

**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: -02/04/2024

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	OA928/19	Latur	Adv R R Kazi/ Adv K B Jadhav (Chandmiyan B Munde)	Kotwal Compassionate Appointment Post of Kotwal- Scheme not Applicable	For Filing Affidavit in Reply	9.5.2024
2	OA382/21	A'bad	Adv J M Murkute (Shaikh Hafijoddin Hanifoddin Shaikh) <u>Adv A C Deshpande</u> <u>For R-3 & R-4</u>	Posting	Reply Filed By R-1 to R-4	9.5.2024
3	OA454/21	Latur	Adv S K Mathpati (Dipak L Pendkar)	Benefit of G.R	For Filing Affidavit in Rejoinder	8.5.2024
4	OA643/21	A'bad	Adv Yuvraj S Choudhari (Tanaji M Narale)	Leave/Salary	For Filing Affidavit in Rejoinder	8.5.2024
5	OA598/22	O'bad	Adv Shivraj V Deshmukh (Dilipkumar R Patil)	Direction Pay all Pensionery Benefits	Reply Filed By R-1 to R-2 & R-5 For Filing Affidavit in Rejoinder Ref order Dtd 21.03.2023 For Filing Affidavit in Reply R-3 & R-4	2.5.2024

6	OA775/22	Nanded	Adv A B Rajkar (Satish P Deshmukh)	Benefits of old Pension Scheme	For Filing Affidavit in Rejoinder	7.5.2024
7	OA1134/22	Beed	Adv.A.B. Kharosekar/ Adv.V.B. Wagh (Ramesh L Naik)	Pension	Reply Filed By R-1 & R-2 For Filing Affidavit in Rejoinder & Await Service R-3	18.6.2024
8	OA1031/23	Nanded	Adv Santosh S Dambe (Dr. Pradeep M Thakkarwad)	Suspension	As a Last Chance For Filing Affiavit in Reply	23.4.2024
9	OA94/24	P'rbn	Adv A S Deshmukh (Dilip K Sawant)	Minor Punishment	Await Service	12.6.2024
10	OA130/24	A'bad	Adv H P Jadhav (Madhukar J Rokade & Ors.)	Grauity the Benefits of Assured Career Progress Scheme ACPS	For Filing Affidavit in Reply	23.4.2024
11	OA144/24	A'nagar Etc.	Adv P R Wankhade (Vilas S Kotkar & Ors.)	Modified Assured Career Progress Scheme	For Filing Affidavit in Reply	3.5.2024
12	OA153/24	Jalgaon	Adv Girish V Wani (Madhukar D Bhalshankar)	Date of Birth	For Filing Affidavit in Reply	Disposed
13	OA154/24	Latur	Adv C A Jadhav/ Adv A D Sonkawade (Maharashtra State Nurses Association)	Pay Scale as per G.R	Await Service	9.5.2024
14	OA230/24	Dhule	Adv Jayant B Choudhary (Dinkar V Patil)	Leave/ Salary	Await Service	24.6.2024
15	OA231/24	Jalna	Adv A N Suryawanshi (Sana Parvin Aslam Shaikh)	Compassionate Appointment Three Children	Notice not Collected	8.5.2024

16	OA311/24 With	Hingoli	Adv Jayant S Deshmukh (Dr. Namdev V Korde)	Transfer	Await Service	12.4.2024	
17	OA324/24 With	Dhule	Adv S D Joshi (Dr. Manohar T Jadhav)	Absorption Posting	Await Service		
18	OA325/24 With	N'bar	Adv S D Joshi (Dr. Ranjana V Lende)	Direction Absorption/ Posting	Await Service		
19	OA326/24 With	N'bar	Adv S D Joshi (Dr. Janabai B Suryawanshi)	Direction Absorption/ Posting	Await Service		
20	OA327/24 With	N'bar	Adv S D Joshi (Dr. Dhruvraj M Sonar)	Direction Absorption/ Posting	Await Service		
21	OA328/24 With	N'bar	Adv S D Joshi (Dr. Dinesh U Valvi)	Direction Absorption/ Posting	Await Service		
22	OA329/24 With	N'bar	Adv S D Joshi (Dr. Rekha V Shinde)	Direction Absorption/ Posting	Await Service		
23	OA330/24	N'bar	Adv S D Joshi (Dr.Narayan L Bawa)	Direction Absorption/ Posting	Await Service		
24	OA353/24	Hingoli	Adv V B Wagh (Atmaram L Bondre)	Transfer	Short Affidavit Reply filed For Filing Affidavit in Reply		12.4.2024
Order Matters							
25	MA194/22 In OAST616/22	Nanded	Adv R A Joshi/ Adv D M Shinde (Sunil D Kakade)	M.A For Condonation of Delay	For Filing Affidavit in Reply	9.5.2024	
26	MA17/24 In OAST2449/23	A'bad	Adv S N Pagare (Pandurang G More & Ors.)	M.A for Condonation of Delay	Await Service	8.5.2024	

27	MA31/24 In OASt2484/23	A'nagar	Adv P R Tandale (Dr. Balkrishna N Shelke)	M.A for Condonation of Delay	Await Service	6.5.2024
28	MA38/24 In OASt02/24	Beed	Adv Ashish B Rajkar (Shankar C Pawar)	M.A for Condonation of Delay	For Filing Affidavit in Reply	9.5.2024
29	MA46/24 In OASt154/24	Nanded	Adv P P Giri/ Adv V B Jadhav (Vasant S Chavan)	M.A For Condonation of Delay	For Filing Affidavit in Reply	8.5.2024
30	MA48/24 In OASt251/24	O'bad	Adv Ganesh J Kore (Bibhishan M Aher)	M.A for Condonation of Delay	For Filing Affidavit in Reply	8.5.2024
31	MA60/24 In OASt1849/23	Jalgaon	Adv R P Bhumkar (Kashinath K Deore)	M.A for Condonation of Delay	Await Service	7.5.2024

**ORIGINAL APPLICATION NO. 66 OF 2023
(Bhaginath C. Malakar Vs. State of Maharashtra & Ors.)**

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

DATE : 02.04.2024

ORAL ORDER :

Shri G.R. Jadhav, learned counsel holding for Shri A.S. Shelke, 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 Presenting Officer, S.O. to 10.06.2024 for hearing.

MEMBER (J)

sas ORAL ORDER 02.04.2024

**ORIGINAL APPLICATION NO. 249 OF 2023
(Rajendra D. Shinde Vs. State of Maharashtra & Ors.)**

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

DATE : 02.04.2024

ORAL ORDER :

Shri V.P. Narwade, learned counsel for the applicant, is **absent**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 02.07.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 250 OF 2023
(Popat D. Sonwane Vs. State of Maharashtra & Ors.)**

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

DATE : 02.04.2024

ORAL ORDER :

Shri A.D. Sugdare, 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 P.O., S.O. to 03.05.2024 for hearing.

MEMBER (J)

sas ORAL ORDER 02.04.2024

**ORIGINAL APPLICATION NO. 881 OF 2023
(Rahimoddin Kamaroddin Qaimi Vs. State of Maharashtra
& Ors.)**

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

DATE : 02.04.2024

ORAL ORDER :

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

2. At the request of the learned counsel for the applicant, S.O. to 11.06.2024 for hearing.

MEMBER (J)

sas ORAL ORDER 02.04.2024

**ORIGINAL APPLICATION NO. 265 OF 2019
(Taher Ali Sayed Vs. State of Maharashtra & Ors.)**

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

DATE : 02.04.2024

ORAL ORDER :

Smt. Vijaya Adkine, learned counsel holding for Smt. Vidhya Taksal, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 02.05.2024 for final hearing.

MEMBER (J)

sas ORAL ORDER 02.04.2024

**ORIGINAL APPLICATION NO. 405 OF 2019
(Shishupal S. Raut Vs. State of Maharashtra & Ors.)**

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

DATE : 02.04.2024

ORAL ORDER :

Shri V.G. Salgare, learned counsel for the applicant and Shri A.P. Baskar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 09.05.2024 for final hearing.

MEMBER (J)

sas ORAL ORDER 02.04.2024

ORIGINAL APPLICATION NO. 488 OF 2023
(Shaikh Ajmal Shaikh Abdulla Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

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

2. S.O. to 30.04.2024 for final hearing.

MEMBER (J)

sas ORAL ORDER 02.04.2024

**ORIGINAL APPLICATION NO. 691 OF 2019
(Rajendra B. Potdar Vs. State of Maharashtra & Ors.)**

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

DATE : 02.04.2024

ORAL ORDER :

Shri S.P. Dhobale, learned counsel holding for Shri A.N. Gaddime, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 14.06.2024 for final hearing.

MEMBER (J)

sas ORAL ORDER 02.04.2024

**ORIGINAL APPLICATION NO. 1011 OF 2019
(Vitthal S. Lokhande Vs. State of Maharashtra & Ors.)**

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

DATE : 02.04.2024

ORAL ORDER :

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

2. S.O. to 11.06.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1045 OF 2019
(Sunil P. Pathirkar Vs. State of Maharashtra & Ors.)**

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

DATE : 02.04.2024

ORAL ORDER :

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

2. S.O. to 20.06.2024 for final hearing.

MEMBER (J)

sas ORAL ORDER 02.04.2024

**ORIGINAL APPLICATION NO. 211 OF 2020
(Nilesh B. Dighe Vs. State of Maharashtra & Ors.)**

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

DATE : 02.04.2024

ORAL ORDER :

Shri M.S. Taur, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 02.05.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 496 OF 2020
(Mohd Akif Abrar Mohd. Abdul Rauf Vs. State of
Maharashtra & Ors.)**

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

DATE : 02.04.2024

ORAL ORDER :

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

2. Leave to file merit list on record.
3. S.O. to 22.04.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 507 OF 2020
(Anil S. Burkul Vs. State of Maharashtra & Ors.)**

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

DATE : 02.04.2024

ORAL ORDER :

None present for the applicant. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 20.06.2024 for final hearing.

MEMBER (J)

sas ORAL ORDER 02.04.2024

ORIGINAL APPLICATION NO. 949 OF 2023
(Hemantkumar P. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri S.S. Dambe, learned counsel holding for Shri Sachin S. Deshmukh. Learned counsel for respondent No.3.

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

3. Leave as prayed for is granted.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 1084 OF 2023
(Nilesh R. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Heard Shri C.P. Patil, learned counsel holding for Shri P.B. Patil (Borse), learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that though the respondent No. 6 is served, however as per the postal endorsement, the initial of recipient of notice have been incorrectly spelled. Learned counsel thus submits that the notice may be reissued to respondent No. 6.

3. In view of above, issue fresh notice to respondent No. 6, returnable on 13.06.2024.

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

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O.A. No. 1084/2024

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 13.06.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 1061 OF 2019
(Kerba N. Jetewad Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Shri Vishal Rathod, learned counsel holding for Shri Shamsunder B. Patil, 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 14.06.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 02.04.2024

ORIGINAL APPLICATION NO. 829 OF 2022
(Musaddiq Ahmed Madni Masood Ahmed Madni Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Shri J.B. Choudhary, 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 18.06.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 1034 OF 2022
(Sukha L. Sathe Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Shri P.S. Jadhav, learned counsel holding for Shri S.N. Pagare, 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 13.06.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 02.04.2024

ORIGINAL APPLICATION NO. 1109 OF 2022
(Sanjeev R. Kadam Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

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. At the request of learned counsel for the applicant, S.O. to 18.06.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 02.04.2024

ORIGINAL APPLICATION NO. 522 OF 2020
(Prakash D. Bharambe Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Shri J.B. Choudhary, 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 18.06.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 580 OF 2020
(Dr. Sunita N. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Shri Vishal Rathod, learned counsel holding for Shri Shamsunder B. Patil, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 14.06.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 02.04.2024

ORIGINAL APPLICATION NO. 721 OF 2017
(Subhash K. Parlikar Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Smt. Suchita A. Dhongde, 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 01.07.2024 for final hearing.

MEMBER (J)

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

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

DATE : 02.04.2024

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 19.06.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 02.04.2024

ORIGINAL APPLICATION NO. 82 OF 2024
(Madhukar R. More Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 15.04.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 421 OF 2022
(Nandkishor V. Joshi Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. Learned counsel Shri M.S. Mahajan submits that he has instructions to appear for the applicant and thus seeks time. Time granted.

3. S.O. to 14.06.2024 for hearing.

MEMBER (J)

O.A. Nos. 324, 325, 326, 327, 328, 329 & 330 all of 2024

(Dr. Manohar T. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

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

2. Learned counsel for the applicants submits that all the respondents have been duly served.

3. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 to 4 in all these O.As. Same is taken on record and copy thereof is given to learned counsel for the applicants.

4. Learned counsel for the applicants seeks short time to file rejoinder affidavit in all these O.As., if any. Time granted.

5. S.O. to 12.04.2024. Status quo granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 311 OF 2024
(Dr. Namdev V. Korde Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Shri J.S. Deshmukh, 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 submits that all the respondents have been duly served.

3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent Nos. 1 to 4. Time granted.

4. Learned counsel Shri A.V. Thombre, holding for learned counsel Shri S.S. Thombre, submits that he has instructions to appear for respondent No. 5 and thus seeks time. Time granted.

5. S.O. to 12.04.2024. Status quo granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 353 OF 2024
(Atmaram L. Bondre Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

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

2. Learned counsel for the applicant submits that though the applicant is on medical leave, he has not been relieved and the person, who is transferred in his place i.e. respondent No. 4 is yet to be joined.

3. Learned counsel Shri P.L. Shahane, appearing for respondent No. 2 i.e. Chief Executive Officer, Zilla Parishad, Hingoli submits that the person transferred in place of the applicant is yet not joined and the applicant is on medical leave.

4. Learned counsel for respondent No. 2 and learned Presenting Officer seeks time to file affidavit in reply. Time granted.

5. In view of above, **status quo as on today shall be maintained till filing of the affidavit in reply by the respondents.**

6. S.O. to 12.04.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 593 OF 2023
(Chetna Shivaji Malunde Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions in writing from the applicant dated 02.04.2024 seeks leave to withdraw the present Original Application. Said communication in writing is taken on record and marked as document 'X' for identification.

3. Leave granted. The Original Application is disposed of as withdrawn. No order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 153 OF 2024
(Madhukar Deochand Bhalshankar Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Heard Shri I.K. Wagh, learned counsel holding for Shri G.V. Wani, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions in writing from the applicant dated 02.04.2024 seeks leave to withdraw the present Original Application. Learned counsel submits that the applicant is also present in person before this Tribunal. Said communication in writing is taken on record and marked as document 'X' for identification.

3. Leave granted. The Original Application is disposed of as withdrawn. No order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 598 OF 2022
(Dilipkumar R. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

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

2. Learned counsel for the applicant submits that the applicant is not willing to file rejoinder affidavit.

3. Pleadings completed. List the matter for admission hearing on 02.05.2024.

MEMBER (J)

M.A. No. 46/2024 in O.A. St. No. 154/2024
(Vasant S. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

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

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 2 to 4 in M.A. Same is taken on record and copy thereof is given to other side.

3. List the matter for hearing on 08.05.2024.

MEMBER (J)

KPB ORAL ORDER 02.04.2024

ORIGINAL APPLICATION NO. 230 OF 2024
(Dinkar V. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

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

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 to 4. Same is taken on record along with spare copy for the applicant.

3. List the matter for filing rejoinder affidavit, if any and for admission hearing on 24.06.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 527 OF 2023
(Vidya A. Mohite Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Shri K.G. Salunke, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present. Shri U.A. Khekale, learned counsel for respondent Nos. 3 & 4, is **absent**.

2. At the request of learned Presenting Officer, S.O. to 15.04.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 349 OF 2024
(Amrapali Digambar Ramteke Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Heard Smt. M.A. Kulkarni, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions submits that the applicant has forwarded representation through Email, as well as, speed post to respondent No. 3 and in view of the same, the applicant may pursue the said representation.

3. In view of above, the present Original Application is disposed of with liberty to the applicant to pursue the said representation forwarded to respondent No. 2. No order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 383 OF 2024
(Sheshrao J. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 16.04.2024. **Needless to say that the impugned order of transfer is subject to outcome of the present O.A.**

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 16.04.2024.

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

MEMBER (J)

M.A. St. No. 707/2024 in O.A. St. No. 587/2024
(Ravindra V. Torwane & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Shri P.M. Shinde/P.B. Jadhav, learned counsel for the applicants (**Absent**). Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicants, though circulation is sought.

3. S.O. to 12.06.2024.

MEMBER (J)

KPB ORAL ORDER 02.04.2024

M.A. No. 529/2023 in O.A. No. 1112/2022
(Mohammad Raza Khan Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Shri Avinash Deshmukh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present. None present for respondent No. 3.

2. At the request of learned counsel for the applicant, S.O. to 23.04.2024 for hearing in **urgent admission category**. Interim relief granted earlier in O.A. to continue till then.

MEMBER (J)

KPB ORAL ORDER 02.04.2024

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

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

DATE : 02.04.2024

ORAL ORDER :

Shri A.N. Gaddime, 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 15.04.2024.

MEMBER (J)

Later on :

3. Shri S.P. Dhoble, learned counsel holding for Shri A.N. Gaddime, learned counsel for the applicant, is present

4. S.O. to 15.04.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 251 OF 2020
(Sandu R. Magar Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Shri D.K. Dagadkhair, learned counsel for the applicant (**Leave Note**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. It is a part heard matter. In view of leave note filed by learned counsel for the applicant, S.O. to 02.05.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 517 OF 2022
(Shital A. Gundewad Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Heard Shri S.J. Patil, learned counsel holding for Shri M.B. Kolpe, learned counsel for the applicant, Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities and Shri K.B. Jadhav, learned counsel for respondent Nos. 6 to 8.

2. It is a part heard matter. By consent, as a last chance, S.O. to 15.04.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 585 OF 2022
(Chandrasen V. Lahade Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Shri H.P. Jadhav, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. It is a part heard matter. At the request of learned Presenting Officer, S.O. to 15.04.2024 for further hearing.

MEMBER (J)

M.A. No. 289/2022 in O.A. St. No. 1064/2022
(Vijay G. Palaskar Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

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

2. As none present for the applicant, S.O. to 20.06.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 02.04.2024

ORIGINAL APPLICATION NO. 567 OF 2017
(Bebabai P. Koli (Sapkale) Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Shri S.P. Dhoble, learned counsel holding for Shri Vinod Patil, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 20.06.2024 for hearing.

MEMBER (J)

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

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

DATE : 02.04.2024

ORAL ORDER :

Shri K.N. Shermale, 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, as a last chance, S.O. to 21.06.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 02.04.2024

ORIGINAL APPLICATION NO. 147 OF 2022
(Bhaskar D. Nalte Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

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

2. Learned counsel for the applicant submits that the applicant was appointed on 13.01.1988 as Instructor at Technical High School, Parbhani. Learned counsel submits that thereafter the applicant came to be promoted as Craft Instructor on 30.06.2006 and he had worked as Craft Instructor from 30.06.2006 till his retirement on 31.05.2020 at Government ITI Latur and Parbhani respectively. Learned counsel submits that so far as tenure of the applicant as Instructor at Technical High School, Parbhani from 13.01.1988 to 29.06.2006 is concerned, the same is in the Vacation Department and as per the Rule 52 read with Rule 54 of the Maharashtra Civil Services (Leave) Rules, 1981, a Government servant serving in a Vacation Department shall not be entitled to any earned leave in respect of duty performed in any year in which he avails himself of the full vacation. Learned counsel submits that however on 30.06.2006 when the applicant was promoted as Craft Instructor and he was

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O.A. No. 147/2022

working as Craft Instructor till his retirement i.e. 31.05.2020 at Government ITI Parbhani, in that way he was serving in the department other than the Vacation Department. Learned counsel submits that it is a specific case of the applicant that he is entitled for the leave encashment to the extent of earned leave of 300 days during the period from 30.06.2006 to 31.05.2020 working as Craft Instructor.

3. In the backdrop of these submissions, it appears that though the respondent Nos. 2 and 3 have filed their affidavit in reply, however, it has not been clearly stated in the affidavit in reply that as to whether the applicant was serving in the department otherwise in the Vacation Department during the period from 30.06.2006 to 31.05.2020 i.e. till his retirement.

4. In view of above, learned Presenting Officer is directed to file short affidavit of respondent Nos. 2 and 3 by way of clarification till the next date of hearing.

5. Part heard.

6. S.O. to 03.05.2024 for further hearing.

MEMBER (J)

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

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

DATE : 02.04.2024

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 18-04-2024. Interim relief granted earlier to continue till then.

MEMBER (A)
YUK ORAL ORDER 02.04.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.426/2020
(Sunil S. Pagare Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

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

2. S.O. to 19-04-2024. Interim relief granted earlier to continue till then.

MEMBER (A)
YUK ORAL ORDER 02.04.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.427/2020
(Rahul B. Chaudhare Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Shri A.S.Deshmukh, learned Counsel for the applicant and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 19-04-2024. Interim relief granted earlier to continue till then.

MEMBER (A)
YUK ORAL ORDER 02.04.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.334/2021, 55/2023
(Madhuri B. Panzade in both O.As.Vs. State of Maharashtra & Ors.)

ORIGINAL APPLICATION NO.42/2023,
(Ashwini R. Rode Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Heard Shri J.K.Bansod, learned Counsel for the sole applicant in O.A.334/21 & 55/23 (respondent no.3 in O.A.42/23), Shri S.B.Solanke, learned Counsel for applicant in O.A.42/2023 (respondent no.3 in O.A.334/21) and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities in all these matters.

2. Arguments are concluded. Reserved for order.

MEMBER (A)

YUK ORAL ORDER 02.04.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.520/2021
(Varsha V. Kulkarni & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Heard Shri S.S.Jadhavar, learned Counsel for the applicants and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Arguments are heard. Reserved for order.

MEMBER (A)
YUK ORAL ORDER 02.04.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.786/2022
(Bapusaheb Warale Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Heard Shri Ajay S. Deshpande, learned Counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 16-04-2024. Part Heard.

MEMBER (A)
YUK ORAL ORDER 02.04.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.1084/2022
(Uddhav M. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Shri Ram S. Shinde Borolkar, 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 16-04-2024.

MEMBER (A)
YUK ORAL ORDER 02.04.2024

VICE CHAIRMAN

(1) ORIGINAL APPLICATION NO. 385/2024
(Pranita R. Randive Vs. State of Maharashtra & Ors.)

(2) ORIGINAL APPLICATION NO. 386/2024
(Shital D. Kadam Vs. State of Maharashtra & Ors.)

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

DATE : 02.04.2024

ORAL ORDER :

Shri B.N. Magar, learned counsel for the applicants in both the matters and S/shri M.B. Bharaswadkar & V.G. Pingle, learned Chief Presenting Officer & Presenting Officer for the respondent authorities in respective matters, are present.

2. Since identical issues are raised, both these matters are heard together. It is the contention that both the applicants were duly selected after having undergone the selection process for the post of Forest Guard. The appointment order was issued in favour of the applicant in O.A. No. 386/2024, whereas the applicant in O.A. no. 385/2024 was allowed to resume the duties, though there seems to be no written appointment order in her favour. After their appointments, within few days the appointment orders of these applicants have been

cancelled on the ground that some errors have occurred in interpreting the provisions as about the reserved seats. As is submitted by the learned counsel for the applicants, before cancelling their appointments, the respondents did not issue any show cause notice nor any hearing was given to the applicants. In the circumstances, the learned counsel prayed for an interim relief, thereby staying the order dated 22.3.2024, whereby the appointments of both these applicants have been cancelled.

3. Learned Chief Presenting Officer sought time to file affidavit in reply. He, however, opposed for granting any interim relief stating that it was well within the power of the State Government to rectify the mistake if had occurred while giving the appointments. Learned C.P.O. submitted that a special Committee was constituted after the complaints were received in regard to the appointments issued in the matters and the said committee has taken a decision and recommended for cancellation of the appointments of the present applicants. He, therefore, prayed for rejecting the prayer for interim relief.

4. We have carefully considered the submissions made on behalf of the applicants, as well as, the State authorities. We have perused the documents filed on record. The applicants were appointed after having successfully undergone the selection process. Undisputedly, the appointments of both these applicants have been cancelled without giving them any opportunity of hearing and even without issuing any show-cause-notice. It is thus evident that the minimum requirement in regard to the principles of natural justice has also not been followed. The applicants have therefore, certainly made out a *prima facie* case.

5. As submitted by learned C.P.O. though the special committee was appointed and the said committee has recommended cancellation of the appointments of the applicants, the fact remains that the applicants were not given any opportunity of hearing. In query made by us to the learned C.P.O. whether the revised list of recommended candidates has been prepared and whether the appointments have been issued to the said candidates, the learned C.P.O. submitted that he

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O.A. NOS. 385 & 386
BOTH OF 2024

has no instructions in that regard. After having considered the facts as aforesaid, we deem it appropriate to pass the following order:-

ORDER

(i) Issue notice to the respondents in both the matters, returnable on 29.4.2024. **Till then the Status quo as on today be maintained in regard to the posts on which the applicants were appointed.**

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

(iii) 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.

(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. Applicants are directed to file affidavit of compliance and notice.

(vi) S.O. to 29.4.2024.

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

MEMBER (A)

VICE CHAIRMAN