

**M.A. No. 428/2019 in O.A. No. 707/2019**  
(Rama M. ShindeVs. State of Maharashtra & Ors.)

**CORAM :Hon'bleShri V.D. Dongre, Member (J)**  
**AND**  
**Hon'bleShriBijay Kumar, Member (A)**

**DATE : 22.06.2021**

**ORAL ORDER :**

Heard ShriS.K. Mathpati, learned Advocate for the Applicant and ShriS.K. Shirse, learned Presenting Officer for the Respondent Nos. 1 to 5. Shri G.N. Patil, learned Advocate for respondent No. 6, **absent**.

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

3. S.O. to 23.07.2021.

**MEMBER (A)**

**MEMBER (J)**

**O.A. Nos. 162, 163, 164, 173, 174, 175, 176 & 221  
all of 2019**

**(Mahadev P. Pawar&Ors.Vs. State of Maharashtra & Ors.)**

**CORAM :Hon'bleShri V.D. Dongre, Member (J)  
AND  
Hon'bleShriBijay Kumar, Member (A)**

**DATE : 22.06.2021**

**ORAL ORDER :**

Heard Ms. AnghaPandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the Applicants in all these O.As.andShriM.S. Mahajan, learned Chief Presenting Officer for the Respondents in all these O.As.

2. Record shows that pleadings up to sur-rejoinder are complete.
3. Learned Chief Presenting Officer seeks time for filing sur-rejoinder/s in all these O.As.
4. Learned Advocate for the applicants also seeks time for carrying out amendment in the O.As. thereby bringing on record the additional grounds.
5. In the facts and circumstances, time as prayed for by both the parties is granted.
6. S.O. to 26.07.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 96 OF 2018**  
**(Arun K. Tike Vs. State of Maharashtra & Ors.)**

**CORAM :Hon'bleShri V.D. Dongre, Member (J)**  
**AND**  
**Hon'bleShriBijay Kumar, Member (A)**

**DATE : 22.06.2021**

**ORAL ORDER :**

Heard ShriK.G. Salunke, learned Advocate for the Applicant and ShriV.R. Bhumkar, learned Presenting Officer or the Respondents.

2. Upon perusal of the pleadings and documents on record and more particularly affidavit in reply of respondent Nos. 1 to 4, it reveals that the order dated 13.12.2016 re-fixing seniority by the Spl. Inspector General of Police, Nanded Range, Nanded is referred to and it specifically stated that the said order ought to have been challenged by the applicant, but in fact he has not challenged the same. However, record shows that the said document is not on record. In order to have effective hearing of the matter, in our opinion, the said document, as well as, other documents, if any be produced by both the parties to this proceeding by the next date of hearing.

3. In view of the above, S.O. to 23.07.2021.

**MEMBER (A)**

**MEMBER (J)**

**O.A. Nos. 626/2019, 641/2019 & 642/2019**  
**(Sheshrao R. Giri Vs. State of Maharashtra &Ors.)**

**CORAM :Hon'bleShri V.D. Dongre, Member (J)**  
**AND**  
**Hon'bleShriBijay Kumar, Member (A)**

**DATE : 22.06.2021**

**ORAL ORDER :**

Heard Shri S.K. Mathpati, learned Advocate for the Applicants in all these O.As. and Shri M.P. Gude & Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officers for the respective Respondents in respective O.As.

2. Record shows that the affidavit in reply is filed by the respondent Nos. 1 to 4 & 6 to 9 jointly in all these O.As.

3. Learned Advocate for the applicants submits that the applicants do not wish to file any rejoinder affidavit in any O.A.

4. Learned P.Os. submits that the respondents are intending to file Review Petitions for reviewing the various orders of the Hon'ble High Court passed in similar nature matters in respect of G.R. dated 24.08.2017.

5. Learned Advocate for the applicants on the other hand submits that various Review Petitions were filed by the respondents before the Hon'ble High Court of Judicature at Bombay as well as before the Aurangabad Bench, but still original order of the Hon'ble High Court is not disturbed or reviewed.

//2// O.A. No. 626/2019 &  
Anr.

6. We have recorded that the applicants do not wish to file rejoinder affidavit in any of the O.A. to the affidavit in reply filed by the respondents.

7. In view of the same, matter is adjourned to 27.07.2021 for further hearing.

**MEMBER (A)**

KPB ORAL ORDERS 22.06.2021

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 28 OF 2020**  
**(Anil P. Salve Vs. State of Maharashtra &Ors.)**

**CORAM :Hon'bleShri V.D. Dongre, Member (J)**  
**AND**  
**Hon'bleShriBijay Kumar, Member (A)**

**DATE : 22.06.2021**

**ORAL ORDER :**

Heard ShriK.G. Salunke, learned Advocate for the Applicant and ShriB.S. Deokar, learned Presenting Officer for the Respondents.

2. Record shows that the affidavit in reply is filed on record on behalf of respondent Nos. 1 & 2 long back.

3. Learned Advocate for the applicant submits that he has received copy of the said affidavit in reply today only.

4. At the request of learned Advocate for the applicant, S.O. to 26.07.2021 for filing rejoinder affidavit.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 285 OF 2021  
(Hemant S. PatilVs. State of Maharashtra &Ors.)**

**CORAM :Hon'bleShri V.D. Dongre, Member (J)**

**DATE : 22.6.2021**

**ORAL ORDER :**

Heard ShriAvinash S. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submitted that the impugned order dated 18.06.2021 transferring the applicant, who is working as Police Inspector, from Shirpur City Police Station, District Dhule to Police Control Room, Dhule, is in contravention of the provisions of Sections 22N, 22J-1 and 22 J-2 of the Maharashtra Police Act, 1951 and, as such, the applicant is entitled for the interim relief of stay of the said impugned order. He submits that the applicant has handed over the charge of his post to Shri Ganesh PandurangPhad, Assistant Police Inspector, as he has proceeded on sick leave and not pursuant to the directions incorporated in the impugned order.

3. In view of the aforesaid submissions made by the learned Advocate for the applicant, learned Presenting Officer submits that he will seek instructions from the respondents, as to whether applicant is relieved from his post or not, by day-after-tomorrow.

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**O. A. NO. 285/2021**

4. In view of the same, the present case is fixed on 24.06.2021.

**MEMBER (J)**

ORAL ORDERS 22.6.2021-HDD



**ORIGINAL APPLICATION NO. 483 OF 2020  
(Bhagwan L. DahaleVs. State of Maharashtra &Ors.)**

**CORAM :Hon'bleShri V.D. Dongre, Member (J)**

**DATE : 22.6.2021**

**ORAL ORDER :**

Heard Shri D.T. Devane, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Record shows that affidavit in reply is filed on behalf of respondent Nos. 2 to 4.

3. Learned Advocate for the applicant seeks time for filing affidavit in rejoinder. Short time is granted.

4. S.O. to 14.07.2021. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**M.A.NO. 516/2019 IN O.A.ST.NO. 2083/2019**  
**(Rekhabai W/o. ChunilalBahiramVs. State of Maha. &Ors.)**

**CORAM :Hon'bleShri V.D. Dongre, Member (J)**

**DATE : 22.6.2021**

**ORAL ORDER :**

Heard ShriBipinchandra K. Patil, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. The present case is heard at length and reserved for orders.

**MEMBER (J)**

ORAL ORDERS 22.6.2021-HDD

**M.A.NO. 31/2021 IN O.A.ST.NO. 62/2021  
(Ramkisan J. Nampalle&Ors.Vs. State of Maha.&Ors.)**

**CORAM :Hon'bleShri V.D. Dongre, Member (J)**

**DATE : 22.6.2021**

**ORAL ORDER :**

Heard Shri V.B. Dhage, learned Advocate for the applicants and Mrs. Deepali S. Deshmukh, learned Presenting Officer for the respondents.

2. The present M.A.No. 31/2021 is filed for seeking condonation of delay of 1 year and 8 months caused in filing accompanying O.A.

3. Learned Presenting Officer seeks time for filing affidavit in reply to the present M.A.

4. Learned Advocate for the applicant submits that the accompanying O.A. is filed seeking directions to the respondents to insert the name of the applicant in the final seniority list. He submits that the respondent No. 1 – District Collector, Nanded has started the process of promotion from the post of Kotwal to the post of Peon and, therefore, the applicant is likely to be affected.

5. However, delay application will have to be considered on its own merits, but before that it is just and proper to give an opportunity to the respondents to file affidavit in

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**M.A.NO. 31/2021 IN  
O.A.ST.NO. 62/2021**

reply to the M.A. Short time is granted to the respondents to file affidavit in reply to the M.A.

6. At this stage, learned Advocate for the applicant seeks interim relief of maintaining status quo till filing affidavit in reply by the respondents. When the O.A. is not yet registered and not ready, in my opinion, this is not a fit case to grant any interim relief or status quo in favour of the applicant.

7. S.O. to 16.07.2021.

**MEMBER (J)**

**M.A.ST.NO. 636/2021 IN O.A.NO. 123/2021  
(Anurath T. ChandmareVs. State of Maha. &Ors. and  
Gaurishankar P. Swami)**

**CORAM :Hon'bleShri V.D. Dongre, Member (J)**

**DATE : 22.6.2021**

**ORAL ORDER :**

Shri S.A. Ambad, learned Advocate for the interenor,  
Shri N.U. Yadav, learned Presenting Officer for the  
respondent Nos. 1 to 4 and Shri K.G. Salunke, learned  
Advocate for respondent No. 5 / applicant in O.A.

2. Heard both the parties on the point of maintainability  
of the present M.A. for intervention.

3. Learned Advocate for the intervenor seeks time to  
reply to the arguments advanced by the learned Advocate  
for the applicant in O.A. In the interest of justice, time is  
granted till tomorrow.

4. S.O. 23.06.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 123 OF 2021  
(Gaurishankar P. Swami Vs. State of Maha. &Ors.)**

**CORAM :Hon'bleShri V.D. Dongre, Member (J)**

**DATE : 22.6.2021**

**ORAL ORDER :**

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

2. Record shows that the present case is already part heard. In the circumstances, S.O. to 23.06.2021 for further hearing.

**MEMBER (J)**

**Date : 22.06.2021**

**ORIGINAL APPLICATION NO. 287/2021**

**(Vijaysing H. Bagul V/s State of Maharashtra & Ors.)**

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

1. Shri A.D. Gadekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned C.P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on 22.7.2021. The case be listed for admission hearing on 22.7.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**

**Date : 22.06.2021**  
**ORIGINAL APPLICATION NO. 288/2021**  
**(Shubham K. Shreebhate V/s State of**  
**Maharashtra & Ors.)**

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

1. Shri P. V. Suryawanshi, learned Advocate for the applicant and Shri M.S. Mahajan, learned C.P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on 22.7.2021. The case be listed for admission hearing on 22.7.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**