

**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: -22/11/2023

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	OA164/21	A'bad	Adv P R Wankhade (Balu A Chavan)	Suspension	Fro Filing Affidavit in Rejoinder	01.12.2023
2	OA643/21	A'bad	Adv Yuvraj S Choudhari (Tanaji M Narale)	Leave/Salary	For Filing Affidavit in Rejoinder	05.01.2024
3	OA499/22	A'bad	Adv Vikrant Palsikar (Laxminarayan A Shingare)	Benefits of Revised Assured Career Progress Scheme	By way of One More Last Chance For Filing Affidavit in Reply	03.01.2024
4	OA541/22	Beed	Adv A R Gunge (Khiluba B Sarak) <u>Adv P D Surywanshi</u> <u>For R-2,R-5</u>	Pension & Pensionery Benefits	For Filing Affidavit in Reply R-1 R-3 & R-4 <u>Ref Order</u> <u>Dtd.</u> <u>20.10.2023</u>	05.01.2024
5	OA713/22	A'bad	Adv P R Wankhade (Gorakh D Pathade)	Recovery/ Refund of Recovered Amount	Reply Filed By R-1, R-2 & R-4 & Last Chance For Filing Affidavit in Reply <u>Ref Order Dtd.</u> <u>25.04.2023</u>	06.12.2023
6	OA772/22	A'nagar	Adv A S Khedkar <u>Adv A S Khedkar</u> <u>has Filed Leave Note Form</u> <u>22.11.2023 to 23.11.2023</u> (Moreswar D Narwale)	Withdrawal of Benefit of T.B. P	For Filing Affidavit in Reply	10.01.2024
7	OA961/22	Jalna	Adv Ajay S Deshpande (Smt. Sunanda S Harsulkar)	Time Bound Promotion/ Pension	For Filing Affidavit in Reply	02.01.2024

8	OA1057/22	A'nagar	Adv A S Khedkar Adv A S Khedkar has Filed Leave Note Form 22.11.2023 to 23.11.2023 (Sharad K Wakchaure)	Re-fixation of Pension / Recovery	Reply Filed By R-3 to R-5	10.01.2024
9	OA1107/22	A'nagar	Adv A S Deshmukh Adv A S Deshmukh has Filed Leave Note Form 21.11.2023 to 12.12.2023 (Shrikrishna V Bhalsing)	Interest on Delay Payment	Reply Filed By R-2 & R-3	04.01.2024
10	OA32/23	Beed	Adv A S Deshmukh Adv A S Deshmukh has Filed Leave Note Form 21.11.2023 to 12.12.2023 (Babamiya P Pathan)	Compassionate Appointment	Reply Filed By 1 to R-4 & Await Service R-5	04.01.2024
11	OA100/23	O'bad	Adv S SKulkarni/ Adv V S Kadam (Rajendra P Sanap)	Suspension / Re-instatement	For Filing Affiavit in Reply	02.01.2024
12	OA175/23	Jalna	Adv D R IralePatil (Ramesh B Tekale)	Compassionate Appointment	For Filing Affiavit in Reply	04.01.2024
13	OA230/23	Beed	Adv Avinash S Deshmukh Adv A S Deshmukh has Filed Leave Note Form 21.11.2023 to 12.12.2023 (Rakhi C Janwale)	Compassionate Appointment	For Filing Affidavit in Reply	04.01.2024
14	OA367/23	Nanded	Adv Anil P Basarkar (Jagdish N Karadpalle)	Compassionate Appointment	For Filing Affiavit in Reply	04.01.2024
15	OA419/23	A'nagar	Adv K B Jadhav (Dilip V Dengale)	Police Patil	For Filing Affiavit in Reply	10.01.2024
16	OA543/23	A'bad	Adv Dhananjay Mane (Shaikh Abdul Rizwan Mannan)	Transfer	For Filing Affidavit in Reply	19.12.2023
17	OA591/23	A'nagar	Adv P B Umrani (Sanjay P Shinde)	Tansfer	For Filing Affidavit in Reply	19.12.2023
18	OA597/23	Nanded	Adv V B Wagh Adv V B Wagh has Filed Leave Note Form 20.11.2023 to 24.11.2023 (Ashish N Hiware)	Suspension	Reply Filed By R-1 to R-4	01.12.2023

19	OA608/23	Beed	AdvAvinash S Deshmukh Adv A S Deshmukh has Filed Leave Note Form 21.11.2023 to 12.12.2023 (Smt. Asha K Adode&Ors.)	Family Pension Compassionate Appointment	For Filing Affiavit in Reply	04.01.2024
20	OA648/23	Hingoli	Adv J S Deshmukh (Dr. Swati S Nunewar)	Transfer	For Filing Affiavit in Reply	03.01.2024
21	OA751/23	Dhule	Adv V P Savant (Sakharam M Ghodke)	Suspension	For Filing Affiavit in Reply	08.01.2024
22	OA784/23	A[nagar	Adv A D Sugdare (SmtBibihazaraPathan)	Family Pension	For Filing Affidvit in Reply	22.01.2024
23	OA797/23	P'rbn Etc.	AdvVaibhav U Pawar (Ramrao K Yadav&Ors.)	Old Pension Scheme	For Filing Affidavit in Reply	04.01.2024
24	OA800/23	N'bar	AdvAnudeep Sonar (ChandrakantR.Sonar)	Suspension /Pension	For Filing Affidavit in Reply	06.12.2023
25	OA880/23	A'nagar	Adv V B Wagh/ Adv V B Wagh has Filed Leave Note Form 20.11.2023 to 24.11.2023 Adv A S Therokar Adv V P Adkine (Digambar B Mate)	Directions/ Pension &Pensionery Benefits	For Filing Affidavit in Rejoinder	03.01.2024
Order Matters						
26	MA247/23 In OASt993/23	Beed	Adv H P Jadhav (Aditya Y Suryawanshi&Ors.)	M.A For Condonation of Delay	For Filing Affidavit in Reply	13.12.2023
27	MA400/23 In OASt1748/23	A'bad	Adv S D Joshi (Dipak B Sasane)	M.A For Condonation of Delay	For Filing Affidavit in Reply	05.01.2024
28	MA373/23 In OASt1267/23	Beed	Adv S D Joshi (Rameshwar S Jadhav)	M.A For Condonation of Delay	For Filing Affidavit in Reply	05.01.2024
29	MA380/23 In OASt542/23	N'bar	Adv N L Chaudhari (Dr.Kantilal Z Chaudhari)	M.A For Condonation of Delay	For Filing Affidavit in Reply	04.01.2024

ORIGINAL APPLICATION NO. 82 OF 2020
(Sharad M. Panchange Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 18.01.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 361 OF 2019
(Jijabai J. Sonwane & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

Heard Shri A.D. Gadekar, learned counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Part heard.
3. S.O. to 01.12.2023 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 129 OF 2021
(Dr. Sheshrao P. Lohgave Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

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 leaned Presenting Officer, S.O. to 12.12.2023 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 144 OF 2021
(Vithal T. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

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

2. At the request of leaned counsel for the applicant, S.O. to 14.12.2023 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 28 OF 2019
(Suresh G. Sadavarte Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

Shri V.P. Kadam, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. By consent of both the sides, S.O. to 06.12.2023 for final hearing.

MEMBER (J)

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

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

DATE : 22.11.2023

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant (**Leave Note**). Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri S.D. Dhongde, learned counsel for respondent Nos. 2 & 3, are present.

2. In view of leave note filed by leaned counsel for the applicant, S.O. to 18.01.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 581 OF 2017
(Smt. Mangal S. Kathar Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 18.01.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 722 OF 2023
(Aparna A. Surywanshi Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

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

2. At the request of leaned Presenting Officer, S.O. to 06.12.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 607 OF 2023
(Ganesh B. Borse Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

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

2. S.O. to 22.12.2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 224 OF 2023
(Bhumanna M. Achewad Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

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. Learned Presenting Officer submits across the bar affidavit in reply on behalf of respondent No. 3. Same is taken on record and copy thereof is given to learned counsel for the applicant before the Tribunal today itself.

3. At the request of leaned Presenting Officer, S.O. to 06.12.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 209 OF 2023
(Sabirabi Harun Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

Shri D.R. Irale Patil, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of leaned Presenting Officer, S.O. to 19.12.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 1031 OF 2022
(Bharat B. Kadlaskar Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

Shri Avinash Khedkar, learned counsel for the applicant (**Leave Note**). Shri V.R. Bhumkar, 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 17.01.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 795 OF 2022
(Dr. Vishwanath S. Biradar Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

Shri V.P. Golewar, 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 17.01.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 668 OF 2022
(Kishor C. Koli Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

Shri V.G. Salgare, 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 17.01.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 355 OF 2022
(Basveshwar J. Warad Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

Smt. Vaishali R. Kalyankar, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri Shamsunder B. Patil, learned counsel for respondent No. 4, are present.

2. S.O. to 06.12.2023 for hearing.

MEMBER (J)

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

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

DATE : 22.11.2023

ORAL ORDER :

Shri A.M. Hajare, 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 hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 74 OF 2022

(Siddiqui Mohd. Minhauddin Mohd. Sardauddin Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

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

2. Part heard.
3. S.O. to 29.11.2023 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 164 OF 2021
(Balu A. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

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. Learned counsel for the applicant submits that the rejoinder affidavit is almost ready and the same would be filed within 2-3 days.

3. In view of the same, S.O. to 01.12.2023.

MEMBER (J)

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

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

DATE : 22.11.2023

ORAL ORDER :

Ms. Preeti Wankhade, 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 06.12.2023 for filing affidavit in reply on behalf of respondent No. 3.

MEMBER (J)

M.A. No. 247/2023 in O.A. St. No. 993/2023
(Aditya Y. Suryawanshi & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

Shri H.P. Jadhav, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 13.12.2023.

MEMBER (J)

KPB ORAL ORDERS 22.11.2023

ORIGINAL APPLICATION NO. 97 OF 2023
(Kailash V. Udate Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

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

2. Learned counsel for the applicant submits certain documents along with list of documents.

3. The affidavit in reply is yet not filed. Further the matter is at the stage of admission.

4. In view of the same, the documents as sought to be produced are taken on record and copies thereof are given to learned P.O. today itself before the Tribunal.

5. Learned P.O. seeks two weeks' time as a last chance to file affidavit in reply on behalf of respondents. Time granted.

6. S.O. to 19.12.2023.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1000 OF 2023
(Ramkant J. Sonkamble Vs. State of Maharashtra & Ors.)**

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

DATE : 22.11.2023

ORAL ORDER :

Heard Shri Pratap G. Rodge, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Respondent No. 2 i.e. Maharashtra Public Service Commission has issued an advertisement No. 023/2022 on 19.3.2022, thereby inviting the applications from the eligible candidates for the post of District Extension and Media Officer, Group-B. 7 posts are reserved for the candidates belonging to Scheduled Caste. The applicant comes from S.C. As is claimed in the application the applicant possesses required qualification, as well as, prescribed experience. The applicant possesses qualification as B.A.M.S. and the degree in Master in Public Health. The applicant therefore applied for the said post. However, his candidature has been rejected by the M.P.S.C. on the ground that he does not possess the educational qualification as prescribed in Clause 8.1(ii) of the advertisement, which reads thus:

“८.१ शैक्षणिक अर्हता :-

(ii) Possess Post Graduate Diploma in Health Education.”

3. It is the contention of the learned counsel that when the educational qualification is prescribed as Post Graduate Diploma in Health Education, the applicant is holding higher qualification than that i.e. degree in Master in Public Health. In the circumstances, it is the contention of the applicant that he may be permitted to appear for interview subject to outcome of the present Original Application.

4. Learned Chief Presenting Officer has opposed for granting any interim relief as has been prayed for by the applicant. Learned C.P.O. has tendered across the bar the recruitment rules for the post of District Extension and Media Officer. Rule 3 thereof reads thus:

“3. Appointment to the post of District Extension and Media Officer, General State Services, Group-B, in the Directorate shall be made by nomination from among candidate who-

(i) Unless already in the service of Government and not more than thirty five years of age;

(ii) Possess a degree of a statutory university;

(iii) Possess post Graduate Diploma in Health Education;

(iv) Possess adequate knowledge of Marathi;

(v) Possess experience in Mass Education and publicity in the field of Family Welfare and Health Education under the State Government for not less than three years gained after acquiring the qualifications mentioned in sub-clauses (ii) and (iii) :

Provided that, the age limit may be relaxed by government on the recommendation of the Commission in favour of candidates possessing exceptional qualifications and experience.”

5. Learned C.P.O. also placed on record the communication received from the office of M.P.S.C. Referring to those documents, learned C.P.O. submitted that applicant does not possess qualification as prescribed in the advertisement and, as such, the Expert Committee also has held that the applicant is not holding the educational qualification as prescribed in clause 8.1(ii) of the advertisement.

6. We have given our conscious consideration to the submissions made on behalf of both the sides. It has not been pointed out by the learned C.P.O. as to what is the specific reason for not holding the degree of Master in Public Health as prescribed qualification for the said post. Apparently it appears that when the

person is holding a higher qualification than prescribed in the rules or advertisement there shall not be any reason to declare such person not qualified on that ground. However, we are conscious of the fact that in some cases there is a specific requirement of a particular post to have that specific qualification. In that case, one may require to look into the 'course contents' and the duties which are to be performed by the appointee on the said post. However, all these aspects can be considered at the time of hearing of the matter and after the affidavit in reply is filed by the respondents.

7. *Prima facie* it appears to us that when the interviews are scheduled from today i.e. 22.11.2023 onwards till 28.11.2023 it would be in the fitness of things to direct the MPSC to permit the applicant to appear for interview, result of which can be made subject to outcome of the present O.A. Hence, the following order: -

ORDER

- (i) Issue notice to respondents, returnable on 20.12.2023.
- (ii) Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

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

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

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

(vi) The M.P.S.C. is directed to interview the present applicant also on any of the dates as are scheduled by it, result of which shall be subject to outcome of the present O.A.

(vii) The C.P.O. shall communicate this order to the M.P.S.C. by fastest mode of communication as available.

(viii) S.O. to 20.12.2023.

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

MEMBER (A)

VICE CHAIRMAN

**M.A.NO. 494 OF 2023 IN O.A.NO. 370 OF 2019
(The State of Maharashtra & Ors. Vs. Yasmin Hashmi
Vasim Hashmi Vs. State of Maharashtra & Ors.)**

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

DATE : 22.11.2023

ORAL ORDER :

Heard Shri I.S. Thorat, learned Presenting Office for applicants in M.A./ respondent Nos. 1 to 4 & 6 in O.A. and Shri A.B. Rajkar, learned counsel for the respondent in M.A./Applicant in O.A.

2. This is an application filed on behalf of the original respondents seeking extension of time for the reason that the respondent authorities intent to file Writ Petition against the order dated 02.03.2023 passed by this Tribunal in Original Application No. 370 of 2019.

3. It appears that there is no time limit prescribed for compliance of the order dated 02.03.2023 passed in O.A.No. 370/2019 by this Tribunal. Further in order to comply with the said order passed in the O.A., the time can be extended. However, it is pertinent to note that the present Misc. Application is filed for extension of time on the ground that the respondent authorities intent to challenge the said order by filing Writ Petition.

//2// M.A. 494/2023 In
O.A. 370/2019

4. The respondent authorities are always at liberty to challenge the order passed by this Tribunal by filing Writ Petition or otherwise, however, the same cannot be a ground for extension of time when no time limit is prescribed to comply with the order passed in O.A.

5. In view of same, the present Misc. Application is liable to be rejected. Order accordingly. No costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 986 OF 2023
(Mahendra Bhimsen Takpire Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

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

2. Heard learned counsel for the applicant at length.

3. Issue notice to respondents, returnable on 04.01.2024.

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

//2// O.A. 986/2023

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

9. S.O. to 04.01.2024.

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

MEMBER (J)

**ORIGINAL APPLICATION ST. NO. 2199 OF 2023
(Rajaram C. Sevalikar Vs. State of Maharashtra & Ors.)**

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

DATE : 22.11.2023

ORAL ORDER :

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

2. Learned counsel for the applicant seeks adjournment on personal ground. Granted.
3. S.O. to 29.11.2023.

MEMBER (J)

**M.A.NO. 484 OF 2023 IN O.A.ST.NO. 1637 OF 2023
(Dr. Vaijanath Kentappa Sasatte Vs. State of Maharashtra
& Ors.)**

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

DATE : 22.11.2023

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 to 3 & 6, are present.

2. Heard learned counsel for the applicant for sufficient time.

3. Issue notice to respondents in M.A., returnable on 11.01.2024.

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

//2// M.A. 484/2023 In
O.A.St. 1637/2023

(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. The learned P.O. appears for respondent Nos. 1 to 3 & 6 and seeks time for taking instructions.

9. S.O. to 11.01.2024.

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

MEMBER (J)

**ORIGINAL APPLICATION NO. 73 OF 2022
(Mr. Chakardhar Pandharinath Wadje Vs. State of
Maharashtra & Ors.)**

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

DATE : 22.11.2023

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent No.1 and Shri D.T. Devane, learned counsel for respondent No.2, are present.

2. By consent of parties, S.O. to 05.01.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 67 OF 2022
(Gopinath J. Dhanwade Vs. State of Maharashtra & Ors.)**

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

DATE : 22.11.2023

ORAL ORDER :

Shri Amol S. Gandhi, learned counsel for the applicant, is **absent**. Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 17.01.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 27 OF 2022
(Shaikh Hameed Shaikh Hyder Vs. State of Maharashtra &
Ors.)**

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

DATE : 22.11.2023

ORAL ORDER :

Shri I.D. Maniyar, learned counsel for the applicant, is **absent**. Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 15.01.2024.

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 : 22.11.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief 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. Learned counsel for the applicant seeks adjournment.

3. Learned counsel for respondent No.3 i.e. The Commissioner-cum-Administrator, Aurangabad Municipal Corporation, Aurangabad is present and strongly objected for adjournment.

4. However, in the interest of justice, time granted till 15.12.2023. Interim relief granted earlier in O.A. to continue till then.

MEMBER (J)

**M.A. 245/2023 IN M.A. 138/2023 IN O.A. 1157/2022
(Smita M. Chavan Vs. State of Maharashtra & Ors.)**

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

DATE : 22.11.2023

ORAL ORDER :

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

2. Learned counsel for the applicant submits that the pending Misc. Application may be heard along with Original Application at the latest stage.

3. In view of submission, the respondent authorities are at liberty to file affidavit in reply to the said Misc. Application if it is to be heard along with the O.A.

4. Learned P.O. submits that meantime it will submit the affidavit in reply to the Original Application.

5. S.O. to 15.01.2024.

MEMBER (J)

**M.A.NO. 156/2022 IN O.A.ST.NO. 621/2021
(Bhimrao S. Bilappatte Vs. State of Maharashtra & Ors.)**

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

DATE : 22.11.2023

ORAL ORDER :

Shri M.L. Muthal, 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 15.01.2024.

MEMBER (J)

SAS ORAL ORDERS 22.11.2023

**M.A.NO. 284 OF 2021 IN O.A.ST.NO. 823 OF 2021
(Sandipan G. Kale Vs. State of Maharashtra & Ors.)**

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

DATE : 22.11.2023

ORAL ORDER :

Shri R.A. 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 counsel for the applicant, S.O. to 15.01.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 784 OF 2023
(Smt. Bibihazara Gulab Pathan Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

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

2. Learned P.O. submits that the affidavit in reply on behalf of respondent Nos. 1 to 3 is ready and the same will be submitted during course of the day.

3. Learned counsel for the applicant submits that the identical matters are kept on 22.01.2024 and hence the present matter may be listed along with those matters on 22.01.2024.

4. S.O. to 22.01.2024 for filing affidavit in rejoinder, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 539 OF 2019
(Amol P. Awchar Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

Shri P.V. Suryawanshi, 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 10.01.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 289 OF 2023
(Dharma Huchappa (Uchappa) Dupargude & Anr. Vs. State
of Maharashtra & Ors.)**

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

DATE : 22.11.2023

ORAL ORDER :

Shri P.V. Suryawanshi, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 10.01.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 419 OF 2023
(Dilip V. Dengale Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

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

2. Learned P.O. submits across the bar the affidavit in reply on behalf of respondent Nos. 2 & 3. The same is taken on record and copy thereof is given to other side.

3. Learned P.O. submits that the affidavit in reply of respondent No.1 is necessary and seeks time to file reply on behalf of respondent No.1. Time granted.

4. S.O. to 10.01.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 772 OF 2022
(Moreshwar D. Nawale Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

Shri A.S. Khedkar, learned counsel for applicant has filed a **leave note**. Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. submits across the bar the affidavit in reply on behalf of respondent Nos. 1 to 5 along with spare copy for other side. The same is taken on record.

3. S.O. to 10.01.2024 for filing affidavit in rejoinder, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 797 OF 2023
(Ramrao Kalyanrao Yadav & Ors. Vs. State of Maharashtra
& Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

Shri V.U. Pawar, learned counsel for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 04.01.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 329 OF 2023
(Amit K. Pathode & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

Shri S.G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, 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 counsel for the applicant, S.O. to 05.12.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 706 OF 2022
(Sahas T. Waghmare Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

Shri Pratap G. Rodge, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

Shri S.M. Kamble, learned counsel for respondent No.4, is **absent**.

2. Learned P.O. submits across the bar the affidavit in reply on behalf of respondent Nos. 1 to 3. The same is taken on record and copy thereof is given to other side today itself before the Tribunal.

3. Learned counsel for the applicant submits that he will go through the affidavit in reply filed on behalf of respondent Nos. 1 to 3 and if found it necessary to submit rejoinder, would submit the same till the next date of hearing.

4. S.O. to 11.12.2023 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 102 OF 2021
(Sangram U. Rathod Vs. State of Maharashtra & Ors.)**

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

DATE : 22.11.2023

ORAL ORDER :

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

2. Learned counsel for the applicant submits that the applicant wants to amend the O.A. the thus requires some time. Time granted.

3. S.O. to 08.01.2024.

MEMBER (J)

**ORIGINAL APPLICATION NO. 156 OF 2021
(Jayshree A. Sonwane Vs. State of Maharashtra & Ors.)**

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

DATE : 22.11.2023

ORAL ORDER :

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

2. Learned counsel for the applicant submits that the applicant wants to amend the O.A. the thus requires some time. Time granted.

3. S.O. to 08.01.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 751 OF 2023
(Sakharam M. Ghodke Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

Shri V.P. Savant, learned counsel for the applicant, is **absent**. Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. submits across the bar affidavit in reply on behalf of respondent Nos. 1 to 4 along with spare copy for other side. The same is taken on record.

3. S.O. to 08.01.2024 for filing affidavit in rejoinder, if any.

MEMBER (J)

**ORIGINAL APPLICATION NO. 371/2022
(Babasaheb B. Bhosle Vs. State of Maharashtra & Ors.)**

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

DATE : 22.11.2023

ORAL ORDER :

Heard Shri S.D. Joshi, learned counsel for the applicant Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer has sought leave to file the affidavit in reply on behalf of respondent nos. 1 to 3. Learned counsel for the applicant has consented for taking the affidavit in reply on record. As such, the reply is taken on record and copy is given to the learned counsel for the applicant.

3. S.O. to 28.11.2023 for hearing.

MEMBER (A)

ARJ ORAL ORDERS 22.11.2023

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 788/2023
(Vishal S. Bhosale Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

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

2. List the matter for hearing on 24.1.2024.

MEMBER (A)

ARJ ORAL ORDERS 22.11.2023

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 468/2022
(Smita Sanjay Ingle Vs. State of Maharashtra & Ors.)**

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

DATE : 22.11.2023

ORAL ORDER :

Ms. Anagha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 13.12.2023 for hearing. Interim Relief granted earlier to continue till then.

MEMBER (A)

ARJ ORAL ORDERS 22.11.2023

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 115/2023
(Satish S. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

Heard Shri S.D. Joshi, learned counsel for the applicant Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant has tendered across the bar the copy of the communication dated 16.11.2023 received to respondent no. 2 from the State. The same is taken on record.

3. List the matter for further consideration on 24.1.2024.

MEMBER (A)

ARJ ORAL ORDERS 22.11.2023

VICE CHAIRMAN

M.A. NO. 149/2023 IN O.A. ST. NO. 437/2023
(Balbir Singh s/o Jagannath Prasad Tyagi Vs. State of
Maharashtra & Ors.)

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

DATE : 22.11.2023

ORAL ORDER :

Heard Shri K.G. Salunke, learned counsel for the applicant Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The delay caused in filing the Original Application is sought to be of the period of 01 years and about 20 days. In the Original Application the applicant has challenged the order of punishment passed on 10.9.2018. It is the contention of the applicant that after the aforesaid order was passed, the applicant preferred the departmental appeal before the appellate authority, however, said appeal was not decided by the said authority till filing of the present application. In the meanwhile because of the COVID-19 pandemic the applicant could not file the Original Application before this Tribunal.

::-2-::

M.A. NO. 149/2023 IN
O.A. ST. NO. 437/2023

3. Affidavit in reply is filed on behalf of respondent nos. 2 & 4. It is contended that the applicant has failed in explaining the delay properly and there is no sufficient cause and reason for condoning the delay.

4. After considering the submissions so made on behalf of the applicant, as well as, the respondent authorities and after going through the documents so placed on record, we are inclined to allow the present Misc. Application. The delay, which has caused is not of any longer period and it has been properly explained. Moreover, the matters are to be decided on merits and not to be thrown on technicalities. In the circumstances, we pass the following order :-

ORDER

(i) Delay caused in filing the accompanying O.A. is condoned, subject to payment of costs of Rs. 1,000/- (Rs. One thousand only) to be paid to the M.A.T. Bar Association, Aurangabad..

::-3-::

M.A. NO. 149/2023 IN
O.A. ST. NO. 437/2023

(ii) After depositing the costs, Original Application be registered according to law.

(iii) Misc. Application stands allowed in the above terms without any order as to costs.

MEMBER (A)

ARJ ORAL ORDERS 22.11.2023

VICE CHAIRMAN

O.A. ST. NO. 437/2023

(Balbir Singh s/o Jagannath Prasad Tyagi Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 22.11.2023

ORAL ORDER :

Shri K.G. Salunke, learned counsel for the applicant Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Affidavit in reply to the Original Application has already been filed.

3. List the matter for further consideration on 25.1.2024.

MEMBER (A)

ARJ ORAL ORDERS 22.11.2023

VICE CHAIRMAN

ORIGINAL APPLICATION NO.105/2023
(Vilas K. Katkar Vs. State of Maharashtra & Ors)

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

DATE : 22.11.2023

ORAL ORDER :

Shri K.G.Salunke, learned Counsel for applicant and Shri B.S.Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has sought time to file affidavit in reply. The request is opposed by the learned Counsel for the applicant stating that on 30-10-2023 last chance was granted for filing affidavit in reply and thereafter today's date is kept.

3. After having gone through the pleadings and issues involved the reply appears necessary. In the circumstances, in the interest of justice last chance is granted for filing the affidavit in reply. If reply is not filed on the given date heavy costs will be imposed on the officer concerned who is responsible for not filing the affidavit in reply in time.

4. S.O. to 11-12-2023.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.703/2022
(Shivaji Galande Vs. State of Maharashtra & Ors)

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

DATE : 22.11.2023

ORAL ORDER :

Shri G.R.Jadhav, learned Counsel holding for Shri S.A.Deshmukh, learned Counsel for applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits that reply submitted on behalf of respondent no.3 shall be treated as reply on behalf of respondent nos.1 and 2 also.

3. Hence, list the matter for hearing. In the meanwhile, it will be open for the applicant to file rejoinder if he so desires.

4. S.O. to 15-01-2024.

MEMBER (A)

VICE CHAIRMAN

**M.A.146/23 IN M.A.387/22 IN O.A.ST.1405/22
(Tulshiram Patil & Ors. Vs. State of Maharashtra & Ors)**

**M.A.147/23 IN M.A.391/22 IN O.A.ST.1411/22
(Arun Salunkhe & Ors. Vs. State of Maharashtra & Ors)**

**M.A.182/23 IN M.A.501/22 IN O.A.ST.1783/22
(Dadabhau Belote & Ors. Vs. State of Maharashtra & Ors)**

**M.A.183/23 IN M.A.502/22 IN O.A.ST.1806/22
(Manik Bhamre & Ors. Vs. State of Maharashtra & Ors)**

**M.A.185/23 IN M.A.126/23 IN O.A.ST.1408/22
(Bhimrao Devre & Ors. Vs. State of Maharashtra & Ors)**

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

Shri Vinay Kargaonkar, Member (A)

DATE : 22.11.2023

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned Counsel for applicants, S/Shri V.R.Bhumkar, N.U.Yadav, I.S.Thorat & Shri B.S.Deokar learned Presenting Officers for the respondent authorities, Shri P.R.Nangare, learned Counsel for respondent nos.3 and 4 in M.A.No.182/2023 and Shri S.B.Mene, learned Counsel for respondent no.3 in M.A.No.502/2022.

2. Shri S.B.Mene, learned Counsel has tendered affidavit in reply on behalf of respondent nos.2 to 5 in M.A.502/2022 as well as O.A.St.No.1806/2022. Same is taken on record. Copy thereof be provided to the other side.

=2= M.A.146/23, 147/23, 182/23, 183/23 & 185/23

3. In the present O.As., M.As. have been filed seeking condonation of delay and the notices have been issued in the said M.As. Present M.A.Nos.146/2023, 147/2023, 182/2023, 183/2023 & 185/2023 are filed seeking to incorporate and take on record the subsequent events happened during the pendency of the O.A. Learned Counsel submitted that one G.R. has been issued on 13-02-2023 and the same is required to be taken note of and the contextual prayers are also required to be made.

4. In view of the fact that in O.As. notices have not been issued and the M.As. for condonation of delay are yet to be decided, I see no difficulty in allowing the M.As. to carry out necessary amendment in the O.A. M.A.Nos.146/2023, 147/2023, 182/2023, 183/2023 & 185/2023, therefore, stand allowed. Necessary amendments be carried out within two weeks. M.A.Nos.146/2023, 147/2023, 182/2023, 183/2023 & 185/2023 for amendment stand disposed of accordingly without any order as to costs.

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

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

DATE : 22.11.2023

ORAL ORDER :

Shri R.P.Bhumkar, learned Counsel for applicant has filed **leave note**.

Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri S.B.Mene, learned Counsel for respondent nos.2 to 4, are present.

2. Shri S.B.Mene, learned Counsel submits that he will tender affidavit in reply on behalf of respondent nos.2 to 5 during the course of the day. If it is so filed be taken on record. Shri Mene, learned Counsel undertakes to serve copy of the reply on the other side.

3. S.O. to 17-01-2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.927/2023
(Dr. Yogesh M. Savale Vs. State of Maharashtra & Ors)

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

DATE : 22.11.2023

ORAL ORDER :

Heard Shri G.V.Mohekar, learned Counsel for applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned Counsel Shri Mohekar seeks leave to correct the address of respondent no.2. Leave granted. Necessary amendment be carried out forthwith.

3. After amendment is carried out, issue notice to the said respondent no.2 on the corrected address, returnable on 14-12-2023.

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

=2=

O.A.NO.927/2023

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 14-12-2023.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.1159/2022
(Ravindra G. Lagdive Vs. State of Maharashtra & Ors)

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

DATE : 22.11.2023

ORAL ORDER :

Heard Shri D.S.Bhapkar, learned Counsel holding for Shri S.B.Bhapkar, learned Counsel for applicant and Shri I.S.Thorat, learned Presenting Officer for the respondent authorities.

2. Learned P.O. requests some more time for filing affidavit in reply. Request is opposed by the learned Counsel stating that last chance is already granted for filing affidavit in reply.

3. In the interest of justice one more opportunity is given to the respondents subject to payment of costs of Rs.1000/- by the respondents. Reply be filed with costs on or before 14-12-2023.

4. S.O. to 14-12-2023.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.105/2021
(Smita Suryawanshi & Ors. Vs. State of Maharashtra & Ors)

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

DATE : 22.11.2023

ORAL ORDER :

Heard Shri C.V.Dharurkar, learned Counsel for applicant, Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri Saket Joshi, learned Counsel holding for Shri A.S.Deshmukh, learned Counsel for respondent nos.3 to 7.

2. Learned CPO files a short affidavit in reply on behalf of respondent authorities. It is taken on record. Copy thereof be served on the other side.

3. Learned Counsel appearing for respondent nos.3 to 7 submits that the reply has been forwarded to the respondents, however, same is not yet approved and received back. He sought one week's time for filing the affidavit in reply. Granted.

4. S.O. to 28-11-2023.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.685/2023
(Bhagatsing Singal & Ors. Vs. State of Maharashtra & Ors)

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

DATE : 22.11.2023

ORAL ORDER :

Heard Shri Amol B. Chalak, learned Counsel for applicants, Shri I.S.Thorat, learned Presenting Officer for the respondent authorities and Shri R.A.Joshi, learned Counsel for respondent nos.5 and 7.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted by way of last chance.

3. S.O. to 15-12-2023.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.759/2023
(Nilesh Aradle & Ors. Vs. State of Maharashtra & Ors)

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

DATE : 22.11.2023

ORAL ORDER :

Heard Shri Amol B. Chalak, learned Counsel for applicants and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned C.P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted by way of last chance.

3. S.O. to 15-12-2023.

MEMBER (A)

VICE CHAIRMAN

C.P.NO.34/2022 IN O.A.NO.78/2021
(Shubhangi Pawale Vs. State of Maharashtra & Ors)

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

DATE : 22.11.2023

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Counsel for applicant, Shri B.S.Deokar, learned Presenting Officer for the respondent authorities and Smt. Anuradha Mantri, learned Counsel for respondent no.2.

2. Issue notice to substituted respondent nos.1 and 2, returnable on 18-12-2023.

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.

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 18-12-2023.

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

MEMBER (A)
YUK ORAL ORDERS 22.11.2023

VICE CHAIRMAN

ORIGINAL APPLICATION NO.704/2023
(Ramdas H. Lohakare Vs. State of Maharashtra & Ors)

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

DATE : 22.11.2023

ORAL ORDER :

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

2. Though ample opportunities are already availed by the respondents, reply is not filed. Hence, list the matter for hearing on 09-12-2023.

3. S.O. to 09-12-2023.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.875/2023
(Avadhut A. Sisal Vs. State of Maharashtra & Ors)

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

DATE : 22.11.2023

ORAL ORDER :

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

2. Learned Counsel for the applicant has filed affidavit in rejoinder to the reply filed by respondent no.2. It is taken on record. Copy thereof be provided to the other side.

3. Learned P.O. has tendered affidavit in reply on behalf of respondent nos.1 and 3. It is taken on record. Copy thereof be provided to the other side.

4. List the matter for hearing on 28-11-2023.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.1067/2022
(Shivaji D. Sirsat Vs. State of Maharashtra & Ors)**

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

DATE : 22.11.2023

ORAL ORDER :

Shri A.V.Phad, learned Counsel holding for Shri P.M.Shinde, learned Counsel for applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Though ample opportunities are already availed by the respondents, reply is not filed. Hence, list the matter for hearing on 10-01-2024.

3. S.O. to 10-01-2024.

MEMBER (A)

VICE CHAIRMAN

**O.A.NO.997/2019, 998/2019, 999/2019,
1000/2019, 1001/2019, 1002/2019, 1003/2019,
1004/2019, 1006/2019, 1097/2019 &
1098/2019**

**(Dr. Ahmed Munibuddin & Ors. Vs. State of Maharashtra &
Ors)**

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

DATE : 22.11.2023

ORAL ORDER :

Shri M.R.Kulkarni, learned Counsel for applicants and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 04-12-2023. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.738/2023
(Ramakant Lamture Vs. State of Maharashtra & Ors)

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

DATE : 22.11.2023

ORAL ORDER :

Shri S.P.Urgunde, learned Counsel for applicant is **absent**. Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri T.A.Quadri, learned Counsel for respondent nos.3, are present.

2. Learned CPO has filed affidavit in reply on behalf of respondent no.2. It is taken on record. Copy thereof be provided to the other side.

3. Shri Quadri, learned Counsel has tendered affidavit in reply on behalf of respondent no.3. It is taken on record. Copy thereof be provided to the other side.

4. S.O. to 05-01-2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.710/2023
(Dinkara Bhosarikar Vs. State of Maharashtra & Ors)

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

DATE : 22.11.2023

ORAL ORDER :

Shri A.D.Gadekar, learned Counsel for applicant, Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities and Shri A.B.Dhongade, learned Counsel for respondent nos.2 & 3, are present.

2. Shri A.B.Dhongade, learned Counsel has tendered affidavit in reply on behalf of respondent no.2 & 3. It is taken on record. Copy thereof be supplied to the other side.

3. S.O. to 17-01-2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.943/2022
(Balaji Madaswar Vs. State of Maharashtra & Ors)

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

DATE : 22.11.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Counsel holding for Shri A.S.Deshmukh, learned Counsel for applicant and Shri I.S.Thorat, learned Presenting Officer for the respondent authorities.

2. Learned Counsel on instructions received from the applicant seeks leave to withdraw the present O.A. Hence, the following order:

ORDER

Leave is granted. O.A. stands disposed of since withdrawn without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.928/2023

(Dr. Shashikant Vagge & Ors. Vs. State of Maharashtra & Ors)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 22.11.2023

ORAL ORDER :

Shri S.D.Joshi, learned Counsel for applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned C.P.O. files affidavit in reply on behalf of respondent nos.1 to 4. It is taken on record. Copy thereof has been supplied to the other side.

3. S.O. to 21-12-2023.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.876/2022

(Dr. Pravinkumar Y. Thakre Vs. State of Maharashtra & Ors)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 22.11.2023

ORAL ORDER :

Shri A.D.Sugdare, learned Counsel for applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned C.P.O. files affidavit in reply on behalf of respondent nos.2 & 3. It is taken on record. Copy thereof has been supplied to the other side.

3. S.O. to 13-12-2023.

MEMBER (A)

VICE CHAIRMAN