021 in O.A. No. 701/2021 (Vijay E. Sonune V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022.

ORAL ORDER :

Shri N.D. Sonavane, learned Advocate for the applicant in the present M.A. / intervenor (**Absent**). Heard Shri D.R. Patnil, learned Presenting Officer for the respondents. Shri Dinesh Kakde, learned Advocate for the applicant in O.A., **absent**.

2. As none present for the applicant, S.O. to 24.11.2022 for hearing.

MEMBER (J)

M.A. No. 28/2022 in O.A. St. No. 57/2022 (Pankaj D. Soundankar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri V.G. Pingle, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents.

2. The present matter is closed for orders.

KBP ORAL ORDERS 21.10.2022

M.A. No. 214/2022 with M.A. No. 148/2021 in O.A. St. 481/2021 (Anita P. Gitey V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Shri S.B. Shirsath, learned Advocate for the applicant (**Absent**). Heard Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 02.12.2022 for hearing.

MEMBER (J)

M.A. No. 454/2022 in M.A. No. 58/2022 in O.A. St. No. 221/2022 (Sindhu B. Wanve & Ors. V/s. State of Maharashtra & Ors.)

TRIBUNAL'S ORDERS _____

> CORAM : Hon'ble Shri V.D. Dongre, Member (J) DATE : 21.10.2022.

ORAL ORDER :

OFFICE ORDER

Heard Shri Alkesh Jadhav, learned Advocate holding for Shri J.M. Murkute, learned Advocate for Shri N.U. Yadav, learned the applicants and Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 30.11.2022 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 406 OF 2019 (Dayanand V. Kadam V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri Girish Awale, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. At the request of learned Advocate for the applicant, S.O. to 05.12.2022.

KBP ORAL ORDERS 21.10.2022

M.A. No. 70/2022 in O.A. St. No. 1830/2021 (Uttam C. Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. ORAL ORDER:

Shri U.B. Deshmukh, learned Advocate for the applicant (**Absent**). Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 3 in M.A. Same is taken on record. He has also deposited one additional copy of the said affidavit in reply for the applicant.

3. S.O. to 01.12.2022 for filing rejoinder affidavit, if any.

KBP ORAL ORDERS 21.10.2022

ORIGINAL APPLICATION NO. 438 OF 2022 (Sunita S. Gaikwad & ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri V.G. Pingle, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants submits that the applicants do not wish to file rejoinder affidavit.

3. S.O. to 01.12.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 638 OF 2021 (Ganesh R. Admankar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. ORAL ORDER:

Heard Shri V.G. Pingle, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent No. 1 and Shri G.N. Patil, learned Advocate for respondent Nos. 2 to 5.

2. Learned Advocate for respondent Nos. 2 to 5 filed affidavit in reply. Same is taken on record and copy thereof has been served on the other sides.

3. S.O. to 30.11.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 687 OF 2021 (Vipul R. Bhagwat V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. ORAL ORDER:

Shri I.D. Maniyar, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent No. 1. Same is taken on record. He has also deposited one additional copy of the said affidavit in reply for the applicant.

3. S.O. to 30.11.2022 for filing rejoinder affidavit, if any and for filing affidavit reply on behalf of other respondents.

MEMBER (J)

ORIGINAL APPLICATION NO. 217 OF 2022 (Ahmed Raza Sadique Shaikh V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri Asif Ali, learned Advocate holding for Smt. A.N. Ansari, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 29.11.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 680 OF 2022 (Subhash S. Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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 23.11.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 679 OF 2022 (Sanjay B. Jagtap V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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 23.11.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 608 OF 2022 (Mahendra S. Surwade V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

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 28.11.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 584 OF 2021 (Malti A. Khairkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. ORAL ORDER:

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Record shows that the affidavit in reply on behalf of respondent Nos. 2 to 4 is filed. The affidavit in reply is not filed on behalf of respondent No. 1.

3. At this stage, learned Advocate for the applicant submits that the rejoinder affidavit may not be necessary. He placed on record a copy of office order dated 21.09.2022 issued by the respondent No. 2 granting compassionate pension and gratuity to the applicant, who is the widow of deceased Government servant. Same is taken on record and marked as document 'X' for the purpose of identification.

4. in view of above, S.O. to 25.11.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 654 OF 2022 (Shivanand D. Koli V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri M.S. Choudhari, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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 29.11.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 646 OF 2022 (Dr. Deepli R. Tandale V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. ORAL ORDER:

Heard Shri P.R. Tandale, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri Vishnu Kande, learned Advocate holding for Shri A.S. Reddy, learned Advocate for respondent No. 3.

2. Learned Advocate for respondent No. 3 filed affidavit in reply. Same is taken on record and copy thereof has been served on the other side.

3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1 & 2.

4. S.O. to 30.11.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 647 OF 2022 (Dr. Manik S. Madke V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri P.R. Tandale, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1, 2, 4 & 5 and Shri Vishnu Kande, learned Advocate holding for Shri A.S. Reddy, learned Advocate for respondent No. 3.

2. Learned Advocate for respondent No. 3 filed affidavit in reply. Same is taken on record and copy thereof has been served on the other side.

3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1, 2, 4 & 5.

4. S.O. to 30.11.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 496 OF 2022 (Ramesh G. Walke V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. ORAL ORDER:

Heard Shri Ketan Pote, learned Advocate holding for Shri A.G. Ambetkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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 25.11.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 308 OF 2022 (Sham B. Gunjal V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri V.B. Kale, learned Advocate holding for Shri N.B. Narwade, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents.

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 28.11.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 309 OF 2022 (Rahul B. Yadav V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri V.B. Kale, learned Advocate holding for Shri N.B. Narwade, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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 28.11.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 333 OF 2022 (Vitthal U. Gaikwad V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri V.B. Kale, learned Advocate holding for Shri N.B. Narwade, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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 28.11.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 856 OF 2022 (Chandrakant V. Sadakal V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri V.B. Kale, learned Advocate holding for Shri N.B. Narwade, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. S.O. to 28.11.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 489 OF 2021 (Sanjay N. Hange V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri S.S. Thombre, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Record shows that in spite of grant of opportunities, the rejoinder affidavit is not filed on behalf of the applicant. Hence, the present matter will proceed further without rejoinder affidavit of the applicant in accordance with law.

3. S.O. to 23.11.2022 for admission.

KPB ORAL ORDERS 21.10.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 796 OF 2021 (Dinesh A. Chavan V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Shri Amol Gandhi, learned Advocate for the applicant (**Absent**). Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

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

3. S.O. to 28.11.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 251 OF 2022 (Vikas D. Wagh V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri S.U. Chaudhari, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

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

3. S.O. to 01.12.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 267 OF 2022 (Subhash B. Selukar V/s. State of Maharashtra & Ors.)

-----**OFFICE ORDER TRIBUNAL'S ORDERS** _____

> CORAM : Hon'ble Shri V.D. Dongre, Member (J) DATE : 21.10.2022. **ORAL ORDER** :

Heard Shri R.P. Bhumkar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record and copy thereof has been served on the other sides.

3. S.O. to 01.12.2022 for filing rejoinder affidavit, if any.

KBP ORAL ORDERS 21.10.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 274 OF 2022 (Vaijnath P. Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u> : 21.10.2022.

ORAL ORDER :

Heard Shri Saket Joshi,l learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 29.11.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 343 OF 2022 (Dr. Satish F. Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

OFFICE ORDER INIDONAL 5 ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 to 3 & 6 and Smt. Anuradha Mantri, learned Advocate for respondent Nos. 4 & 5.

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

3. S.O. to 29.11.2022.

KBP ORAL ORDERS 21.10.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 410 OF 2022 (Anand T. Chintakute V/s. State of Maharashtra & Ors.)

FFICE ORDER TRIBUNAL'S ORDERS

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022.

ORAL ORDER :

Heard Shri Alkesh Jadhav, learned Advocate holding for Shri N.P. Dube, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.

3. At the request of learned Advocate for the applicant, S.O. to 11.11.2022 for taking necessary steps.

KBP ORAL ORDERS 21.10.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 497 OF 2022 (Sachin J. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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 23.11.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 500 OF 2022 (Jaganlal B. Kewat V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 23.11.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 522 OF 2022 (Shobha B. Parodwad & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri S.B. Jadhav, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

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

3. S.O. to 23.11.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 618 OF 2022 (Shivaji M. Palepad V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. ORAL ORDER:

Heard Shri Avinash Khedkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 23.11.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 743 OF 2022 (Ankush R. Kolekar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. ORAL ORDER:

Shri V.V. Deshmukh, learned Advocate for the applicant (**Absent**). Heard Shri I.S. Thorat, learned Presenting Officer for the respondents.

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

3. S.O. to 30.11.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 850 OF 2022 (Shaikh Jameer Shaikh Manjur V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri S.B. Solanke, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

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

3. S.O. to 30.11.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 858 OF 2022 (Asif Abdul Rauf Mulla V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri G.V. Mohekar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.

3. At the request of learned Advocate for the applicant, S.O. to 01.12.2022 for taking necessary steps.

KBP ORAL ORDERS 21.10.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 859 OF 2022 (Dr. Madhukar D. Tandale V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri Swaraj Tandale, learned Advocate holding for Shri B.R. Kedar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. S.O. to 28.11.2022.

MEMBER (J)

M.A. No. 03/2021 in O.A. St. No. 971/2020 (Asha D. Kharat V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri V.P. Narwade, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit in M.A.

3. S.O. to 28.11.2022 for hearing.

MEMBER (J)

M.A. No. 358/2021 in O.A. St. No. 313/2021 (Sarita V. Rode V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Shri V.S. Undre, learned Advocate for the applicant (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.

3. As none present for the applicant, S.O. to 01.12.2022 for taking necessary steps.

MEMBER (J)

M.A. No. 411/2021 in M.A. No. 126/2019 in O.A. St. No. 534/2019 (Sachin B. Waghmare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. ORAL ORDER:

Shri Amol Gandhi, learned Advocate for the applicant (**Absent**). Heard Shri D.R. Patil, learned Presenting Officer for the respondents and Shri S.B. Mene, learned Advocate for respondent NO. 2 in M.A. No. 126/2019.

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

3. S.O. to 23.11.2022.

KBP ORAL ORDERS 21.10.2022

MEMBER (J)

M.A. No. 67/2022 in O.A. St. No. 196/2022 (Aasaram P. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. ORAL ORDER:

Heard Shri Anand Deshpande, learned Advocate for the applicant and Shri Deepali Deshpande, learned Presenting Officer for the respondents.

2. Record shows that in spite of grant of opportunities, the affidavit in reply is not filed on behalf of the respondents in M.A. Hence, the present matter will proceed further without affidavit in reply of the respondents in accordance with law.

3. S.O. to 23.11.2022 for hearing.

KPB ORAL ORDERS 21.10.2022

MEMBER (J)

O.A. No. 228/2022

(Dr. Saurabh P. Kulkarni V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 21.10.2022. <u>ORAL ORDER</u>:

Heard Shri M.B. Kolpe, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply to the amended O.A.

3. S.O. to 22.11.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.48/2022, 49/2022, 50/2022, 51/2022 & 52/2022 (Suhas Vasave & Ors. V/s. State of Maharashtra & Ors.)

(Sunas vasave & OIS. V/S. State of Manafashtia & OIS

OFFICE ORDER

TRIBUNAL'S ORDERS

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

<u>DATE</u> : 21-10-2022

ORAL ORDER :

Shri T.M.Venjane, learned Counsel for the

applicants is **absent**.

Shri M.S.Mahajan, learned Chief Presenting

Officer for the respondents is present.

2. S.O. to 14-12-2022.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.149/2022 (Sulochana Patare V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

OFFICE ORDER TRIBUNAL'S ORDERS

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

DATE : 21-10-2022

ORAL ORDER :

Shri V.B.Wagh, learned Counsel for the applicant

and Shri I.S.Thorat, learned Presenting Officer for the

respondents, are present.

2. S.O. to 25-11-2022.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.167/2022 (Pravin Kokande V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (This case is placed before Single Bench due to non-availability of Division Bench.) DATE : 21-10-2022

ORAL ORDER :

Shri Jiwan Patil, learned Counsel for the

applicant and Shri V.R.Bhumkar, learned Presenting

Officer for the respondents, are present.

2. S.O. to 15-12-2022.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.171/2022 (Madansing Gusinge V/s. State of Maharashtra & Ors.)

-----**OFFICE ORDER**

TRIBUNAL'S ORDERS

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman (This case is placed before Single Bench due to non-availability of Division Bench.) 21-10-2022 DATE :

ORAL ORDER :

Shri J.J.Patil, learned Counsel for the applicant

and Shri S.K.Shirse, learned Presenting Officer for the

respondents, are present.

S.O. to 15-12-2022. 2.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.172/2022 (Suresh Bobade V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

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

DATE : 21-10-2022

ORAL ORDER :

Shri J.J.Patil, learned Counsel for the applicant

and Shri D.R.Patil, learned Presenting Officer for the

respondents, are present.

2. S.O. to 15-12-2022.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.352/2022 (Rajaram Sevalikar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

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

<u>DATE</u> : 21-10-2022

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned Counsel for

the applicant and Shri B.S.Deokar, learned Presenting

Officer for the respondents, are present.

2. S.O. to 14-11-2022.

VICE CHAIRMAN

M.A.NO.201/2021 WITH M.A.NO.159/2021 IN O.A.NO.115/2018 (Nagnath Savant & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (This case is placed before Single Bench due to non-availability of Division Bench.) DATE : 21-10-2022

ORAL ORDER :

Shri S.D.Joshi, learned Counsel for the applicants, Shri N.U.Yadav, learned Presenting Officer for the respondent authorities and Shri S.G.Kulkarni, learned Counsel holding for Shri Ajay Deshpande, learned Counsel for respondent no.3 in O.A.No.115/2018, are present.

2. S.O. to 29-11-2022.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.74/2017 (Vijaysing Wagh & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM :Hon'ble Justice Shri P.R. Bora,
Vice Chairman
(This case is placed before Single Bench due to
non-availability of Division Bench.)DATE :21-10-2022

ORAL ORDER :

Shri D.J.Patil, learned Counsel for the applicants

is absent. Shri D.R.Patil, learned Presenting Officer

for the respondents is present.

2. S.O. to 08-12-2022.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.321/2017 (Manisha Jagtap V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM :Hon'ble Justice Shri P.R. Bora,
Vice Chairman
(This case is placed before Single Bench due to
non-availability of Division Bench.)DATE :21-10-2022

ORAL ORDER :

Shri P.A.Kulkarni, learned Counsel for the

applicant is absent. Shri V.R.Bhumkar, learned

Presenting Officer for the respondents is present.

2. S.O. to 08-12-2022.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.946/2017 (Namdeo More V/s. State of Maharashtra & Ors.)

_____ **OFFICE ORDER**

TRIBUNAL'S ORDERS

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman (This case is placed before Single Bench due to non-availability of Division Bench.) 21-10-2022 DATE :

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned Counsel for

the applicant and Shri S.K.Shirse, learned Presenting

Officer for the respondents, are present.

S.O. to 09-12-2022. 2.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.06/2018 (Ganesh Kundle V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (This case is placed before Single Bench due to non-availability of Division Bench.) DATE : 21-10-2022

ORAL ORDER :

Shri A.S.Deshmukh, learned Counsel for the

applicant and Shri N.U.Yadav, learned Presenting

Officer for the respondents, are present.

2. S.O. to 09-12-2022.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.631/2018 (Chudaman Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

OFFICE ORDER IRIBUNAL S ORDERS

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

<u>DATE</u> : 21-10-2022

ORAL ORDER :

Shri Shrikant Patil, learned Counsel for the

applicant is **absent**.

Shri I.S.Thorat, learned Presenting Officer for the

respondents is present.

2. S.O. to 12-12-2022.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.674/2018 (Emam Najir Mirza V/s. State of Maharashtra & Ors.)

OFFICE ORDER _____

TRIBUNAL'S ORDERS

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

21-10-2022 DATE :

ORAL ORDER :

Shri I.D.Maniyar, learned Counsel for the

applicant is **absent**.

Shri B.S.Deokar, learned Presenting Officer for

the respondents is present.

2. S.O. to 12-12-2022.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.927/2018 (Shamrao Kadam & Ors. V/s. State of Maharashtra & Ors.)

_____ **OFFICE ORDER**

TRIBUNAL'S ORDERS

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman (This case is placed before Single Bench due to non-availability of Division Bench.) 21-10-2022 DATE :

ORAL ORDER :

Shri Vilas P. Savant, learned Counsel for the

applicants is **absent**.

Shri D.R.Patil, learned Presenting Officer for the

respondents is present.

2. S.O. to 13-12-2022.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.245/2019 (Subhadra Mahuwale V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (This case is placed before Single Bench due to non-availability of Division Bench.) DATE : 21-10-2022

ORAL ORDER :

Shri H.V.Tungar, learned Counsel for the

applicant and Shri B.S.Deokar, learned Presenting

Officer for the respondents, are present.

2. S.O. to 13-12-2022.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.54/2020 (Bharatlal Dhupe V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM :Hon'ble Justice Shri P.R. Bora,
Vice Chairman
(This case is placed before Single Bench due to
non-availability of Division Bench.)DATE :21-10-2022

ORAL ORDER :

Shri Kishor T. Khade, learned Counsel for the

applicant and Shri B.S.Deokar, learned Presenting

Officer for the respondents, are present.

2. S.O. to 16-11-2022.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.224/2021 (Chandu Waghmare V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (This case is placed before Single Bench due to non-availability of Division Bench.) DATE : 21-10-2022

ORAL ORDER :

Shri S.B.Jadhav, learned Counsel for the

applicant and Shri B.S.Deokar, learned Presenting

Officer for the respondents, are present.

2. S.O. to 01-12-2022 for filing reply.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.390/2020 (Govind Mane V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (This case is placed before Single Bench due to non-availability of Division Bench.) DATE : 21-10-2022

ORAL ORDER :

Shri A.V.Thombre, learned Counsel holding for Shri S.S.Thombre, learned Counsel for the applicant, Shri I.S.Thorat, learned Presenting Officer for the respondent authorities and Shri S.B.Mene, learned Counsel holding for Shri S.P.Urgunde, learned Counsel for respondent no.3, are present.

2. S.O. to 01-12-2022 for filing reply.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.424/2021 (Dr. Vaibha Wakade V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (This case is placed before Single Bench due to non-availability of Division Bench.) DATE : 21-10-2022

ORAL ORDER :

Shri J.S.Deshmukh, learned Counsel for the applicant, Shri D.R.Patil, learned Presenting Officer for the respondent authorities and Shri V.G.Pingle, learned Counsel holding for Shri V.D.Patnoorkar, learned Counsel for respondent no.4, are present.

2. S.O. to 02-12-2022.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.539/2021 (Jagannath Patil V/s. State of Maharashtra & Ors.)

_____ **OFFICE ORDER TRIBUNAL'S ORDERS**

_____ CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman (This case is placed before Single Bench due to non-availability of Division Bench.) 21-10-2022

DATE :

ORAL ORDER :

Shri Santosh B. Bhosale, learned Counsel for the

applicant and Shri V.R.Bhumkar, learned Presenting

Officer for the respondents, are present.

S.O. to 02-12-2022. 2.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.373/2022 (Dr. Vandana Sonone V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (This case is placed before Single Bench due to non-availability of Division Bench.) DATE : 21-10-2022

ORAL ORDER :

Shri D.S.Mutalik, learned Counsel for the

applicant and Shri S.K.Shirse, learned Presenting

Officer for the respondents, are present.

2. S.O. to 15-11-2022.

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO. 952 OF 2022 (Mangesh S/o Balu Zore V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (The present case is placed before the Single Bench due to non-availability of Division Bench.) <u>DATE</u>: 21.10.2022 ORAL ORDER:

Heard Shri A.P. Shejul, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 8.12.2022.

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

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

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

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

- 7. S.O. to 8.12.2022.
- 8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION ST. NO. 1635 OF 2022 (Siddheshwar P. Darade & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM:Hon'ble Justice Shri P.R. Bora,
Vice Chairman
(The present case is placed before the Single
Bench due to non-availability of Division
Bench.)DATE:21.10.2022
ORAL ORDER :

Heard Shri A.P. Shejul, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 8.12.2022.

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

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

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

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

- 7. S.O. to 8.12.2022.
- 8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD M.A.ST.1634/2022 IN O.A.ST.NO. 1635/2022 (Siddheshwar P. Darade & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (The present case is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 21.10.2022

ORAL ORDER :

Heard Shri A.P. Shejul, 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, 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.

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO. 809 OF 2021 (Dr. Imran Nizam Pathan V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (The present case is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 21.10.2022

ORAL ORDER :

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

At the request of learned counsel for the applicant,
S.O. to 21.11.2022.

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO. 435 OF 2019 (Sadhu K. Lohar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (The present case is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 21.10.2022

ORAL ORDER :

Shri H.A. Joshi, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 11.11.2022. **High on board.**

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO. 31 OF 2019 (Vivek P. Bhamre V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (The present case is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 21.10.2022

ORAL ORDER :

Shri Kunal A. Kale, learned counsel for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present. Shri N.R. Dayama, learned counsel for respondent No. 4 (**absent**).

2. S.O. to 8.12.2022 for hearing.

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO. 633 OF 2019 (Meena C Shivagunde V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (The present case is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 21.10.2022

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri K.U. Mire, learned counsel for respondent No. 4, are present.

2. S.O. to 8.12.2022 for hearing.

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO. 1021 OF 2019 (Dr. Prashant D. Wakari V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (The present case is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 21.10.2022

ORAL ORDER :

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

2. Learned Chief Presenting Officer has sought time for filing affidavit in reply. Time granted as a last chance.

3. S.O. to 9.12.2022.

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO. 140 OF 2020 (Shrikant K. Bhale V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (The present case is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 21.10.2022

ORAL ORDER :

Shri H.A. Joshi, learned counsel for the applicant Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 9.12.2022 for hearing.

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO. 266 OF 2021 (Laxmi N. Dhotre V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (The present case is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 21.10.2022

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 12.12.2022 for hearing.

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO. 271 OF 2021 (Shivaji S Kawade V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (The present case is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 21.10.2022

ORAL ORDER :

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

2. S.O. to 12.12.2022 for hearing.

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD O.A.NO. 275/2021 WITH O.A.NO. 276/2021 (Parmeshwar P. Pawar & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (The present case is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 21.10.2022

ORAL ORDER :

Shri Dayanand B. Bhange, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities in both these cases, are present.

2. S.O. to 13.12.2022 for hearing.

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO. 624 OF 2021 (Pradeep D. Mulgir V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (The present case is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 21.10.2022

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned Chief Presenting Officer has sought time for filing affidavit in reply on behalf of respondent M.P.S.C.. Time granted as a most last chance.

3. S.O. to 13.12.2022.

VICE CHAIRMAN

Date : 21.10.2022 ORIGINAL APPLICATION NO. 949 OF 2022 (Gajanan P. Rohankar V/s State of Maharashtra & Ors.)

<u>Per :- Standing directions of Hon'ble</u> Chairperson, M.A.T., Mumbai

1. Shri K.P. Rodge, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, are present.

2. Circulation is granted. Issue notices to the respondents, returnable on 21.11.2022. The case be listed for admission hearing on **21.11.2022**.

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

4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of 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 acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

I/C REGISTRAR

21.10.2022/HDD registrar notice

Date : 21.10.2022 ORIGINAL APPLICATION NO. 948 OF 2022 (Vilas Bhaurao Patil V/s State of Maharashtra & Ors.)

<u>Per :- Standing directions of Hon'ble</u> <u>Chairperson, M.A.T., Mumbai</u>

1. Shri V.B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, are present.

2. Circulation is granted. Issue notices to the respondents, returnable on 28.11.2022. The case be listed for admission hearing on **28.11.2022**.

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

4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of 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 acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

I/C REGISTRAR

21.10.2022/HDD registrar notice

CHAMBER APPEAL NO. 19 OF 2022 (Pratik Sakharam Dube V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman

DATE : 21.10.2022

ORAL ORDER :

Heard Shri U.A. Bhadgaonkar, learned counsel for the applicant.

2. Vide order dated 18.07.2022 the Registrar of this Tribunal was pleased to refuse the registration under Rule 5 (4) of Maharashtra Administrative Tribunal (Procedural) Rules, 1988. On 13.06.2022 the office has raised the following office objections:-

- 1) Page Nos. 31, 38 to 42, 48 are black and not legible; and
- 2) In view of prayer clause B' O.A. appears to be barred by limitation.

3. Vide office note dated 12.07.2022 Registrar of this Tribunal at Aurangabad Bench noted that nobody appeared for the applicant and office objections not removed.

4. The applicant has made prayer for condonation of delay of about 65 days caused in filing Chamber Appeal No. 19/2022.

5. The learned Advocate for the applicant appeared today. He undertakes to remove the office objections within a reasonable period.

6. Technically, the Registrar was right in refusing the registration since nobody appeared for the applicant in view

of the objections in spite of repeated chances. The fact that the O.A. is filed by the applicant seeking appointment on compassionate ground and in order to give an opportunity to the applicant to prove his claim on merits, it will be in the interest of justice to allow the appeal by condoning delay of about 65 days caused in filing this Chamber Appeal as the applicant shall not suffer for the negligence of his Advocate. Hence, the following order:-

<u>O R D E R</u>

(i) Delay caused in filing Chamber Appeal stands condoned. Consequently, the Chamber Appeal No. 19/2022 is allowed as the applicant undertakes to remove the office objections within a reasonable period.

(ii) Registrar of this Tribunal Bench at Aurangabad is directed to register the O.A. after removing the office objections by the learned Advocate for the applicant and place the same before the appropriate bench for hearing.

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO. 820 OF 2022 (Navnath U. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (The present case is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 21.10.2022

ORAL ORDER :

Shri Omprakash Y. Kashid, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 5.12.2022.

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO. 830 OF 2022 (Saheb P. Kapure V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (The present case is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 21.10.2022

ORAL ORDER :

Shri Abhay R. Rathod, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 15.11.2022.

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO. 852 OF 2022 (Babusing D. Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (The present case is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 21.10.2022

ORAL ORDER :

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

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

3. S.O. to 6.12.2022.

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO. 853 OF 2022 (Premsing P Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (The present case is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 21.10.2022

ORAL ORDER :

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

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

3. S.O. to 6.12.2022.

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD ORIGINAL APPLICATION NO. 855 OF 2022 (Pravin R. Khedkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (The present case is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 21.10.2022

ORAL ORDER :

Smt. Priya R. Bharaswadkar, learned counsel for the applicant (**absent**). Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

- 2. Await service.
- 3. S.O. to 7.12.2022.

VICE CHAIRMAN

FARAD CONTINUATION SHEET THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD M.A.NO. 370/2022 IN O.A.NO. 678/2022 (Chandrakant R. Shrawane V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman (The present case is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 21.10.2022

ORAL ORDER :

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

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

3. S.O. to 1.12.2022.

VICE CHAIRMAN

Date : 21.10.2022 M.A.NO. 472/2022 IN O.A.ST.NO. 1845/2022 (Harishchandra S. Fulpagare V/s State of Maharashtra & Ors.)

<u>Per :- Standing directions of Hon'ble</u> <u>Chairperson, M.A.T., Mumbai</u>

1. Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, are present.

2. Circulation is granted. Issue notices to the respondents in M. No. 472/2022, returnable on 11.11.2022. The case be listed for admission hearing on **11.11.2022**.

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

4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of 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 acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

I/C REGISTRAR

21.10.2022/HDD registrar notice