

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

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

Before: -THE HON'BLE JUSTICE SHRI V. K. JADHAV, MEMBER (J)

Date: -21/11/2023

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	OA940/19	Dhule	Adv S D Joshi (Ashok D Phadnis)	Posting	Reply Filed By R-3 & R-4 & For Filing Affidavit in Rejoinder	22.12.2023
2	OA371/20	O'bad	Adv A P Yenegure (Sanjay B Bhandarkawathe)	Minor Punishment	Await Service R-3 & For Filing Affidavit in Reply R-1 & R-2	22.12.2023
3	OA611/21	Beed	Adv Indranil Godsay (Sayyed Salim Sayyed Yaqub)	Withdrawal of Charge	For Filing Affidavit in Rejoinder	02.01.2024
4	OA798/22	Nanded	Adv Kakasahab B Jadhav (Vitthal D Gire)	Counting of Service for Pension & Other Benefits	Reply Filed By R-1 to R-4 & For Filing Affidavit in Rejoinder	10.01.2024
5	OA805/22	Nanded	Adv S S Tandale (Balu B Chopde)	Minor Punishment	For Filing Affidavit in Rejoinder	02.01.2024
6	OA897/22	Latur	Adv S B Patil (Dr. Narayan K Deshmukh)	Increment	Reply Filed By R-1 to R-4	22.12.2023

7	OA898/22	Latur	Adv S B Patil (Dr.Sangita P Khandare)	Correction of Pay Fixation/ Condonation of Technical Break	For Filing Affidavit in Rejoinder	22.12.2023
8	OA1020/22	A'nagar	Adv R O Awasarmol (Ramesh S Surung) <u>AdvSudhir K Chavan</u> <u>For R-2</u>	Suspension/ Re-instaement	For Filing Affidavit in Reply	02.01.2024
9	OA1061/22	Nanded	Adv I D Maniyar (Atmaram N Awatirak)	Compassionate Appointment	For Filing Affidavit in Rejoinder	02.01.2024
10	OA1113/22	A'bad	Adv A S Deshmukh <u>AdvA S Deshmukh</u> <u>has Filed Leave Note Form</u> <u>21.11.2023 to 12.12.2023</u> (Dinesh U Jadhav)	Transfer	Reply Filed By R-1 to R-3 & For Filing Affidavit in Rejoinder	15.12.2023
11	OA30/23	P'rbn	Adv S D Joshi (Prahlad G Ranveer) <u>Adv S B Mene For R-2</u> <u>& R-3</u>	Recovery	For Filing Affidavit in Reply	04.01.2024
12	OA104/23	P'rbn	Adv R L Jakhade Adv S A Kulkarni (Mahesh B Kavthale)	Show Cause Notice	As per Directions of this Hon'ble Tribunal in Para No.4 of Order dt. 25/09/2023 complete paper book of case not served upon Respondents. & Await Service R-2	02.01.2024
13	OA199/23	A'bad	Adv V B Wagh <u>AdvV B Wagh</u> <u>has Filed Leave Note Form</u> <u>20.11.2023 to 24.11.2023</u> (Madhav R More)	Revision of Pension	Reply Filed By R-1 & R-2	02.01.2024
14	OA279/23	A'bad	AdvSuchitaDhongde (Sheshrao R Kharate)	Benefit of G.R/ Pensionery Benefits	Short Affidavit Reply Filed By R-5 & For Filing Affidavit in Reply	11.12.2023

15	OA465/23	P'rbn	AdvSuchitaDhongde (Kuldip P Ambhore)	Transfer	For filing Affidavit in Reply	11.12.2023
16	OA546/23	Hingoli	Adv S SRandive (Kamaji M Thombare)	Suspension/ Reinstatement	For Filing Affidavit in Reply	21.12.2023
17	OA587/23	N'bar	Adv S D Joshi (Dr.Manlal D Shelte)	Transfer	For Filing Affidavit in Reply	04.01.2024
18	OA642/23	Hingoli	Adv H V Patil/ Adv S B Patil (Rambhau T Dipake)	Pension &Pensionery Benefits	For Filing Affidavit inReply	04.01.2024
19	OA654/23	Nanded	Adv A S Therokar/ Adv V P Adkine (Sangita P Shete)	Compassionate Appointment	For Filing Affidavit in Reply	12.12.2023
20	OA674/23	Latur	Adv S L Bhapkar (Vithal H Awale)	Recovery/ Refund of Recovered Amount	By way of One More Last Chance For Filing Affidavit in Reply	07.12.2023
21	OA824/23	Nanded	Adv.H.P.Jadhav/ AdvS.S.Bhise (Shaikh Ismail ShaikhMiya)	Directions for Regularization	For Filing Affidavit in Reply	02.01.2024
22	OA826/23	Nanded	Adv R D Khadap (Bapurao D Pattewale) <u>Adv Sachin S Deshmukh</u> <u>For R-3 & R-5</u>	Recovery	Reply Filed By R-3 & R-5	04.01.2024
23	OA.827/23	A'nagar	AdvR.P.Bhumkar <u>Adv R P Bhumkar</u> <u>has Filed Leave Note Form</u> <u>20.11.2023 to 27.11.2023</u> (ShashikantN.Deulgaonkar)	Correction In Date Of Birth	For Filing Affidavit in Reply	05.01.2024
24	OA922/23	A'bad	Adv Joslyn AnthonyMenezes (Sachin D Bhume)	Suspension	Await Service	22.12.2023
25	OA983/23	Jalna	AdvAnantDevkate AdvKakasaheb B Jadhav (Anil L Uphad)	Suspension	For Filing Affidavit in Reply	04.12.2023

Order Matters						
26	MA533/22 In OAS1943/22	A'bad	AdvPradeepTambde (Anil Y Kalokhe)	M.A For Condonation of Delay	For Filing Affidavit in Rejoinder	04.01.2024
27	MA546/22 In OAS1695/22	Nanded	Adv A B Shinde (ShaukatUllah Khan Ahsan Khan)	M.A For Condonation of Delay	For Filing Affidavit in Reply	04.01.2024
28	MA31/23 In OAS189/23	Latur	Adv S B Patil (Dr.Bhagwan V Kendre)	M.A For Condonation of Delay	For Filing Affidavit in Reply	02.01.2024
29	MA346/23 In OAS1359/23	Beed	Adv S A Deshmukh (Pandurang V Misal)	M.A For Condonation of Delay	For Filing Affidavit in Reply	22.12.2023
30	MA358/22 In OAS1093/22	A'nagar	Adv S D Joshi (Shriram G Kulkarni) <u>Adv S B Mene For R-3 & R-4</u>	M.A For Condonation of Delay	Await Service & For Filing Affidavit in Reply R-3 & R-4	04.01.2024
31	MA365/23 In OAS1444/23	Nanded	Adv K B Jadhav (Gautam P Karle)	M.A For Condonation of Delay	For Filing Affidavit in Reply	04.12.2023

M.A. No. 31/2023 in O.A. St. No. 89/2023
(Dr. Bhagwan V. Kendre Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri Shamsunder B. Patil, 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 to file affidavit in reply on behalf of respondents in M.A. Time granted.

3. S.O. to 02.01.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 897 OF 2022
(Dr. Narayan K. Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

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

2. Pleadings are complete.
3. List the matter for hearing on admission on 22.12.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 898 OF 2022
(Dr. Sangita P. Khandare Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri Shamunder B. Patil, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Pleadings are complete.
3. List the matter for hearing on admission on 22.12.2023.

MEMBER (J)

M.A. No. 346/2023 in O.A. St. No. 359/2023
(Pandurang V. Misal Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri S.A. Deshmukh, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 3 to 5 in M.A. Same is taken on record and copy of the same has been given to learned counsel for the applicant.

3. List the matter for hearing on 22.12.2023. Liberty is granted to the applicant to file rejoinder, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 420 OF 2021
(Raosaheb B. Jangle Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri Swaraj Tandale, learned counsel for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 18.01.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 200 OF 2021
(Sudhir L. Borhade Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri Avinash Khedkar, learned counsel for the applicant (**Absent**). Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri S.B. Patil, learned counsel for respondent Nos. 4 & 5, are present.

2. As none present for the applicant, S.O. to 17.01.2024 for final hearing.

MEMBER (J)

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

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

DATE : 21.11.2023

ORAL ORDER :

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

2. S.O. to 17.01.2024 for final hearing. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 113 OF 2021
(Vajnath B. Navande Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri V.B. Dhage, learned counsel for the applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 17.1.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 20 OF 2021
(Ramraje S. Chandane Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Ms. Preeti Wankhade, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 12.12.2023 for final hearing.

MEMBER (J)

M.A. No. 420/2021 in O.A. St. No. 1163/2019
(Khandu G. Joshi & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 23.11.2023 for hearing.

MEMBER (J)

KPB ORAL ORDERS 21.11.2023

ORIGINAL APPLICATION NO. 17 OF 2021
(Prashram S. Khetre Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Smt. Vidya Taksal, learned counsel for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 17.01.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 210 OF 2020
(Suresh B. Hallikar Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri D.V. Khillare, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 16.01.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 21.11.2023

ORIGINAL APPLICATION NO. 1012 OF 2019
(Satish N. Badade Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri A.D. Sugdare, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 16.01.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 21.11.2023

ORIGINAL APPLICATION NO. 564 OF 2019
(Vijay M. Lad Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri V.G. Pingle, learned counsel for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned counsel for respondent No. 5, are present.

2. S.O. to 16.01.2024 for final hearing.

MEMBER (J)

O.A. No. 162/2018 with O.A. No. 163/2018
(Baliram B. Patil & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri A.D. Sugdare, learned counsel for the applicants in both the O.As. and Smt. M.S. Patni & Shri D.R. Patil, learned Presenting Officers for the respective respondent authorities in respective O.As., are present. Smt. Sunita D. Shelke, learned counsel for respondent Nos. 3 & 4 in both the O.As., **absent.**

2. S.O. to 16.01.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 611 OF 2017
(Nagnath G. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri S.D. Dhongde, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of leaned counsel for the applicant, S.O. to 15.12.2023 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 669 OF 2023
(Manojkumar A. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 05.12.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 542 OF 2023
(Radhabai E. Jondhale Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri A.D. Gawale, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 22.12.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 735 OF 2023
(Suryakant D. Nikam Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 12.12.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 260 OF 2023
(Suryakant D. Nikam Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 12.12.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 22 OF 2023
(Sudhakar O. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 16.01.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 399 OF 2022
(Tawshikar G. Gyanoba Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri C.V. Thombre, learned counsel for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 15.01.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 328 OF 2022
(Ashok B. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 21.12.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 302 OF 2021
(Hitendra P. Chaudhari Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri M.V. Thorat, learned counsel for the applicant (**Absent**). Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 15.01.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 303 OF 2021
(Rajendrakumar G. Baviskar Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri M.V. Thorat, learned counsel for the applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 15.01.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 127 OF 2021
(Ambar B. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 21.11.2023

ORAL ORDER :

Shri R.P. Bhumkar, learned counsel for the applicants (**Leave Note**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note filed by learned counsel for the applicants, S.O. to 12.01.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 584 OF 2020
(Gopalrao R. Kulkarni (Died) through his Lrs. Sumanbai G.
Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri M.L. Dharashive, learned counsel for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 12.01.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 1066 OF 2019
(Vasant A. Manorkar Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent authorities and Shri Shamsunder B. Patil, learned counsel for respondent Nos. 3 & 4, are present.

2. By consent of all the parties, S.O. to 12.01.2024 for hearing.

MEMBER (J)

M.A. No. 208/2023 in O.A. St. No. 544/2023
(Nisha B. Ghatule Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Ms. Nima Suryawanshi, learned counsel for the applicant (**Absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 11.01.2024 for hearing.

MEMBER (J)

KPB ORAL ORDERS 21.11.2023

ORIGINAL APPLICATION NO. 537 OF 2021
(Balasaheb Sundarlal Khairnar Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

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

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

3. Leave granted. The Original Application stands disposed of as withdrawn without any order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 210 OF 2023
(Ganesh D. Chhabilwad Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that by order dated 05.09.2023, the Accountant General (A&E)-II, Nagpur has sanctioned the provisional pension of the applicant and the order has been issued to the Deputy Director, Social Forestry Division, Jalna to that effect. Learned counsel has placed on record a copy of the said order dated 05.09.2023. Same is taken on record. Learned P.O. has also not disputed the same.

3. Learned counsel for the applicant further submitted that despite the order passed by the Accountant General (A&E)-II, Nagpur on 05.09.2023 and effectively communicated to the Deputy Director, Social Forestry Division, Jalna, the said department has not taken steps till today.

//2//

O.A. 210/2023

4. Learned counsel for the applicant submitted that insofar as prayer clause 9(B) is concerned, the same is complied with, however, learned counsel submitted that to the extent of prayer clause 9(C), there is no compliance of Group Insurance Scheme (GIS) and arrears of provisional pension with interest thereof.

5. In view of the same, learned Presenting Officer is requested to take instructions in this regard from the concerned department till the next date of hearing.

6. S.O. to 05.12.2023 for hearing.

MEMBER (J)

**M.A.NO. 393 OF 2023 IN O.A.ST.NO. 1664 OF 2023
(Smt. Dwarkabai w/o Ramnath Kumkar Vs. State of
Maharashtra & Ors.)**

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

DATE : 21.11.2023

ORAL ORDER :

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

2. Issue notice to respondents in M.A., returnable on 12.12.2023.

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

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

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

//2// M.A. 393/2023 In
O.A.St. 1664/2023

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. The learned P.O. appears for all the respondents and seeks time for taking instructions.

8. S.O. to 12.12.2023.

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

MEMBER (J)

**M.A.NO. 435 OF 2023 IN O.A.ST.NO. 729 OF 2023
(Prabhakar D. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 21.11.2023

ORAL ORDER :

Shri S.S. Kulkarni, learned counsel for the applicant, is **absent**. Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 10.01.2024.

MEMBER (J)

SAS ORAL ORDERS 21.11.2023

**M.A.NO. 493 OF 2023 IN O.A.ST.NO. 1818 OF 2023
(Nana W. More Vs. State of Maharashtra & Ors.)**

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

DATE : 21.11.2023

ORAL ORDER :

Shri K.J. Taur, learned counsel for the applicant, is **absent**. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 10.01.2024.

MEMBER (J)

SAS ORAL ORDERS 21.11.2023

ORIGINAL APPLICATION NO. 903 OF 2023
(Veena A. Kamble Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

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

2. At the request of learned Chief Presenting Officer, S.O. to 05.12.2023 for taking oral instructions from the concerned department.

MEMBER (J)

SAS ORAL ORDERS 21.11.2023

**ORIGINAL APPLICATION ST. NO. 1879 OF 2023
(Ashok B. Gaikwad Vs. State of Maharashtra & Ors.)**

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

DATE : 21.11.2023

ORAL ORDER :

None present for the applicant. Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 11.01.2024.

MEMBER (J)

**M.A. ST. NO. 1961/2023 IN O.A. ST. NO. 1962/2023
(Gangagir Somgir Giri Vs. State of Maharashtra & Ors.)**

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

DATE : 21.11.2023

ORAL ORDER :

Heard Shri A.A. Khande, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. The office has raised objection that the delay has not properly calculated. Thus keeping the point of calculation of delay open, issue notice to respondents in M.A., returnable on 11.01.2024.

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

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

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

//2// M.A. 1961/2023 IN
O.A.ST. 1962/2023

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. The learned P.O. appears for all the respondents and seeks time for taking instructions.

8. S.O. to 11.01.2024.

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

MEMBER (J)

**M.A.NO. 227 OF 2021 IN O.A.ST.NO. 901 OF 2021
(Anil V. Mahajan Vs. State of Maharashtra & Ors.)**

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

DATE : 21.11.2023

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri V.G. Pingle, learned counsel for respondent No.6, are present.

2. By consent of parties, S.O. to 23.11.2023 for hearing.

MEMBER (J)

SAS ORAL ORDERS 21.11.2023

**M.A.NO. 368 OF 2022 IN O.A.ST.NO. 307 OF 2022
(Jaydatt R. Bhusare Vs. State of Maharashtra & Ors.)**

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

DATE : 21.11.2023

ORAL ORDER :

Shri Onkar M. Joshi, learned counsel holding for Shri B.B. Kulkarni, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 05.01.2024 for hearing.

MEMBER (J)

SAS ORAL ORDERS 21.11.2023

ORIGINAL APPLICATION NO. 1027 OF 2019
(Arjun D. Sonwane Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

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

Shri Ajay D. Pawar, learned counsel for the respondent No.3, is **absent**.

2. At the request of the learned counsel for the applicant, S.O. to 02.01.2024 for hearing.

MEMBER (J)

SAS ORAL ORDERS 21.11.2023

**ORIGINAL APPLICATION NO. 263 OF 2021
(Dattatraya S. Haral Vs. State of Maharashtra & Ors.)**

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

DATE : 21.11.2023

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of the learned counsel for the applicant, S.O. to 08.01.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 936 OF 2022
(Ajay M. Bhonge Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri Vishnu Y. Patil, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 21.12.2023 for hearing.

MEMBER (J)

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

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

DATE : 21.11.2023

ORAL ORDER :

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

2. At the request of learned P.O., S.O. to 23.11.2023 for hearing.

MEMBER (J)

SAS ORAL ORDERS 21.11.2023

ORIGINAL APPLICATION NO. 912 OF 2023
(Rajeshri G. Ade Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

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

2. It appears that the respondent No.3 is not effectively served. In view of same, the applicant is at liberty to serve respondent No.3 who is under employment through the head of the department i.e. Commissioner of Police, Aurangabad and submit the affidavit of service to that effect.

3. Issue fresh notice to respondent No.3, returnable on 06.12.2023.

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

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

//2//

O.A. 912/2023

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

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

8. S.O. to 06.12.2023.

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

MEMBER (J)

**ORIGINAL APPLICATION NO. 677 OF 2021
(Bharatlal B. Navgire Vs. State of Maharashtra & Ors.)**

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

DATE : 21.11.2023

ORAL ORDER :

Smt. Suchita D. Dhongde, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of the learned counsel for the applicant, S.O. to 02.01.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 674 OF 2023
(Vithal H. Awale Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri S.L. Bhapkar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., time granted for filing affidavit in reply on behalf of respondents till 07.12.2023.

3. Interim relief granted earlier to continue till then.

MEMBER (J)

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

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

DATE : 21.11.2023

ORAL ORDER :

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

2. At the request of learned P.O., S.O. to 07.12.2023 for filing of the reply.

3. Interim relief granted earlier to continue till then.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1113 OF 2022
(Dinesh Uttam Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 21.11.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 15.12.2023 for filing rejoinder affidavit.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 827 OF 2023
(Shashikant N. Deulgaonkar Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri R.P. Bhumkar, learned counsel for the applicant has filed a **leave note**. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. submits affidavit in reply on behalf of respondent No. 2. The same is taken on record along with spare copy for the applicant.

3. Learned P.O. seeks time to file affidavit in reply on behalf of other respondents, if necessary. Time granted.

4. S.O. to 05.01.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 983 OF 2023
(Anil Laxmanrao Uphad Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri Anant Devkate, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., time granted for filing affidavit in reply on behalf of respondents.
3. S.O. to 04.12.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 922 OF 2023
(Sachin D. Bhume Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri S.R. Varma, learned counsel holding for Shri Joslyn Menezes, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the service is completed and during course of the day he would file service affidavit.
3. Learned P.O. seeks time to file affidavit in reply on behalf of respondents. Time granted.
4. S.O. to 22.12.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 824 OF 2023
(Shaikh Ismail Shaikh Miya Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

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

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

3. S.O. to 02.01.2024.

MEMBER (J)

SAS ORAL ORDERS 21.11.2023

ORIGINAL APPLICATION NO. 654 OF 2023
(Sangita Praful Shete Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Smt. A.S. Therokar, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., time granted as a last chance for filing affidavit in reply on behalf of respondent.

3. S.O. to 12.12.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 587 OF 2023
(Dr. Manlal D. Shelte Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

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

2. At the request of learned P.O., time granted for filing affidavit in reply on behalf of respondents.
3. S.O. to 04.01.2024. The interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 546 OF 2023
(Kamaji M. Thombare Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

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

2. Shri H.P. Kshirsagar, learned counsel has filed **VAKIL-PATRA** on behalf of respondent No.4. The same is taken on record.

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

4. S.O. to 21.12.2023.

MEMBER (J)

**M.A.NO. 41 OF 2020 IN O.A.ST.NO. 928 OF 2019
(Chandmiyan Babar Munde Vs. State of Maharashtra &
Ors.)**

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

DATE : 21.11.2023

ORAL ORDER :

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

2. The applicant has filed the present Misc. Application seeking condonation of delay caused in filing the accompanying Original Application.

3. Learned counsel for the applicant submits that the applicant has filed the Original Application on 16.04.2019 challenging the order dated 18.01.2016, thereby rejecting the application of the applicant for appointment on the post of Kotwal on compassionate ground. Therefore, there is delay of 2 years and 3 months for filing the Original Application before this Tribunal.

The applicant's father was working on the post of Kotwal of village Chincholi (B) Tq. & Dist. Latur since last 25 years. He died on 12.01.2004 while performing duty. The respondent No.4 had issued an advertisement on 09.01.2015 for filling up total

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M.A. 41/2020 In
O.A.St. 928/2019

35 posts of Kotwal in Latur Taluka. It is also mentioned in the said advertisement that the procedure laid down in the G.Rs. dated 28.01.1974 & 20.05.2010 will be followed and consequently the preference will be given to the legal heir of Kotwal. The applicant being a legal heir of Kotwal submitted an application on 13.02.2015, however, he was not selected.

4. Learned counsel for the applicant submits that the applicant has approached to this Tribunal by filing the Original Application No. 128/2015. However, by order dated 03.09.2015 this Tribunal has dismissed the said Original Application. Being aggrieved by the said order of dismissal, the applicant has filed Writ Petition No. 11491/2015 before the Hon'ble High Court of Bombay Bench at Aurangabad. The Division Bench of Hon'ble High Court of Bombay, Bench at Aurangabad by order dated 30.11.2015 had disposed of the said Writ Petition with the observations that so far as selection process in which the petitioner has undergone, the petitioner has no case inasmuch as he has participated in the selection process and was

//3//

M.A. 41/2020 In
O.A.St. 928/2019

unsuccessful. However, it will be open for the petitioner to pursue the respondents concerned for appointment on compassionate ground in accordance with the policy framed by the State Government. The said Writ Petition was disposed of with the aforesaid terms with liberty to the applicant to pursue the respondents concerned for appointment on compassionate ground in accordance with the policy framed by the State Government. The applicant on 14.12.2015 has submitted an application before the respondent No.4 for compassionate appointment by exercising the said liberty. However, by order dated 18.01.2016 his application came to be rejected.

5. It appears that the applicant has thereafter again approached to the Hon'ble High Court of Bombay, Bench at Aurangabad by filing Writ Petition No. 3544/2016. By order dated 25.10.2018 the Writ Petition was disposed of with liberty to the applicant herein to avail alternate remedy. It further appears that on 16.04.2019, the applicant has approached to this Tribunal by filing Original Application challenging the impugned order dated 18.01.2016.

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O.A.St. 928/2019

6. Learned counsel for the applicant submits that though technically there is delay of 2 years and 3 months for filing the Original Application before this Tribunal, however, in fact there is delay of near about 6 months occurred in filing the Original Application. Learned counsel for the applicant further submits that when the Writ petition No. 3544/2016 was withdrawn and it was disposed of by order dated 25.10.2018 with liberty to the applicant to avail alternate remedy, Advocate representing the applicant had not intimated the said fact to the applicant. Thereafter, the applicant got knowledge of the same in the month of last week of March, 2019 and after obtaining the copy of order approached to another Advocate in the first week of April, 2019 and filed the Original Application on 16.04.2019.

7. Learned counsel for the applicant submits that the applicant has well explained the delay. He has approached the Tribunal at first instance and thereafter approached twice to the Hon'ble High Court of Bombay, Bench at Aurangabad. There is no

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O.A.St. 928/2019

inaction on the part of the applicant nor any negligence in approaching the concerned court in timely manner.

8. Learned P.O. submits that the applicant has filed the Original Application after lapse of longer period of 2 years and 3 months which is an inordinate delay and the grounds taken by the applicant are imaginary one and not sufficient to condone the delay. The applicant has not explained day to day delay and he has failed to explain reasons for said delay. The learned P.O. submits that Misc. Application seeking condonation of delay liable to be dismissed.

9. On careful perusal of annexures, I am of the opinion that the applicant has well explained the delay. The applicant has not only immediately approached to this Tribunal by filing O.A.No. 128/2019 but after it's dismissal by this tribunal on 03.09.2015 immediately approached to the Hon'ble High Court of Bombay, Bench at Aurangabad by filing Writ Petition No. 11491/2015. The said Writ Petition No. 11491/2015 was disposed of by order dated 30.11.2015 and in the month of December,

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O.A.St. 928/2019

2015 the applicant had filed application in the department for compassionate appointment. Even in the year 2016 when the said application came to be rejected by the department, the applicant immediately approached to the Hon'ble High Court of Bombay Bench, at Aurangabad by filing Writ Petition No. 3544/2016 which came to be disposed of on 25.10.2018 with liberty to the applicant to avail the alternate remedy.

10 It thus appears that the delay of 6 months has caused in filing the present Original Application. However, the applicant has explained the said delay. He could not file the Original Application for want of knowledge of withdrawal of Writ Petition by his counsel representing him before Hon'ble High Court. In view of same, the Misc. Application deserves to be allowed. Hence, following order:-

ORDER

The Misc. Application No. 41/2020 is allowed in following terms:-

- (A) The delay of 2 years and 3 months caused in filing the accompanying O.A.

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O.A.St. 928/2019

under Section 19 of the Administrative
Tribunals Act, 1985 is hereby condoned.

- (B) The accompanying O.A. be registered and
numbered by taking into account other
office objection/s, if any.
- (C) No order as to costs.

MEMBER (J)

**ORIGINAL APPLICATION ST.NO. 928 OF 2019
(Chandmiyan Babar Munde Vs. State of Maharashtra &
Ors.)**

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

DATE : 21.11.2023

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 11.01.2024.

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

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

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

//2// O.A.St. 928/2019

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. The learned P.O. appears for all the respondents and seeks time for taking instructions.

8. S.O. to 11.01.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 104 OF 2023
(Mahesh B. Kavthale Vs. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

None present for the applicant. Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. submits affidavit in reply. The same is taken on record along with spare copy for the applicant.

3. S.O. to 02.01.2024.

MEMBER (J)

ORIGINAL APPLICATION NO.461/2022
(Sunil P. Vispute V/s. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.11.2023

ORAL ORDER :

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

2. S.O. 11-12-2023. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO.376/2022
(Abhilash Gore V/s. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.11.2023

ORAL ORDER :

Shri V.T.Patil, learned Counsel holding for
Shri O.Y.Kashid, learned Counsel for the applicant
and Shri N.U.Yadav, learned Presenting Officer for
respondent authorities, are present.

2. S.O. 08-12-2023. Interim relief granted earlier
to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.93/2022
(Vidya S. Sudame V/s. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.11.2023

ORAL ORDER :

Shri Saket Joshi, learned Counsel holding for
Shri A.S.Deshmukh, learned Counsel for the
applicant and Shri D.R.Patil, learned Presenting
Officer for respondent authorities, are present.

2. S.O. 18-12-2023. Interim relief granted earlier
to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.994/2023
(Trimbak D. Chavan V/s. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.11.2023

ORAL ORDER :

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

2. S.O. 30-11-2023. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 21.11.2023

ORIGINAL APPLICATION NO.26/2023
(Vilas G. Dongre & Anr. V/s. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 21.11.2023

ORAL ORDER :

Shri R.O.Awasarmol, learned Counsel for the applicant and Shri D.R.Patil, learned Presenting Officer for respondent authorities, are present.

2. Learned P.O. has filed affidavit in reply on behalf of respondent nos.1 and 2. It is taken on record. Copy thereof be provided to the learned Counsel for the applicant.

3. S.O. 24-11-2023.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.459/2023
(Dr. Pradnya Y. Ohol V/s. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri C.P.Patil, learned Counsel holding for Shri D.S.Pawar, learned Counsel for the applicant and Shri D.R.Patil, learned Presenting Officer for respondent authorities, are present.

2. Learned P.O. has filed affidavit in reply on behalf of respondent nos.1 and 2. It is taken on record. Copy thereof be provided to the learned Counsel for the applicant.

4. S.O. 08-01-2023.

MEMBER (A)

VICE CHAIRMAN

DATE : 21.11.2023

M.A.NO.530/2023 IN O.A.ST.NO.2216/2023

(Shaikh Mumtaj Ibrahim Vs. The State of Maha. & Ors.)

**Per :- Standing directions of Hon'ble
Chairperson, M.A.T., Mumbai-**

1. Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Smt. Deepali Deshpande, learned P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents in M.A., returnable on **21.12.2023**. The case be listed for admission hearing on **21.12.2023**.
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 Respondents 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.

REGISTRAR

**ORIGINAL APPLICATION NO.296/2021, 381/2021,
550/2021, 766/2021, 44/2022, 438/2022,
783/2022, 1144/2022, 1154/2022 &
T.A.NO.06/2022 IN W.P.NO.6466/2022,
(B.K.Patil & Ors. V/s. State of Maharashtra & Ors.)**

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

DATE : 21.11.2023

ORAL ORDER :

S/Shri B.K.Patil, Pramod S. Gaikwad, C.V.Dharurkar, V.B.Wagh, K.M.More, Subhash Chillarge, V.G.Pingle, H.P.Jadhav, R.I.Wakade & Mohit R. Deshmukh, learned Counsel for the applicants in respective matters and Shri M.S.Mahajan, learned Chief Presenting Officer, S/Shri I.S.Thorat, D.R.Patil, N.U.Yadav, V.R.Bhumkar, B.S.Deokar, Smt. Deepali Deshpande & Smt. M.S.Patni, learned Presenting Officers for respondent authorities in respective cases, and Shri S.B.Mene, learned Counsel for respondent nos.3 & 4 in O.A.No.783/2022.

2. All these matters pertain to appointment on compassionate ground. Earlier these matters were heard by me and were reserved for orders. When these matters were argued by the parties judgment of the Division Bench of the Hon'ble Bombay High Court Bench at Aurangabad in the case of

=2=

Mangalabai Janardhan Shinde & Anr. V/s. State of Maharashtra & Anr. (Writ Petition No.4451/2021 delivered on 20-08-2022) was not cited by any of the parties. However, before dictating the judgment in these matters the aforesaid judgment was noticed by me.

3. Since in most of the above matters the issue of mother crossing the age of 45 years is involved and the aforesaid judgment of the Hon'ble Division Bench has dealt with the said issue, I feel it necessary to bring this judgment to the notice of the parties and to hear them on the issue discussed in the aforesaid judgment.

4. For the reasons stated above, following order is passed.

ORDER

All these matters be listed for hearing in due course before the learned Single Bench which is now being presided over by Hon'ble Shri Justice V.K.Jadhav.

VICE CHAIRMAN

M.A.NO.529/2019 IN O.A.ST.NO.1650/2019
(Gurunath Purohit V/s. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri S.S.Jadhavar, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for respondent authorities.

2. This matter pertains to Single Bench which was earlier reserved for order. Now Single Bench is available. Hence, it be listed for hearing in due course before the learned Single Bench which is now being presided over by Hon'ble Shri Justice V.K.Jadhav.

VICE CHAIRMAN

YUK ORAL ORDERS 21.11.2023

M.A.NO.62/2021 IN O.A.NO.461/2020
(Gurunath Purohit V/s. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri Shamsunder B. Patil, learned Counsel for the applicant in M.A. & respondent nos.2 to 4 in O.A., Shri R.P.Bhumkar, learned Counsel for applicant in O.A. (**leave note**) and Shri B.S.Deokar, learned Presenting Officer for respondent authorities.

2. This matter pertains to Single Bench which was earlier reserved for order. Now Single Bench is available. Hence, it be listed for hearing in due course before the learned Single Bench which is now being presided over by Hon'ble Shri Justice V.K.Jadhav.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.518/2022
(Ganesh Mundhe V/s. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

Shri H.M.Shaikh, learned Counsel for the applicant and Shri D.R.Patil, learned Presenting Officer for respondent authorities.

2. This matter pertains to Single Bench which was earlier reserved for order. Now Single Bench is available. Hence, it be listed for hearing in due course before the learned Single Bench which is now being presided over by Hon'ble Shri Justice V.K.Jadhav.

VICE CHAIRMAN

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

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

DATE : 21.11.2023

ORAL ORDER :

Shri V.B.Wagh, learned Counsel for the applicant (**leave note**). Shri N.U.Yadav, learned Presenting Officer for respondent authorities.

2. This matter pertains to Single Bench which was earlier reserved for order. Now Single Bench is available. Hence, it be listed for hearing in due course before the learned Single Bench which is now being presided over by Hon'ble Shri Justice V.K.Jadhav.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.347/2023
(Baban R. Zagade V/s. State of Maharashtra & Ors.)

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

DATE : 21.11.2023

ORAL ORDER :

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

2. Learned C.P.O. has filed a short affidavit in reply on behalf of respondent nos.2 and 3. It is taken on record. Copy thereof be provided to the learned Counsel for the applicant.

3. S.O. 03-01-2024.

MEMBER (A)

VICE CHAIRMAN

LATER ON

4. The Sheristedar pointed out that the name of the applicant and respondents mentioned in the affidavit in reply are not matching with the name of the applicant and respondents in the present O.A. The aforesaid fact be brought to the notice of the learned CPO and reply so filed be returned to him.

5. Matter be posted for filing reply on 03-01-2024.

MEMBER (A)

YUK ORAL ORDERS 21.11.2023

VICE CHAIRMAN