

ORIGINAL APPLICATION NO. 471 OF 2023
(Govind S. Surewad Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri V.B. Dhage, learned counsel for the applicant (**Absent**). Heard Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer submits that the applicant is working as Clerk in the office of respondent No. 4. The applicant is working at Loha since last 14 years i.e. from the year 2009. Learned P.O. submits that the applicant is in habit of filing Original Application. The applicant had filed O.A. No. 314/2018 challenging the similar transfer of the year 2017. Said O.A. No. 314/2018 was dismissed in default and no attempt was made to restore it. The applicant has not given the options for ensuing General Transfers.

3. In view of above, it appears that the applicant is not interested in prosecuting the present matter. The Original Application stands dismissed in default.

MEMBER (J)

ORIGINAL APPLICATION NO. 597 OF 2023
(Ashish N. Hiware Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

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

2. It is a part heard matter. At the request of learned Presenting Officer, S.O. to 05.08.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 773 OF 2018
(Shivaji B. Satote Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri R.P. Bhumkar, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present. Shri S.B. Mene, learned counsel for respondent No. 2, is **absent**.

2. I have heard learned counsel for the applicant at length.

3. Learned counsel for respondent No. 2 is absent. Learned P.O. reserve his submissions till learned counsel Shri S.B. Mene makes his submissions on behalf of respondent No. 2.

4. Part heard.

5. S.O. to 30.07.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 114 OF 2020
(Dagdu G. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Ms. Preeti Wankhade, learned counsel for the applicant (**Leave Note**). Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note filed by learned counsel for the applicant, S.O. to 26.08.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 682 OF 2022
(Bhimrao N. Doiphode Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri R.A. Joshi, learned counsel holding for Shri S.R. Shirsath, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 19.08.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 54 OF 2023
(Sayed Shafi Sayyad Lal & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri P.V. Suryawanshi, learned counsel for the applicants and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. In compliance with the order dated 02.07.2024, learned Presenting Officer submits additional affidavit in reply on behalf of respondent No. 4. Same is taken on record and copy thereof is given to learned counsel for the applicants today itself.

3. Learned counsel for the applicants seeks time to go through the same and file rejoinder affidavit, if necessary.

4. S.O. to 31.07.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 468 OF 2023
(Dr. Prashant S. Shelar Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities and Shri Amol Kokad, learned counsel for respondent No. 4, are present.

2. At the request of learned Presenting Officer, S.O. to 06.08.2024 for hearing.

MEMBER (J)

O.A. Nos. 614, 615 & 616 all of 2023
(Jija Mugaji Londhe & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri D.T. Devane, learned counsel for the applicants in all these O.As. (**Leave Note**). Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities in all these O.As., is present.

2. In view of leave note filed by learned counsel for the applicants, S.O. to 18.09.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 22.07.2024

O.A. No. 709/2023 with M.A. No. 207/2024
(Deepak R. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

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

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

MEMBER (J)

KPB ORAL ORDER 22.07.2024

ORIGINAL APPLICATION NO. 813 OF 2023
(Shahuraj D. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Ms. Preeti Wankhade, learned counsel for the applicant (**Leave Note**). Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Shri S.B. Patil, learned counsel for respondent No. 1, are present.

2. In view of leave note filed by learned counsel for the applicant, S.O. to 26.08.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 929 OF 2023
(Gopal P. Sanap Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri D.S. Patil, learned counsel for the applicant (**absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 02.09.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 972 OF 2023
(Pandit R. Matade & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri A.D. Sugdare, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 30.08.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 1978 OF 2023
(Bhaskar K. Dabhade Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

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

2. S.O. to 30.08.2024 for hearing.

MEMBER (J)

O.A. No. 399/2024 with O.A. No. 436/2024
(Vijay L. Chavan & Ashok R. Kashid Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicants in both the O.As. and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in both the O.As., are present.

2. By consent, S.O. to 14.08.2024 for hearing in **urgent admission category**. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDER 22.07.2024

ORIGINAL APPLICATION NO. 435 OF 2024
(Ganesh P. Sonawane Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

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

2. By consent, S.O. to 14.08.2024 for hearing in **urgent admission category**. Interim relief granted earlier to continue till then.

MEMBER (J)

O.A. No. 570/2024 with O.A. NO. 571/2024
(Pranjal P. Patil & Navnath P. Sonawane Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicants in both the O.As. and Shri Ajay Deshpande, learned Special Counsel for respondents, are present.

2. At the request of learned counsel for the applicants, S.O. to 31.07.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 22.07.2024

**ORIGINAL APPLICATION NO. 199 OF 2023
(Madhav R. More Vs. State of Maharashtra & Ors.)**

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

DATE : 22.07.2024

ORAL ORDER :

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

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

3. S.O. to 19.08.2024.

MEMBER (J)

SAS ORAL ORDER 22.07.2024

ORIGINAL APPLICATION NO. 327 OF 2023
(Dr. Hanmant V. Bainwad Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Ms. Pooja Mundhe, learned counsel holding for Shri P.P. Uttarwar, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 06.08.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 226 OF 2024
(Meenabai B. Sadgir & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Ms. Pooja Mundhe, learned counsel holding for Shri P.P. Uttarwar, learned counsel for the applicants and Shri D.M. Hange, 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 14.08.2024.

MEMBER (J)

M.A.NO. 588/2023 IN O.A.ST.NO. 2046/2023
(Shiva K. Sharma Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

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

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

3. S.O. to 07.08.2024.

MEMBER (J)

SAS ORAL ORDER 22.07.2024

ORIGINAL APPLICATION NO. 57 OF 2024
(Gulab J. Taywade Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

S/Shri Gorakhnath Kendre/J.M. Murkute, learned counsel for the applicant, **absent**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. submits the affidavit in reply on behalf of respondent No.3 along with spare copy for the other side. The same is taken on record.

3. Learned P.O. submits that the other respondents are adopting the affidavit in reply filed on behalf of respondent No.3.

4. List the matter for filing affidavit in rejoinder, if any and for admission hearing on 23.08.2024.

MEMBER (J)

**M.A. 286/2024 IN M.A. 493/2023 IN M.A.ST. 1818/2023
(Nana W. More Vs. State of Maharashtra & Ors.)**

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

DATE : 22.07.2024

ORAL ORDER :

Heard Shri P.D. Bodade, learned counsel holding for Shri A.K. Agale, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. By order dated 12.06.2024 this Tribunal has dismissed the Misc. Application No. 493/2023 in O.A.St.No. 1818/2023 in default as the applicant and his counsel remained absent when the matter was called out.

3. Learned counsel for the applicant submits that due to oversight the correct date of hearing could not be taken up and therefore, remained absent on the date of hearing i.e. on 12.06.2024.

4. In view of above and for the reasons stated in the application, the Misc. Application seeking restoration is hereby allowed subject to costs of Rs. 200/-.

//2//

5. The amount of costs to be paid to the Bar Association of this Tribunal within one month and after depositing the said amount, the applicant shall produce the receipt before the office of this Tribunal.

6. Upon satisfaction of the costs as above, M.A. No. 493/2023 in O.A.St. No. 1818/2023 be restored to its file.

7. The Misc. Application No. 286/2024 is accordingly disposed of.

8. The Misc. Application No. 493/2023 in O.A.St.No. 1818/2023 to come up on board on 10.09.2024.

MEMBER (J)

**M.A.NO. 243 OF 2024 IN O.A.NO. 658 OF 2024
(Hiraman S. Nagre & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 22.07.2024

ORAL ORDER :

Heard Shri R.P. Bhumkar, learned counsel for the applicants and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicants submits that all the applicants are from the Police Department and they have been given the Time Bound Promotion. They have filed the Original Application for the same relief on the same cause of action.

3. Learned Presenting Officer submits that the appropriate order may be passed.

4. In view of same and for the reasons stated in the application, to avoid the multiplicity, Misc. Application is allowed. The applicants are permitted to sue/prosecute jointly the Original Application filed by them, subject to payment of court fee stamps, if not paid.

5. The present M.A.No. 243/2024 stands disposed of accordingly without any order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 658 OF 2024
(Hiraman S. Nagre & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Heard Shri R.P. Bhumkar, learned counsel for the applicants and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 28.08.2024.

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

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

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

//2// O.A.No. 658/2024

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

7. S.O. to 28.08.2024.

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

MEMBER (J)

SAS ORAL ORDER 22.07.2024

ORIGINAL APPLICATION NO. 709 OF 2024
(Dwarkabai P. Ramteke Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Heard Shri A.G. Dalal, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. By order dated 07.01.2019 passed in M.A.No. 65/2018 in O.A.St.No. 883/2016, this Tribunal has dismissed the Misc. Application No. 65/2018 seeking condonation of delay.

3. Being aggrieved by the same, the applicant has preferred the Writ Petition No. 5592/2021 before the Hon'ble High Court of Bombay, Bench at Aurangabad. By order dated 08.05.2024, the Hon'ble High Court has allowed the said Writ Petition by setting aside the order passed by this Tribunal and allowed the Misc. Application No. 65/2018 seeking condonation of delay directing further that the Original Application be registered. Hence, the present Original Application is registered and placed before this Tribunal.

4. In view of above, issue notices to respondents, returnable on 29.08.2024.

//2// O.A.No. 709/2024

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

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

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

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

9. S.O. to 29.08.2024.

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

MEMBER (J)

**M.A.NO. 529 OF 2023 IN O.A.NO. 1112 OF 2022
(Mohammad Raza Khan Vs. State of Maharashtra & Ors.)**

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

DATE : 22.07.2024

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicant, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Shri M.B. Bharaswadkar, learned counsel for respondent No.3 in O.A.No. 1112/2022, are present.

2. At the request of learned P.O., time granted for filing the application for vacating the interim order.

3. S.O. to 29.07.2024 for hearing in **urgent admission category**. The interim relief granted earlier in O.A. to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 233 OF 2020
(Arun A. Ghate Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Heard Smt. S.A. Ghate-Deshmukh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

Shri S.B. Mene, learned counsel for respondent No.4 is **absent**.

2. Heard both the sides.

3. This is a part heard matter.

4. Learned counsel for the applicant has placed on record the copy of order passed in Writ Petition No. 9591/2019 and other connected Writ Petitions wherein the Division Bench of Hon'ble High Court of Bombay, Bench at Aurangabad by order dated 06.09.2022 in paragraph No. 6 has made the following observation.

“6. We, therefore, dispose of the petitions by declaring that the Government Resolution dated 24.08.2017 would apply prospectively. Petitioners, who became due and eligible for grant of advance increments for outstanding work prior to 24.08.2017, would be entitled to grant of the same. Such of the petitioners who are yet to be granted the actual benefits of advance increments may be granted such

//2// O.A. 233/2020

benefits. In respect of those petitioners who were already granted advance increments and in respect of whom recoveries have been effected or sought to be effected, such action of recovery is set aside. Consequential benefits be paid to respective petitioners within a period of eight weeks from today.”

5. Precisely it appears that the applicant’s claim is based upon the order passed in the aforesaid Writ Petition.

6. Learned Presenting Officer on the previous date sought time to take specific instructions as to whether the State Government has approached to the Hon’ble Supreme Court or not against the said order.

7. Learned P.O. today placed on record the copy of communication dated 31.05.2024, which is marked ‘X’ for the purpose of identification wherein it is informed by the Government that against the judgment and order passed in aforesaid Writ Petition, the State has received the approval from the Law and Judiciary Department and accordingly, the SLP will be preferred shortly. Learned P.O. thus seeks time. Time granted.

8. S.O. to 30.09.2024 for further hearing.

MEMBER (J)

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

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

DATE : 22.07.2024

ORAL ORDER :

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

2. Arguments are concluded.

3. S.O. to 28.08.2024 for production of citations by the parties.

MEMBER (J)

M.A.NO. 156/2023 IN O.A.ST.NO. 601/2023
(Manisha M. Nikalje Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 23.09.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 22.07.2024

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

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

DATE : 22.07.2024

ORAL ORDER :

Shri A.R. Jadhav, learned counsel holding for Shri A.B. Rajkar, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 23.09.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 22.07.2024

M.A.NO. 425/2023 IN O.A.ST.NO. 1366/2023
(Gambhir K. Mangale Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

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

2. In view of absence of learned counsel for the applicant, S.O. to 13.09.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 22.07.2024

ORIGINAL APPLICATION NO. 555 OF 2018
(Nirmala S. Bhandari Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

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

2. I have heard both the sides for some time.

3. In the affidavit in reply filed on behalf of respondent No.3 in paragraph No. 4 there is a specific reference of the Government Circular dated 05.03.2005 issued by the department of Social Welfare to counter the claim of the applicant.

4. In the affidavit in rejoinder the applicant has not explained the same and based his case upon the circular dated 31.07.2013. Admittedly, the applicant came to be voluntary retired in the year 2006 and the departmental committee has taken the decision in the year 2011 i.e. before issuance of Government Circular dated 31.07.2013. Even in the Government Circular dated 31.07.2013 in the initial

//2// O.A. 555/2018

discussion at Sr. No.3 the said Government Circular dated 05.03.2005 is mentioned as 'read'.

5. In view of above, the applicant as well as the learned P.O. are hereby requested to place on record the aforesaid G.R. dated 05.03.2005 on the next date of hearing.

6. S.O. to 29.07.2024 for final hearing.

MEMBER (J)

SAS ORAL ORDER 22.07.2024

ORIGINAL APPLICATION NO. 626 OF 2018
(Dilip S. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Heard Shri S.N. Suryawanshi, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. Part heard.
3. S.O. to 29.07.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 656 OF 2018
(Dr. Sunil D. Dhumal Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Ms. Preeti R. Wankhade, learned counsel for the applicant has filed a **leave note**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note of learned counsel for the applicant, S.O. to 23.07.2024 for final hearing.

MEMBER (J)

SAS ORAL ORDER 22.07.2024

O.A. Nos. 117, 205, 396, 410, 416, 442, 453, 463, 479, 484, 542, 571, 590, 611, 613, 621, 686, 731, 594, 643 ALL OF 2015 & 2, 5, 171, 441, 258 & 519 ALL OF 2016

(Ganendrasingh B. Chandel & Ors. Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri J.B. Choudhary, learned counsel for himself and holding for Smt. M.A. Kulkarni, S/Shri A.M. Kulkarni and S.B. Sant, learned counsel for the applicants in respective O.As., Shri H.A. Joshi, learned counsel for the applicants in O.A. Nos. 643/2015, 258/2016 and 519/2016 and Shri D.M. Hange, learned Presenting officer for the respondent authorities in all these cases, are present.

None present for the applicant in O.A.No. 441/2016.

2. In compliance of order dated 24.06.2024, learned P.O. submits the short affidavit on behalf of respondents along with annexures. The same is taken on record and copy thereof is given to other side.

3. Learned counsel appearing for the respective applicants seek time to go through the said affidavit and make appropriate submission on the next date. Time granted.

4. S.O. to 24.07.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 460/2024
(Yadav S. Jadhav and Ors. Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri Sayyed Tauseef Yaseen, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 7.8.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 828/2022
(Shailendra Gangadhar Sasane Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 5.8.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 64/2022
(Bhimrao K. Gaikwad Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

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

2. S.O. to 13.8.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

**O.A. NOS. 375, 376, 418, 428 AND 434 ALL OF 2020
(Amol Naikwade & Ors. Vs. The State of Maharashtra & Ors.)**

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

DATE : 22.07.2024

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicants in all these matters and Shri Mahesh S. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities in all these matters, are present.

2. S.O. to 12.8.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 685/2019
(Shivaji R. Thakare Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 12.8.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 757/2022
(Sunil Keshav Rodge Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri Shamsunder B. Patil, learned counsel holding for Smt. Aditi D. Warjurkar, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 9.8.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 213/2024

(Prashant G. Bedgajar & Ors. Vs. The State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE : 22.07.2024

ORAL ORDER :

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

2. S.O. to 12.8.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 13/2024
(Ganesh T. Saaste Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

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

2. Learned Chief Presenting Officer has tendered affidavit in reply on behalf of respondent nos. 1 & 2. It is taken on record. Learned C.P.O. undertook to supply copy of reply to learned counsel for the applicant.

2. S.O. to 9.8.2024. It is open for the applicant to file rejoinder affidavit, if he so desires. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 382/2024
(Gulab S. Chavan Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri V.B. Dhage, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Not on Board. Taken on Board.

3. On instructions the learned counsel for the applicant seeks leave to withdraw the present Original Application. Hence, we pass the following order:-

ORDER

The Original Application stands disposed of since withdrawn. There shall be no order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 809/2021
(Dr. Imran Nizam Pathan Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

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

2. S.O. to 26.7.2024. **High on Board.**

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 351/2023
(Dr. Rajesh B. Kharat Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Ms. P.R. Wankhade, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned Chief Presenting Officer has tendered affidavit in reply of respondent no. 2. It is taken on record. Learned C.P.O. undertook to supply copy of reply to learned counsel for the applicant.

3. S.O. to 26.8.2024.

MEMBER (A)

VICE CHAIRMAN

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

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

DATE : 22.07.2024

ORAL ORDER :

Ms. Pradnya Talekar, learned counsel for the applicants, Shri Maheah B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, Shri Avinash S. Deshmukh, learned counsel for respondent nos. 04, 08, 09, 11 & 15, Shri V.B. Wagh, learned counsel for respondent nos. 5, 6, 14, 16 and 17 and Smt. Vaidahi Deshmukh learned counsel holding for Shri A.D. Kaware, learned counsel for respondent no. 10, are present.

2. When the present matter is taken up for consideration, learned counsel for the applicants has tendered the summary of chronological events. It is taken on record and copies are given to all concern. Arguments of learned counsel for the applicants, learned C.P.O. for respondent authorities and Shri Avinash Deshmukh, learned counsel for respondent nos. 04, 08, 09, 11 & 15 are heard. Arguments of others are yet to be heard.

3. The matter stands adjourned to Friday i.e. on 26.07.2024. **Part Heard.**

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 313/2024
(Vinayak V. Nakhate & Ors. Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

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

2. Arguments of learned counsel for the applicants are heard. The matter be listed for arguments of learned C.P.O. on 26.07.2024. **Part Heard.**

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 649 OF 2024
(Ramchandra P. Kulkarni Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Remove from board.

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 67/2024 IN O.A.NO. 240/2024
(Hareshwar R. Ghuge Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

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

2. When the present matter is taken up for consideration, learned Chief Presenting Officer submits that according to the instructions received to him, Writ Petition has been preferred before the Hon'ble Bombay High Court, against the order passed by this Tribunal in O.A. No. 240/2024, contempt of which is alleged in the present petition. Learned C.P.O. submits that within a week he will take necessary instructions from the respondents and will make statement on the next date.

3. S.O. to 01.08.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 688 OF 2024
(Buddhisagar B. Sawant Vs. the State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Heard Shri Vilas P. Savant, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Applicant should satisfy on the point of maintainability of the present Original Application on the next date.

3. S.O. to 02.09.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 713 OF 2024
(Shaikh Yunus Shaikh Yusufoddin Vs. the State of Maha. & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Heard Shri Subhash S. Nade, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant seeks leave of this Tribunal to delete prayer clause 'C'. Leave granted as prayed for.

3. It is the contention of the applicant that his seniority has not been considered and he has been deprived from the promotion. Tangible evidence in respect of his seniority however, has not been placed on record. Learned counsel for the applicant submits that though he has made sincere attempt to seek those documents from the respondents, the same are not provided to him. It is his contention on oath that he is senior to one Mr. O.A. Choudhary, who has been granted promotion. Considering that he has made statement on oath, issue notice to the respondents, returnable on 05.09.2024.

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

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

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

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

8. S.O. to 05.09.2024.

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

MEMBER (A)

VICE CHAIRMAN

**O.A.NOS. 273, 275, 278, 279 & 280 ALL OF 2020
(Kunal D. Wadnere & Ors. Vs. the State of Maharashtra & Ors.)**

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

DATE : 22.07.2024

ORAL ORDER :

Heard Smt. Sanjivani Deshmukh-Ghate, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in all these matters.

2. Consolidated information in brief is submitted by the learned counsel for the applicants. The same is taken on record.

3. Learned Presenting Officer shall state whether the information as is provided is factually correct. The matters stand reserved for orders.

MEMBER (A)

VICE CHAIRMAN

O.A.NOS. 28, 01 & 02 ALL OF 2022
(Girish A. Bibave & Ors. Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri S.S. Jadhavar, learned counsel for himself and holding for Shri K.G. Slunke, learned counsel for the applicants in O.A. Nos. 01 & 02 both of 2022 and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities in all these matters, are present.

2. S.O. to 06.08.2024. The present matters are already treated as part heard.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 759 OF 2024
(Mahesh Narayan Bangar Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Heard Shri A.G. Ambetkar, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. When the present matter is taken up for consideration, it is revealed that the jurisdiction for entertaining the present Original Application would lie with the Principal Seat of this Tribunal at Mumbai. Learned counsel for the applicant in the circumstances has prayed for return the record and proceedings of the present O.A., so as to enable him to present before the Principal Seat of this Tribunal at Mumbai. In view of the submissions made by the learned counsel for the applicant, the following order is passed: -

ORDER

(i) The O.A. be returned to the applicant along with its annexures for enabling him to present it before the Principal Seat of this Tribunal.

:: - 2 - ::

O.A. NO. 759/2024

(ii) The Original Application before this Tribunal stands disposed of in the aforesaid terms. There shall be no order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 22.07.2024-HDD

ORIGINAL APPLICATION NO. 757 OF 2024
(Vishawajeet Sandipan Kale Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 22.07.2024

ORAL ORDER :

Heard Shri Vilas P. Savant, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 06.09.2024.

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

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

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

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

7. S.O. to 06.09.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 965 OF 2023
(Ranjit Dattatray Shingare Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri A.V. Thombre, learned counsel holding for Shri R.D. Khadap, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has submitted that during the course of the day affidavit in reply on behalf of respondent No. 3 will be filed to the amended O.A. If it is filed the same be taken on record and copy thereof be served on the other side.

3. S.O. to 05.09.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 753 OF 2024
(Ramdas S. Gaikwad Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

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

2. Learned counsel for the applicant seeks leave of this Tribunal to add one more prayer in the prayer clause, thereby seeking quashment of the order dated 11.07.2024 passed by the Appellate Authority. Leave granted as prayed for. The necessary amendment be carried out within a period of one week.

3. After carrying out amendment in the O.A., issue notice to the respondents, returnable on 27.08.2024.

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

5. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case

would be taken up for final disposal at the stage of admission hearing.

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

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

8. S.O. to 27.08.2024.

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

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 51/2024 IN O.A.NO. 45/2021
(Akhilujamakha S. Pathan Vs. the State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 22.07.2024

ORAL ORDER :

Heard Smt. Supriya Bhillegaonkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue simple notice to respondent Nos. 4 & 5, returnable on 03.09.2024.

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

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

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

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

7. S.O. to 03.09.2024.

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

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 53/2024 IN O.A.NO. 740/2019
(Natharao R. Hodbe Vs. the State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 22.07.2024

ORAL ORDER :

Heard Smt. Supriya Bhillegaonkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue simple notice to respondent Nos. 4 & 5, returnable on 03.09.2024.

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

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

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

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

7. S.O. to 03.09.2024.

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

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 54/2024 IN O.A.NO. 742/2019
(Mohan F. Jadhav Vs. the State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 22.07.2024

ORAL ORDER :

Heard Smt. Supriya Bhillegaonkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue simple notice to respondent Nos. 4 & 5, returnable on 03.09.2024.

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

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

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

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

7. S.O. to 03.09.2024.

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

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 55/2024 IN O.A.NO. 01/2021
(Prasad S. Bhise Vs. the State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 22.07.2024

ORAL ORDER :

Heard Smt. Supriya Bhillegaonkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue simple notice to respondent Nos. 4 & 5, returnable on 03.09.2024.

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

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

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

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

7. S.O. to 03.09.2024.

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

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 56/2024 IN O.A.NO. 746/2019
(Vilas W Chavhan Vs. the State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 22.07.2024

ORAL ORDER :

Heard Smt. Supriya Bhillegaonkar, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Issue simple notice to respondent Nos. 4 & 5, returnable on 03.09.2024.

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

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

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

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

7. S.O. to 03.09.2024.

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

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 57/2024 IN O.A.NO. 745/2019
(Kishor U. Bhusari Vs. the State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 22.07.2024

ORAL ORDER :

Heard Smt. Supriya Bhillegaonkar, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Issue simple notice to respondent Nos. 4 & 5, returnable on 03.09.2024.

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

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

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

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

7. S.O. to 03.09.2024.

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

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 58/2024 IN O.A.NO. 743/2019

(Mubsaroddin Shabbiroddin Siddiqui Vs. the State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 22.07.2024

ORAL ORDER :

Heard Smt. Supriya Bhillegaonkar, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Issue simple notice to respondent Nos. 4 & 5, returnable on 03.09.2024.

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

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

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

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

7. S.O. to 03.09.2024.

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

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 59/2024 IN O.A.NO. 741/2019
(Ankush L. Jadhav Vs. the State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 22.07.2024

ORAL ORDER :

Heard Smt. Supriya Bhillegaonkar, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Issue simple notice to respondent Nos. 4 & 5, returnable on 03.09.2024.

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

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

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

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

7. S.O. to 03.09.2024.

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

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 31/2024 IN O.A.NO. 472/2023
(Bajirao Eknath Gadade Vs. the State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

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

2. When the present matter is taken up for consideration, learned Presenting Officer has tendered across the bar communication dated 22.07.2024 received to the office of Chief Presenting Officer evidencing the compliance of the order passed by this Tribunal. Learned counsel for the applicant submitted that he will take instructions and will make the statement.

3. S.O. to 09.08.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 633 OF 2024
(Sandeep Arvind Patil Vs. State of Maharashtra & Ors.)

ORIGINAL APPLICATION NO. 652 OF 2024
(Samidha S. Survase & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

O.A.NO. 633/2024

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

O.A.NO. 652/2024

Shri S.D. Joshi, learned counsel appeared today and submits that he has received instructions to appear on behalf of the applicant in the present matter, so his presence may be recorded. Shri Ajay Deshpande, learned counsel submits that he may be discharged from appearing for the applicant.

Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, is present.

:: -2 - :: O.A.Nos. 633 & 654 both of 2024

2. Shri S.D. Joshi, learned counsel for the applicant undertakes to supply the copy of the O.A. to the office of CPO within a week.

3. Learned C.P.O. seeks time to file affidavit in reply. Time granted.

4. S.O. to 08.08.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 22.07.2024-HDD

ORIGINAL APPLICATION NO. 193 OF 2024
(Supriya Popatrao Ghule Vs. the State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. On instructions, learned counsel for the applicant seeks leave of this Tribunal to withdraw the present Original Application. Hence, the following order is passed: -

ORDER

The Original Application stands disposed of since withdrawn with no order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 599 OF 2024
(Namdeo B. Sarowar & Anr. Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has filed separate affidavits in reply on behalf of respondent Nos. 2 & 3 and the same are taken on record and copies thereof have been served on the learned counsel for the applicants.

3. S.O. to 13.08.2024.

MEMBER (A)

VICE CHAIRMAN

O.A.NOS. 201, 202 & 203 ALL OF 2022
(Dr. Raman Shankarrao Dalvi Vs. the State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri Hanumant P. Jadhav, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 29.07.2024. **High on board.**

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 22.07.2024-HDD

ORIGINAL APPLICATION NO. 14 OF 2024
(Swati Jyotiram Khatal Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

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

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

3. S.O. to 19.08.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 973 OF 2023
(Kiran Shivcharan Giri Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri A.V. Thombre, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. List the matter for hearing on 04.09.2024. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 233 OF 2016
(Pankaj Walmik Pangul Vs. the State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 22.07.2024

ORAL ORDER :

Ms. Monica Gaikwad, learned counsel holding for Shri S.K. Mathpati, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicant is not in contact with learned counsel Shri Mathpati and there are no instructions from the applicant. Learned counsel, therefore, has prayed for discharging appearance of learned counsel Shri Mathpati. Request accepted. Appearance of learned counsel Shri Mathpati is discharged in the matter.

3. Issue notice to the applicant for making alternate arrangement and caution him if the alternate arrangement is not made, the matter will be dismissed for want of prosecution.

4. S.O. to 29.08.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 549 OF 2023
(Asaram S. Chormare Vs. the State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

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

2. Learned Presenting Officer seeks one week's time to file affidavit in reply. Time granted subject to cost of Rs. 1000/- as a condition precedent.

3. S.O. to 11.08.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 543 OF 2024
(Mahendra Uttamrao Harpalkar Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

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

2. Learned counsel for the applicant to supply the copy of the O.A. and documents annexed thereto to the office of Chief Presenting Officer forthwith.

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

4. S.O. to 22.08.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 235 OF 2024
(Nitesh Devkumar Mahajan Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

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

2. Learned counsel for the applicant seeks leave of this Tribunal to file affidavit thereby bringing on record subsequent events. Leave granted. Affidavit be taken on record.

3. S.O. to 05.08.2024.

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 24/2022 IN O.A.NO. 902/2019
(Shivaji Mahadu Thorat Vs. The State of Maharashtra & Ors.)

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

DATE : 22.07.2024

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has filed short affidavit on behalf of respondent No. 4 contending therein that the order has been complied with. Learned Presenting Officer in the circumstance has prayed for disposing of the present contempt petition.

3. Learned counsel for the applicant has sought time to take instructions from the applicant. Time granted.

4. S.O. to 29.07.2024.

MEMBER (A)

VICE CHAIRMAN

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

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

Shri Vinay Kargaonkar, Member (A)

DATE : 22.07.2024

ORAL ORDER :

Ms. Monica Gaikwad, learned counsel holding for Shri S.K. Mathpati, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 08.08.2024.

MEMBER (A)

VICE CHAIRMAN