

ORIGINAL APPLICATION NO. 160 OF 2020
(Shri Shrirang P. Jarhad V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 22.07.2020.

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 25.08.2020.

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.

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O.A. No. 160/2020

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 25.08.2020.

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

VICE CHAIRMAN

KPB/ORAL ORDERS 22.07.2020

ORIGINAL APPLICATION NO. 194 OF 2020
(Shri Anil P. Salve V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 22.07.2020.

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 25.08.2020.

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.

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O.A. No. 194/2020

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 25.08.2020.

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

VICE CHAIRMAN

KPB/ORAL ORDERS 22.07.2020

ORIGINAL APPLICATION NO. 868 OF 2019
(Dr. Suryakant R. Lonikar V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 22.07.2020.

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 05.08.2020.

VICE CHAIRMAN

KPB/ORAL ORDERS 22.07.2020

ORIGINAL APPLICATION NO. 170 OF 2020
(Shri Piraji L. Sormare V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 22.07.2020.

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri V.B. Wagh, learned Advocate for respondent No. 4.

2. Learned Chief Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record and copy thereof has been served on the other side.

3. At the request of learned Advocate for the applicant, S.O. to 05.08.2020 for filing rejoinder affidavit, if any.

4. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 175 OF 2020
(Shri Rajiv H. Jamodkar V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 22.07.2020.

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Issue fresh notice to the respondent No. 1, returnable on 09.09.2020.

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.

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O.A. No. 175/2020

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 09.09.2020.

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

VICE CHAIRMAN

KPB/ORAL ORDERS 22.07.2020

ORIGINAL APPLICATION NO. 178 OF 2020
(Prashant E. Supekar V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 22.07.2020.

ORAL ORDER :

Shri M.K. Bhosale, learned Advocate for the applicant (**Absent**).

Heard Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 09.09.2020 for filing affidavit in reply.

VICE CHAIRMAN

KPB/ORAL ORDERS 22.07.2020

ORIGINAL APPLICATION NO. 182 OF 2020
(Dr. Naresh a. Deonikar V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 22.07.2020.

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate holding for Shri J.S. Deshmukh, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time for filing service affidavit. Time granted.

3. S.O. to 09.09.2020.

VICE CHAIRMAN

KPB/ORAL ORDERS 22.07.2020

ORIGINAL APPLICATION NO. 186 OF 2020
(Shri Sachin H. Kendre V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 22.07.2020.

ORAL ORDER :

Heard Shri A.B. Kale, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate Shri S.A. Ambad, has filed **VAKALATNAMA** on behalf of respondent No. 5. Same is taken on record. He seeks time for filing affidavit in reply on behalf of respondent No. 5. Time granted.

3. As the respondent No. 5 is appeared today, there is no need to wait for service of respondent No. 5.

4. Learned C.P.O. seeks time for filing affidavit in reply on behalf of respondent Nos. 1 to 4. Time granted.

5. S.O. to 09.09.2020.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 237 OF 2019
(Sheshrao R. Kharate V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 22.07.2020.

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Chief Presenting Officer for the respondents, S.O. to 19.08.2020.

VICE CHAIRMAN

KPB/ORAL ORDERS 22.07.2020

ORIGINAL APPLICATION NO. 721 OF 2019
(Shri Bhagwan W. Landge V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 22.07.2020.

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 16.09.2020.

VICE CHAIRMAN

KPB/ORAL ORDERS 22.07.2020

**ORIGINAL APPLICATION NO. 86 OF 2019
WITH
ORIGINAL APPLICATION NO. 118 OF 2019
WITH
ORIGINAL APPLICATION NO. 278 OF 2019
WITH
ORIGINAL APPLICATION NO. 421 OF 2019
(Bhimrao S. Pawar & Ors. V/s. State of Maharashtra & Ors.)**

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 22.07.2020.

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicants in all these O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these O.As.

2. At the request of learned Chief Presenting Officer for the respondents, as a last chance, S.O. to 19.08.2020.

VICE CHAIRMAN

KPB/ORAL ORDERS 22.07.2020

ORIGINAL APPLICATION NO. 183/2019

(Pandurang V. Arke Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, VICE CHAIRMAN

DATE : 22.7.2020

ORAL ORDER :

Heard Shri B.V. Thombre, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time to take instructions from the applicant as to whether the applicant wants to proceed with the present O.A. or wants to withdraw the same to expedite the criminal appeal pending before the Hon'ble High Court. Time granted.

3. S. O. to 9.9.2020.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 196/2020

(Khushwant H. Borase Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, VICE CHAIRMAN

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 22.7.2020

ORAL ORDER :

Heard Shri Chetan V. Bhadane, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Applicant has challenged the impugned order dated 5.1.2019 by which his appointment order has been cancelled on the ground that a criminal offence is pending against him. Applicant has earlier filed O.A. no. 90/2019 before this Tribunal. But thereafter he has withdrawn it on the ground that he proposes to move the Judicial Magistrate First Class at Dhule for expediting the decision regarding approving B-summary case. Accordingly B-summary case was submitted before the J.M.F.C. But it has not been decided by the J.M.F.C. and till today the matter is pending. Because of the pendency of the criminal case against the applicant the Superintendent of Police cancelled the appointment order of the applicant. After the decision in the criminal case the applicant

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has to approach the concerned appointing authority seeking appointment.

3. In view of above there is no merit in the O.A. Hence the O.A. stands rejected. There shall be no order as to costs.

VICE CHAIRMAN

ARJ ORAL ORDERS 22.7.2020

ORIGINAL APPLICATION NO. 28/2020

(Anil P. Salve Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, VICE CHAIRMAN

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 22.7.2020

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Chief Presenting Officer seeks time to file affidavit in reply of the respondent nos. 1 & 2. Time granted.

3. In the circumstances, S.O. to 3.9.2020.

VICE CHAIRMAN

ARJ ORAL ORDERS 22.7.2020

ORIGINAL APPLICATION NO. 181/2020

(Rajesh H. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, VICE CHAIRMAN

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 22.7.2020

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent nos. 1 &2.

2. Shri Anil P. Basarkar, learned Advocate appears and submits that he is under instructions to appear for respondent nos. 3 to 5 in the present matter. He seeks time to file his V.P. and affidavit in reply on behalf of respondent nos. 3 to 5.

3. Learned Presenting Officer has filed affidavit in reply of respondent no. 2. It is taken on record and copy thereof has been supplied to other side. He seeks time to file affidavit in reply of respondent no. 2. Time granted.

3. In the circumstances, S.O. to 19.8.2020. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 204/2020

(Nanda Y. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, VICE CHAIRMAN

DATE : 22.7.2020

ORAL ORDER :

Heard Shri A.S. Shelke, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 19.8.2020.

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.

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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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 19.8.2020.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 22.7.2020

ORIGINAL APPLICATION NO. 1014/2019
(Bade R. Shridhar & Ors. Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, VICE CHAIRMAN

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 22.7.2020

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Chief Presenting Officer has placed on record a copy of communication dated 13.7.2020 received to him from the concerned respondents. It is taken on record and marked as document 'X' for the purpose of identification. The learned C.P.O. seeks time to take instructions from the respondent no. 2 as to whether he has taken any decision in view of the above said communication. Time granted.

3. In the circumstances, S.O. to 29.7.2020.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 95/2020
(Monali B. Late Vs. State of Maharashtra & Ors.)**

CORAM : B.P. PATIL, VICE CHAIRMAN

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 22.7.2020

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate for the applicants and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has placed on record a copy of communication dated 13.7.2020 received to her from the concerned respondents. It is taken on record and marked as document 'X' for the purpose of identification. The learned P.O. seeks time to take instructions from the respondent no. 2 as to whether he has taken any decision in view of the above said communication. She also seeks time to file affidavit in reply of the respondents. Time granted.

3. In the circumstances, S.O. to 29.7.2020.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 205/2020
(Dr. Dilip V. Deshmukh Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, VICE CHAIRMAN

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 22.7.2020

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant has filed copy of judgment delivered by the Hon'ble High Court of Judicature at Bombay, Bench at Aurangabad in writ petition no. 5402/2018 (Dr. Sanjay R. Kadam & Ors. Vs. the State of Maharashtra & Ors.) on 20.3.2020. It is taken on record and marked as document 'X' for the purpose of identification.

3. Learned Chief Presenting Officer submits that he will take instructions from the respondents as to whether the Government is taking decision on the proposal sent by the respondent no. 2 and make submissions on 29.7.2020 in that regard. Time granted.

3. In the circumstances, S.O. to 29.7.2020.

VICE CHAIRMAN