

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench

Before: - **THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN**

Date: -23/02/2023

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Regular Admission Matters						
MSB 1	OA491/19	P/bhani	Adv.J.M. Murkute ✕ (Satish S More)	Minor Punishment/ Suspension Period		24/3/23
WRB 2	OAS1973/22	Nanded	Adv.H.V. Patil (Rama B Waghmare & Ors.)	Direction/ Regularisation/ Old Pension Scheme	With Office Objection	23/3/23
MSB 3	OA129/23	A/bad	Adv.Y.K. Bobade ✕ (Abhay P Shinde)	Directions/ Pension & Pensionary Benefits		24/3/23
MSB 4	MAS172/23 In OAS173/23	A/bad	Adv.R.K. Ashtekar (Abdul Gani Nazir Shaikh & Ors.) <i>have issue</i>	M.A. For Sue Jointly	With Office Objection	23/3/23
WRB 5	OAS1310/23 With Caveat05/23	Jalna	Adv.S.D. Joshi (Kishori A Alone) Adv.CPO, MAT A'bad For Caveator, i.e. The State of Maharashtra through The Commissioner, Social Welfare Department, Pune	Suspension	Circulation With Office Objection	2/3/23

High On Board Matter

<i>VAB</i> 6	OA359/21	<i>HOD</i> Albad	Adv.Ravindra V Gore ✓ (Hajrabee @ Nurbee Shaikh Nijam) <u>Adv.D.T. Devane for R.Nos.2 to 4</u> <u>Adv.Abed M Pathan for R.No.7</u>	Family Pension	Reply Filed by R-4 & R-5	10/13
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Due Admission Matters

<i>VAB</i> 7	OA568/20	<i>HOD</i> Pibhani	Adv.A.D. Sugdare ✓ (Shankar S Waghmare)	Suspension Period/ Pay & Allowances	For Hearing Reply Filed by Respondent	29/3/23
<i>VAB</i> 8	OA269/21	<i>HOD</i> Albad	Adv.K.B. Jadhav ✓ (Kishor G Narwade)	Compassioante Appointment Lad Page Samiti	Reply Filed by R-1 & R-3	30/3/23
<i>VAB</i> 9	OA386/21	<i>HOD</i> Jigaon	Adv.Harish S Bali ✓ (Chandrashekhar R Chopdar)	Regularisation of Suspension Period	Reply filed by R-2 & R-3	V ^o 14/3
<i>VAB</i> 10	OA6/22	<i>HOD</i> Pibhani	Adv.V.G. Pingle ✓ (Ramesh N Shahane)	Suspension Period/ Pension & Other Benefits	For Hearing Reply Filed by R-1 to R-5	attached

Order Matter

<i>VAB</i> 11	MA143/22 In OAST75/22	<i>HOD</i> Alhagar	Adv.Abhijeet B Kale ✓ (Sudhir S Bramhne)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-4	16/3/23
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Final Hearing Matters

<i>VAB</i> 12	OA317/19	<i>HOD</i> Dhule	Adv.D.K. Dagadkhair ✓ (Mangala D Lasurkar(Died) LRs Purushottam E Joshi)	Interest on Delayed Payments/ Other Pensionery Benefits	Reply Filed by R-3 to R-5	11/4/23
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13	OA365/19	Jigaon	Adv.A.J. Patil/ Adv.V.B. Wagh (Nilesh W Mahajan) <u>Adv.V.G. Pingle for R.No.2</u>	Kotwal	Reply Filed by R-1 & R-2	31/3/23
14	OA982/19	A/bad	Adv.K.G. Salunke (Govind Y Bharsakhale)	Recovery	Reply filed by R-1 to R-4	31/3/23
15	OA1084/19	A/nagar	Adv.Dhananjay Mare (Ravindra M Garje)	Continuity In Service/ Regularisation of Period/ Consequential Benefits	Reply Filed by R-2 & R-3	10/3/23
16	MA99/21 In OASG50/21	A/bad	Adv.A.B. Rajkar (Mohammad Asgar Mohammad Moosa)	M.A. For Condonation of Delay	Reply filed by R-1 to R-3	27/3/23
17	OA189/21 with	A/nagar	Adv.Avinash S Khedkar (Sakharam C Kashid) <u>Adv.Shamsunder B Patil for R.Nos.2 to 3</u>	Recovery	For Hearing Reply Filed by R-1 to R-4	
18	OA214/21 with	A/nagar	Adv.Avinash S Khedkar (Ramnath N Raut) <u>Adv.Shamsunder B Patil for R.Nos. 2 to 3</u>	Recovery/ Refund of Recovered Amount	For Hearing Reply Filed by R-1 to R-3	17/3/23
19	OA336/21 with	A/nagar	Adv.Avinash S Khedkar (Raosaheb S Bhosale) <u>Adv.Shamsunder B Patil for R.Nos. 2 to 3</u>	Recovery/ Refund of Recovered Amount	For Hearing Reply Filed by R-2 to R-3	
20	OA365/21 with	A/nagar	Adv.Avinash S Khedkar (Prabhakar B Jondhale) <u>Adv.Shamsunder B Patil for R.Nos. 2 to 3</u>	Recovery	For Hearing Reply Filed by R-1 to R-3	
21	OA222/21 with	A/nagar	Adv.Avinash S Khedkar (Bhausaheb A Wighve) <u>Adv.S.B. Patil for R.Nos.2 & 3</u>	Recovery/ Refund of Recovered Amount	For Hearing Reply Filed by R-1	

22	OA223/21	A. Nagar	Adv. Avinash S Khedkar (Babasaheb R Warpe) <u>Adv. S.B. Patil for</u> <u>R.Nos. 2 & 3</u>	Recovery/ Refund of Recovered Amount	For Hearing Reply Filed by R-1 to R-3	17/3/23
23	OA216/21	A. Bad	Adv. D.K. Dagdkhair (Keshav B Bhalerao (Died)) LRs. Rekha K Bhalerao	Difference of Wages/ Arrears/ Special Allowances	Reply Filed by R-1 to R-3	11/4/23
24	OA420/21	J. Gaon	Adv. S.S. Tandale (Raosaheb B Jangle)	Suspension/ Reinstatement	Reply Filed by R-1 to R-3	11/4/23
25	OA430/21	A. Bad	Adv. Sanjay N Pagare (Dr. Prema B Bansode)	Transfer	Reply Filed by Respondents	3/4/23
26	OA513/21	P. bhani	Adv. A.D. Gadekar (Manik G Gaikwad)	Suspension Period/ Pension & Pensionary Benefits	Reply Filed by Respondent	adk
27	OA550/21	J. Gaon	Adv. C.V. Dharurkar (Shobha S Bidhe & Ors.)	Compassionate Appointment	Reply Filed by R-1 & R-2	14/3/23
28	OA578/21	J. Gaon	Adv. C.V. Dharurkar (Nanasaheb S Patil)	Pensionary Benefits	Reply Filed by R-2	14/3/23
29	OA601/21	A. Bad	Adv. A.S. Shelke (Ramesh M Darekar)	Regularisation	Reply Filed by R-1 to R-4	11/4/23
30	OA173/22	Nanded	Adv. V.P. Kadam (Ajay G Dawane & Ors.)	Compassionate Appointment	Reply Filed by R-1 to R-4	10/4/23
31	OA402/22	Nanded	Adv. K.G. Salunke (Maroti C Panchal)	Relieve	Reply Filed by R-1, R-2, R-4 & R-6	31/3/23

Assistant Registrar
M. A. T. Bench at A. Bad

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI BENCH AT
AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench

Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -23/02/2023

for reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	OA587/20	A'bad	Adv. Vijay C Suradkar (Kumudini R Sable)	Compassionate Appointment (Lad Page Samiti)	As a Last Chance Reply Filed By R-2 & 3	24/3/23
2	OA433/21	A'bad	Adv A K Mishra (Chabutai R Dudhe)	Family Pension	For Filing Affidavit in Rejoinder Reply Filed By R-2 to 5	Rejoinder 23/3
3	OA626/21	HDD Beed	Adv K B Jadhav (Rajendra B Telap)	Recovery	One more last Chance For Filing Affidavit in Rejoinder	29 27/3
4	OA255/22	Hingoli	Adv Vivek G Pingle (Namdeo V Agashe & Ors.)	Arrears	Reply Filed By R-1 to 4	11/3/23 6/4/23
5	OA376/22	HDD P'rbn	Adv S D Joshi (Priyanka S Bansode)	Compassionate Appointment	For Filing Affidavit in Reply	21/3
6	OA382/22 with	Jalna	Adv R A Joshi (Rajendra R Shah)	Time Bound Promotion/ Benefit of G.R.	One more Last Chance For Filing Affidavit in Reply	11/3/23
7	OA383/22 with	A'bad	Adv R A Joshi (Gangadhar R Muley)	Time Bound Promotion/ Benefit of G.R.	As a One more Last Chance For Filing Affidavit in Reply	6/4/23
8	OA384/22 With	A'bad	Adv R A Joshi (Suresh L Ghule)	Time Bound Promotion A.C.P Scheme	As a One more Last Chance For Filing Affidavit in Reply	

9	OA385/22	A'bad	Adv R A Joshi (Yuvraj S Kalsbelty)	Time Bound Promotion/ Benefit of G.R.	As a One More Last Chance For Filing Affidavit in Reply	6/4/23
10	OA399/22	O'bad	Adv C V Thombre (Tawshikar G Gyanoba)	Recovery From Pensionary Benefits/Refund of Amount	For Filing Affidavit in Reply Reply Filed By R-2	24/3/23
11	OA405/22	Beed	Adv Bharat N Gadegaonkar (Sujata R Parsode)	Compassionate Appointment	For Filing Affidavit in Reply	24/3/23
12	OA541/22	Beed	Adv A R Gunge (Khiluba B Sarak) <u>Adv P D Suryawanshi for R Nos.2 & 5</u>	Pension & Pensionary Benefits	For Filing Affidavit in Reply Reply Filed By R-2 & 5	24/3/23
13	OA634/22	N'bar	Adv S D Joshi (Somnath R Baviskar)	Transfer	For Filing Affidavit in Rejoinder Reply Filed By R- 1 to 3	10/4
14	OA649/22	A'bad	Adv S D Joshi (Prena S Gadvc)	Compassionate Appointment	For Filing Affidavit in Reply	21/3
15	OA668/22	Dhule	Adv Y G Salgare (Kishor C Koli)	Compassionate Appointment	For Filing Affidavit in Reply	R-2/05 10/4
16	OA682/22	Beed	Adv S R Shirasath (Bhimrao N Doiphode)	Re Fixation of Pay Scale & Arrears of Salary	For Filing Affidavit in Reply	13/3
17	OA713/22	A'bad	Adv Preeti Wankhade (Gorakh D Pathade)	Recovery/Refund of Recovered Amount	For Filing Affidavit in Reply	21/3/23
18	OA973/22	Nanded	Adv K B Jadhav (Abhijeet G Kamble) <u>Adv S B Mene R- 2 & 3</u>	Compassionate Appointment	For Filing Affidavit in Reply	27/3/23
19	OA860/22	A'bad	Adv Avinash S Deshmukh (Harichandra A Gawali)	Provisional Pension	For Reply	9/3
20	OA980/22	A'nagar	Adv Suchita Dhongde (Dattatray V Ambre) <u>Adv D T Devne R- 2 & 3</u>	Pay the Interest on Delay Payment	For Filing Affidavit in Reply	24/3/23
21	OA1081/22	Latur	Adv H P Jadhav (Shitole B Limbaji)	Compassionate Appointment	For Filing Affidavit in Reply	28/3/23

<i>BSP</i>	22	OA1089/22	Latur	Adv H P Jadhav (Madhavi M Kulkarni & ors.)	Compassionate Appointment	For Filing Affidavit in Rejoinder Reply Filed By R- 1, 3 & 4	28/3/23
<i>DRP</i>	23	OA1136/22	A'nagar	Adv Vishwas B Wagh (Ramdas N Jangle)	Revision of Pension	For Filing Affidavit in Reply	28/3/23
<i>MSP</i>	24	OA1137/22	A'nagar	Adv Vishwas B Wagh (Ravindra G Barde)	Revision of Pension	For Filing Affidavit in Reply	28/3/23
<i>BSP</i>	25	OA1138/22	Nalgaon	Di Adv Dipesh Pande/ Adv Girish Nagori (Nilesh S Salve)	Compassionate Appointment	For Reply	28/3/23
<i>DRP</i>	26	OA1142/22	A'nagar	Adv Vishwas B Wagh (Smt. Maya Bapu Chabukswar w/o Late Dr. Bapu Raoka Chabukswar)	Direction/ Pension	For Reply	30/3/23
<i>BSP</i>	27	OA1148/22	A'bad	Adv Ravi R Bangar (Asef A Shaikh) Adv S D Dhongde R- 2 & 3	Compassionate Appointment	Await Service	21/3/23
<i>MSP</i>	28	OA120/23	A'bad	<i>HOD</i> Vishwas B Wagh (Anilkumar M Dabshede & ors.) Adv S S Dambe for (Caveator) R- 2	Transfer	For Reply	8/3
<i>DRP</i>	29	OA7/23	Jalna	Adv Avinash S Deshmukh (Sonali D Haregaonkar)	Benefits of A.C.P.S	Await Service	27/3/23
Order Matter							
<i>VAD</i>	30	MA304/22 In OAS1027/22	Dhule	(Ravikiran Ahire & ors.)	MA For Delay Condonation	Reply Filed By R- 3 & 4	28/3/23
<i>MSP</i>	31	MA426/22 In OAS1868/22	A'bad	Adv J S Deshmukh (Pradyumnakumar P Gosavi)	MA for Delay Condonation	By Way of Last Chance For Filing Affidavit in Reply	5/4

[Signature]
Assistant Registrar
M. A. T. Bench at A' bad

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Division Bench

Before: - THE HON'BLE SHRI. V.D. DONGRE, MEMBER (J)

Date: -23/02/2023

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks
Urgent Admission Matters					
Order Matters					
VRB 1	MASt1291/20 In OA493/18	A/nagar	Adv.H.A. Joshi (Rajendra K Shimpi)	M.A. For Restoration	With Office Objection For Hearing 9/3
DB 2	MA51/21 In OAS1184/21	Hingoli	Adv.Preeti R Wankhade (Sangameshwar M Kadam)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R-3 13/3
9099 3	MA95/21 In OA170/21 with	A/bad	Adv.Talekar & Associates (Shivkumar V Chivde) <u>Adv.J.P. Legal for R.Nos.5, 6 & 7</u>	M.A. For Amendment	For Hearing 23/3
BS 4	MA96/21 In OA171/21	A/bad	Adv.Talekar & Associats (Shivkumar V Chivde) <u>Adv.J.P. Legal for R.Nos.5 & 6</u>	M.A. For Amendment	For Hearing 23/3
9099 5	MA295/21 In OAS1154/21	Dhule	<u>S.D. Dongre</u> Adv.Suchita Dhongde (Mrunalini P Jadhav)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-2 6/3
BS 6	MA301/21 In OAS11279/21	Latur	Adv.S.B. Patil (Dr.Eknath D Male)	M.A. For Condonation of Delay	For Hearing 13/3
MS 7	MA12/22 In OAS11746/21	Nanded	Adv.S.B. Patil (Keshawrao W Pawar)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-2 to R-5 13/3

DRP 8	MA94/22 In OAS1249/22	O/bad	Adv.G.J. Kore (Dipak S Sherkhane)	M.A. For Condonation of Delay	For Hearing	16/3
DRP 9	MA171/22 In OAS1405/22	P/bhani	Adv.K.B. Jadhav (Dhanraj P Kankriya)	M.A. For Condonation of Delay	For Hearing	16/3
VAB 10	MA288/22 In OA599/22	Jigaon	Adv.A.S. Deshmukh (Tushar T Jadhav) <u>Adv.V.V. Gujar for R.Nos.3 & 4 in OA599/22</u>	M.A. For Allow the Applicant to Join as Law Officer with MHADA	For Hearing	21/3
DRP 11	MA5/23 With MA398/21 in OAS1666/22	A/bad	Adv.H.P. Jadhav (Sadashiv S Shingare)	M.A. for Amendment		23/3
High On Board Matters						
Due Admission Matters						
DRP 12	CP01/20 In OA824/16	Latur	Adv.S.B. Patil (Dr. Asha A Kadam)	Contempt Petition	For Hearing	20/3
BSP 13	OA586/12	Beed	Adv.Sudhir Patil (Bharat M Bhosale)	Promotion	For Hearing Reply Filed by R-1 to R-3	10/3
BSP 14	OA797/16	A/nagar	Adv.C.V. Thombre (Gaurav A Chavar)	Appointment	For Hearing Reply Filed by R-2 & R-5	9/3
DRP 15	OA256/18	Dhule	(Avinash P Chandra & Ors.)	Challenging G.R.	For Hearing Reply Filed by R-2 & R-3	10/3
DRP 16	OA387/18	Beed	Adv.Avinash S Deshmukh (Pranod V Gite) <u>Adv.R.D. Khadap for R.No.5</u> AV Thakur	Selection/ Appointment (AMVI) Assessment of Answersheet	For Hearing Reply Filed by R-1 to R-5 The Applicant is at liberty to File Affidavit in Rejoinder	10/3

17	OA768/18	Albad	Adv. S.S. Thombre (Vijaykumar V Giri & Ors.)	Appointment	For Hearing Reply Filed by R-2	17/3
18	OA43/19	Jalna	Adv. K.G. Salunke (Sharad B Tote)	Promotion/ Seniority	For Hearing Reply Filed by R-2	20/3
19	OA162/19 With	Hingoli	Adv. Talekar & Associates (Mahadev R Powar)	Discharge form Service/ Termination	For Hearing Reply filed By R-1 to R-4	21/3
20	OA163/19 With	Hingoli	Adv. Talekar & Associates (Vithal S Kharat)	Discharge form Service/ Termination	For Hearing Reply filed By R-1 to R-4	21/3
21	OA164/19 With	Hingoli	Adv. Talekar & Associates (Vaibhav S Andhale)	Discharge form Service/ Termination	For Hearing Reply filed By R-1 to R-4	21/3
22	OA173/19 With	Hingoli	Adv. Talekar & Associates (Balkrishna N Waghmare)	Discharge form Service/ Termination	For Hearing Reply filed By R-1 to R-4	21/3
23	OA174/19 With	Hingoli	Adv. Talekar & Associates (Amol V Mandale)	Discharge form Service/ Termination	For Hearing Reply filed By R-1 to R-4	21/3
24	OA175/19 With	Hingoli	Adv. Talekar & Associates (Sudarshan S Jadhav)	Discharge form Service/ Termination	For Hearing Reply filed By R-1 to R-4	21/3
25	OA176/19 With	Hingoli	Adv. Talekar & Associates (Vikas F Dole)	Discharge form Service/ Termination	For Hearing Reply filed By R-1 to R-4	21/3
26	OA221/19	Hingoli	Adv. Talekar & Associates (Bhagwan S Borude)	Discharge form Service/ Termination	For Hearing Reply filed By R-1 to R-4	21/3
27	OA336/19	Beed	Adv. Ashok R Tapse (Anil S Navale)	Termination	For Hearing Reply Filed by R-4	23/3
28	OA850/19	Hingoli	Adv. D.G. Kamble/ Adv. K.N. Farooqui (Shrikant K Madilwar)	Departmental Enquiry/ Promotion/ Suspension Allowance	For Hearing Reply Filed by R-2 to R-4	23/3
29	OA1029/19	Nanded	Adv. M.S. Chaudhari (Suraj S Bavat) Adv. V.B. Wagh for R.No.4	Absorption/ Appointment	For Hearing Reply Filed by R-1 to R-3	20/3

MSP	30	OA36/20	Latur O/bad Nanded	Adv.V.B. Wagh (Dr.Pratap M Shinde & Ors.) <u>Adv.S.B. Bhosale for Caveater</u> <u>Adv.S.K. Kadam for R.No.3</u>	Selection/ Appointment (To Call for Interview)	Withdrawal For Admission Reply Filed by R-2
BSD	31	OA62/20	Beed	Adv.S.K. Naikwade/ Adv.K.G. Salunke (Dr.Maheshkumar L. Mane)	Selection/ Appointment	For Hearing Reply Filed by R-2 23/3
	32	OA149/20 with	Nanded	Adv.S.L. Bhapkar (Vitthal S Ambatwad)	Extension in age/ Benefits of G.R./ Consequential Retirement Benefits	For Hearing Reply Filed by R-1 to R-4 & R-6 5/3 12/3
URB	33	OA150/20 with	A/bad	Adv.Sanjay L Bhapkar (Ramkrishna D Nagargoje)	Benefits of G.R./ Consequential Retirement Benefits/ Extension in age of Retirement	For Hearing Reply Filed by R-1 to R-4 12/3
	34	OA151/20	Beed	Adv.Sanjay L Bhapkar (Krantikumar V Penurkar)	Benefits of G.R./ Consequential Retirement Benefits/ Extension in age of Retirement	For Hearing Reply Filed by R-1 to R-4 & R-6 12/3
DRP	35	OA387/20	A/bad	Adv.Nilesh J Patil (Ajay R More)	Interview	For Admission Reply Filed by R-2 27/3
MSP	36	OA31/21	A/bad	Adv.A.N. Ansari Adv.A.N. Ansari has filed Leave Note From 20.02.2023 to 27.02.2023 (Sattar Khan Jamal Khan) <u>Adv.M.P. Gude for R.No.2</u>	Departmental Enquiry/ Pensionery Benefits	For Hearing Reply Filed by R-1 & R-2 27/3
BSD	37	OA128/21	Nanded	Adv.Ganesh V Mohekar (Pradeep M Thakkarwad)	Probation Period/ Minor Punishment	For Hearing Reply Filed by R-1 to R-6 27/3

38	OA150/21	P/bhani	Adv.K.B. Jadhav ✓ (Mayur P Chavan)	Termination	For Hearing Reply Filed by R-2 to R-6	20/3
39	OA246/21	Jigaon	Adv. Thombare Adv.S.B. Solanke (Pradeep B Bramhane)	Appointment	For Hearing	20/3
40	OA472/21	A/bad	Adv.B.R. Kedar (Dr.Rahul R Salve)	Termination/ Continuation	For Admission	21/3
41	OA564/21	Jalna	Adv.A.S. Deshmukh (Suhas S Kulkarni)	Compulsory Retirement	Withdrawn/ For Admission	
42	OA727/21	A/bad	Adv.A.N. Ansari Adv.A.N. Ansari has filed Leave Note From 20.02.2023 to 27.02.2023 (Dipak D Joshi & Ors.)	Promotion	For Hearing Reply Filed by R-1 & R-3	27/3
43	OA760/21	O/bad	Adv.Shamsundar B Patil ✓ (Malikarjun D Deshmane)	Major Punishment	For Hearing Reply Filed by R-2 & R-3	20/3
44	OA230/22	A/bad	Adv.M.C. Swami ✓ (Dr.Seema M Digraskar @ Dr.Seema D Pathak)	Promotion	For Hearing Reply Filed by R-1 to R-3	28/3
45	OA306/22	Nanded	Adv.Amit A Mukhedkar ✓ (Papindersingh S Sandhu(Pujari)	Reversion	For Hearing Reply Filed by R-1 & R-2	29/3
46	OA464/22 with	Nanded	Adv.S.A. Deshmukh (Sanjay V Birhade) <u>Adv.Sudhir K Chavan for R.No.4</u>	Reversion	For Hearing	23/3
47	OA465/22 with	Nanded	Adv.S.A. Deshmukh (Shaikh Moin Shaikh Suleman)	Reversion	For Hearing	23/3
48	OA466/22	Nanded	Adv.S.A. Deshmukh (Sudarshan N Burkule)	Reversion	For Hearing	23/3
49	OA467/22	Nanded	Adv.S.A. Deshmukh (Pralhad V Burkule)	Reversion	For Hearing CPO to Seek Instructions	23/3

50 B.S.D.	OA485/22	Nanded	Adv.A.A. Mukhedkar (Jaspalsingh B Kalon)	Reversion	For Hearing Reply Filed by R-1 & R-2	23/3	
Final Hearing Matters							
V.R.B.	51	OA899/17	O/bad	Adv.G.C. Khond/ Adv.G.N. Khanzode (Dr.Vandana S Shinde) <u>Adv.Gunratn Sadavarte/</u> <u>Adv.Jayshri Patil/</u> <u>Adv.Ramdas Gaikwad for</u> <u>R.No.4</u>	Seniority	Reply Filed by R-1 to R-3	2/3
M.P.G.	52	OA68/18	Hingoli	Adv.P.B. Rakhunde (Kishan D Kadam)	Termination	Reply Filed by R-1 to R-3	15/3
D.A.P.	53	OA184/18	A/bad	Adv.Vishwas B Wagh (Swamidias V Chobe)	Departmental Enquiry	Reply Filed by R-1	20/3
M.S.P.	54	OA776/18	Dhule	Adv.A.D. Sugdare (Nana B Salunke) <u>Adv.Sunita D Shelke for</u> <u>R.No.3</u>	Recovery/ Pay Fixation	Reply Filed by R-1 to R-4	14/3 55 55
B.S.D.	55	OA12/19	Dhule	Adv.Shamsunder B Patil (DR. Deepak K Shejwal) <u>Adv.Talekar and</u> <u>Associates for R.No.4</u>	Appointment	Reply Filed by R-1 to R-4	21/3
V.R.B.	56	OA260/19	Dhule	Adv.C.V. Dharurkar/ Adv.Tulja Bondarde (Mukund B Jagtap)	Reversion	Reply Filed by R-1 to R-3	27/3
M.P.S.	57	OA320/20	A/nagar	Adv.V.B. Wagh (Santosh N Dhongade)	Departmental Enquiry/ Promotion	Reply Filed by R-1 & R-2	27/3 27/3
B.S.D.	58	MA230/20 In OA325/20	Nashik	Adv.K.G. Salunke (Sandip B Thakur)	M.A. For LR.		27/3
Old Matters For Final Hearing Peremptorily at 03:00 P.M.							

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Division Bench

Before: - THE HON'BLE SHRI. V.D. DONGRE, MEMBER (J)

Date: -23/02/2023

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks
Due Admission Matters					
VRS 1	CP1/21 In OAK3/18	Nanded	Adv. Ladekar Adv. K.M. Nagarkar (Vyankat S More & Ors.)	Contempt Petition	Reply Filed by R-2, R-3, R-5 & R-6 17/3
BSD 2	CP34/22 In OA78/21	A/nagar	Adv. K.B. Jadhav (Shubhangi Y Pawale) Adv. Anuradha S Mantri For R.No. 2 1	Contempt Petition	For Filing Affidavit in Rejoinder Rejoinder filed 21/3
DRA 3	CP03/23 In OA658/18	A/nagar	Adv. R.R. Bangar Adv. J.D. Muniyar (Raosaheb S Bangar)	Contempt Petition	For Reply 14/3
MST 4	OA598/18	P/ahani	Adv. Ghosh Adv. Talekar & Associates (Ganpat G Sansare)	Resignation/ Reinstatement in Service	Reply Filed by R-4 & R-5 17/3
VAB 5	OA55/21	A/bad	Adv. P.S. Anrao (Arvind S Bhavar)	Selection List/ Appointment	For Filing Affidavit in Rejoinder 20/3
DAP 6	OA227/21	A/nagar	Adv. Santosh S Jadhav (Surekha B Andhale & Ors.)	Promotion	For Filing Affidavit in Rejoinder 20/3
BSD 7	OA554/21	A/bad	Adv. Ravindra B Ade (Harshal N Yevic)	Termination	For Filing Affidavit in Rejoinder 21/3
DAP 8	OA588/21	Latur	Adv. C.V. Dhanurkar (Holambe N Dagdu & Ors.) Adv. Chandrakant A Jadhav for R.No. 5	Advertisement/ Recruitment	For Filing Affidavit in Rejoinder 21/3

9	OA774/21	Pibhani	Adv.R.L. Jakhade/ Adv.S.A. Kulkarni (Ganesh L Chavan)	Dismissal	Last Chance For Filing Affidavit in Reply For R-1 to R-3	17/3
10	TA17/22 WP5627/22	A'bad	Adv.S.B. Patil (Yadav S Sonkamble & Ors.) <u>Adv.Jayashree Gite for R.No.5</u>	Extention of Age	Await Service For R-2 & For Filing Affidavit in Reply For R-5 & Other Respondents	28/3
11	OA109/22	Pibhani	Adv.Sharwari M Deshpande (Vinod H Kulkarni)	Benefit of Permanancy	Await Service of Notice	29/3
12	OA418/22	Beed	Adv.D.K. Dagadkhair (Ramhari S Khade)	Seniority List	For Filing Affidavit in Rejoinder	20/3
13	OA740/22	A'bad	Adv.K.B. Jadhav (Shashikant N Tidke) <u>Adv.C.K. Shinde</u> <u>Adv.Tushar Shinde for R.No.4</u>	Promotion Nikshy Bhargava	For Filing Affidavit in Rejoinder	21/3
14	OA784/22	Dhule	(Jitesh P Wagh) <u>Adv.S.S. Thombre for R.No.9</u> AV Thombre	Selection Process	For Filing Affidavit in Reply	14/3
15	OA883/22	A'bad	Adv.Sanjay L Bhapkar Adv.D.S. Bhapkar (Ramchandra S Pathak)	Challenging G.R. on Gratuity	For Filing Affidavit in Rejoinder	29/3
16	OA1041/22	A'bad	Adv.A.M. Hajare (Bhaskar V Shinde)	Departmental Enquiry	For Reply	29/3 23/3
17	OA1145/22	A'bad	Adv.S.L. Bhapkar Adv.D.S. Bhapkar (Subhash R Aage)	Challenging G.R. on Payment of Gratuity	For Filing Affidavit in Reply	29/3
18	OA1146/22	A'bad	Adv.S.L. Bhapkar Adv.D.S. Bhapkar (Subhash S Shinde)	Challenging G.R. on Payment of Gratuity	For Filing Affidavit in Reply	29/3 20/1, 34

19 BSD	OA1159/22	Latur	Adv.S.L. Bhapkar (Ravindra G Lagdive)	Select List	For Filing Affidavit in Reply For R-1 to R-4	31/3
MPG 20	OA48/23	Latur	Adv.Jiwan J Patil (Shankar H Jadhav)	Seniority List	Await Service	30/3
MPG 21	OA51/23	Dhule	HS KAMBH Adv.A.G. Ambetkar (Dr. Ravindra R Mistry)	Benefits of Old Pension Scheme	For Reply	30/3
MPG 22	OA52/23	Dhule	HS KAMBH Adv.A.G. Ambetkar (Dr. Shakuntala L Shelke)	Benefits of Old Pension Scheme	For Reply	30/3
MPG 23	OA62/23	Dhule	HS KAMBH Adv.A.G. Ambetkar (Dr. Bhushan B Rao)	Benefits of Old Pension Scheme	For Reply	30/3
MPG 24	OA68/23	Jalna	V.J. Chavhan Adv.K.J. Suryawanshi (Dr. Rohini S Deshmukh)	Examination	Await Service	29/3
BSD	OA85/23	A/bad	Adv.S.L. Bhapkar Adv.D.S. Bhapkar (Vijay R Pandit) <u>Adv.S.B. Mene for R.No.3</u>	Challenging G.R./ Gratuity	For Reply	29/3
MPG 26	OA98/23	Latur	Adv.J.J. Patil (Pandit N Jadhav)	Seniority List	Await Service	30/3 29/3
Order Matters						
VRB 27	MA324/22 In OAS1203/22	A/bad	Adv.S.S. Jadhavar α (Trivin A Kulkarni)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	20/3
MSP 28	MA512/22 In OAS1828/22	A/bad	Adv.P.S. Dighe (Mukund B Lokhande)	M.A. For Condonation of Delay R.M.R. 1, 2	For Filing Affidavit in Reply	20/3 20/3
DRP 29	MA40/23 In TA21/22 WP10068/22	A/nagar	Adv.Adv.V.B. Wagh (Babasaheb G Borhade)	M.A. For Condonation of Delay	Await Service	29/3

Assistant Registrar
M. A. T. Bench at A/bad

ORIGINAL APPLICATION NO. 1145 OF 2022
(Subhash R. Aage Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 23.02.2023

ORAL ORDER :

Heard Shri S.L. Bhapkar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Affidavits in reply filed on behalf of the respondent Nos. 1 & 3 jointly and on behalf of respondent No.4 separately are taken on record and copies thereof have been served on the other side.

3. S.O. to 29.03.2023 for filing affidavit in rejoinder, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 1146 OF 2022
(Subhash S. Shinde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 23.02.2023

ORAL ORDER :

Heard Shri S.L. Bhapkar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Affidavits in reply filed on behalf of the respondent Nos. 1 & 3 jointly and on behalf of respondent No.4 separately are taken on record and copies thereof have been served on the other side.

3. S.O. to 29.03.2023 for filing affidavit in rejoinder, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 774 OF 2021
(Ganesh L. Chavan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 23.02.2023

ORAL ORDER :

Heard Shri S.A. Kulkarni, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. At the request of the learned P.O., one more last chance is granted for filing affidavit in reply on behalf of the respondent Nos. 1 to 3.

3. S.O. to 17.03.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 776 OF 2018
(Nana B. Salunke Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 23.02.2023

ORAL ORDER :

Heard Shri R.R. Wakekar, learned Advocate holding for Shri A.D. Sugdare, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

Smt. Sunita D. Shelke, learned Advocate for the respondent No.3 (**Absent**).

2. As per the Circular No. MAT/MUM/ESTT/732/ 2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding Recovery and Pay Fixation are to be dealt with by the Single Bench. The Original Application is pertaining to Recovery/Pay Fixation.

3. In view of the same, the present matter be placed before the Single Bench.

4. S.O. to 14.03.2023 for final hearing.

MEMBER (J)

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

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 23.02.2023

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Smt. Anuradha S. Mantri, learned Advocate for the respondent No.2.

2. Affidavit in rejoinder filed on behalf of the applicant is taken on record and copy thereof has been served on the other sides.

3. S.O. to 21.03.2023 for admission.

MEMBER (J)

SAS ORAL ORDERS 23.02.2023.

M.A.NO. 512/2022 IN O.A.ST.NO. 1828/2022
(Mukund B. Lokhande Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 23.02.2023

ORAL ORDER :

Shri P.S. Dighe, learned Advocate for the applicant (**Absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. Affidavit in reply filed on behalf of the respondent Nos. 1 & 2 is taken on record.

3. S.O. to 20.03.2023 for filing affidavit in rejoinder, if any.

MEMBER (J)

SAS ORAL ORDERS 23.02.2023.

O.A.NOS. 149, 150 AND 151 ALL OF 2020
(Vitthal S. Ambatwad & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 23.02.2023

ORAL ORDER :

Heard Shri S.L. Bhapkar, learned Advocate for the applicants in all these O.As. and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in all these O.As.

2. As per the Circular No. MAT / MUM/ JUD/ 1340/2022, dated 22.12.2022 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding voluntary retirement, counting of service for initial modified assured progress scheme by G.R. dated 01.07.2011, service benefit, pensionary other than pay scale, time bound promotion, ACPS and lien are to be dealt with by the Single Bench. The Original Applications are pertaining to benefit of G.R./service benefit, pensionary other than pay scale.

3. In view of the same, the present matters be placed before the Single Bench.

4. S.O. to 17.03.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 36 OF 2020
(Dr. Pratap M. Shinde & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 23.02.2023

ORAL ORDER :

Heard Smt. Archana Therokar, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

Shri S.B. Bhosale, learned Advocate for the Caveater and Shri S.K. Kadam, learned Advocate for the respondent No.3, are **absent**.

2. Learned Advocate for the applicants on instructions seeks permission to withdraw the present Original Application.

3. I have no reason to refuse permission to withdraw the present Original Application when the withdrawal is sought unconditionally. Hence, permission as prayed for is granted.

4. In view of the above, the Original Application stands disposed of as withdrawn. No order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 564 OF 2021
(Suhas S. Kulkarni Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 23.02.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. The Original Application is filed challenging impugned notice of premature of compulsory retirement.

3. Learned Advocate for the applicant on instructions seeks permission to withdraw the present Original Application.

4. I have no reason to refuse permission to withdraw the present Original Application when the withdrawal is sought unconditionally. Hence, permission as prayed for is granted.

5. In view of the above, the Original Application stands disposed of as withdrawn. No order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 485 OF 2022
(Jaspalsingh B. Kalon Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 23.02.2023

ORAL ORDER :

Heard Shri A.A. Mukhedkar, learned Advocate
for the applicant and Shri B.S. Deokar, learned
Presenting Officer for the respondent authorities.

2. S.O. to 23.03.2023 for hearing. Interim relief
granted earlier to continue till then.

MEMBER (J)

SAS ORAL ORDERS 23.02.2023.

ORIGINAL APPLICATION NO. 306 OF 2022
(Papindersingh S. Sandhu (Pujari) Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 23.02.2023

ORAL ORDER :

Heard Shri A.A. Mukhedkar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. S.O. to 23.03.2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (J)

SAS ORAL ORDERS 23.02.2023.

ORIGINAL APPLICATION NO. 68 OF 2023
(Dr. Rohini S. Deshmukh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 23.02.2023

ORAL ORDER :

Heard Shri V.J. Chavhan, learned Advocate holding for Shri K.J. Suryawanshi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Await service.

3. S.O. to 29.03.2023. Interim relief granted earlier to continue till then.

MEMBER (J)

SAS ORAL ORDERS 23.02.2023.

**ORIGINAL APPLICATION NO. 359 OF 2021
(Hajrabee @ Nurbe Shaikh Nijam Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

ORAL ORDER :

Heard Shri Ravindra V. Gore, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, Shri D.T. Devane, learned counsel for respondent Nos. 2 to 4 and Shri Abed M. Pathan, learned counsel for respondent No. 7.

2. When the present matter is taken up for consideration, learned counsel appearing for respondent No. 7 submits that in the present matter the parties are willing to resolve the dispute by way of amicable settlement and has, therefore, sought time. On the previous date also similar submissions were made. However, if the parties are really desirous of settling the matter amicably the time needs to be provided for that. In the circumstances, the matter now stands adjourned to 10.3.2023, till then if the parties reach to any settlement, the consent terms be produced before the Tribunal, so

:: - 2 - ::

O.A NO. 359/2021

that matter can be disposed of after considering the terms of settlement. If no compromise is arrived at, the matter will be heard on merit on the given date.

3. S.O. to 10.3.2023. **High on board.**

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD

**ORIGINAL APPLICATION NO. 634 OF 2022
(Somnath R. Baviskar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicant does not wish to file any rejoinder affidavit. List the matter for hearing on 10.4.2023.

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD

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

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

ORAL ORDER :

Heard Shri S.R. Shirsath, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer has again sought time to file affidavit in reply on behalf of the respondents. The request is opposed by the learned counsel appearing for the applicant. However, in the interest of justice last chance is granted to file affidavit in reply till 13.3.2023. It is made clear that if the reply is not filed by the respondents on or before the next date, the matter will be heard without reply of the respondents.

3. S.O. to 13.3.2023.

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD

**ORIGINAL APPLICATION NO. 376 OF 2022
(Priyanka S. Bansode Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

ORAL ORDER :

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

2. Learned Presenting Officer has sought time to file affidavit in reply. Though the request is opposed by the learned counsel appearing for the applicant stating that sufficient opportunities are already availed, in the interest of justice time is granted by way of last chance.

3. S.O. to 21.3.2023.

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD

**ORIGINAL APPLICATION NO. 649 OF 2022
(Prena S. Gadve Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time to file affidavit in reply. Though the request is opposed by the learned counsel appearing for the applicant stating that sufficient opportunities are already availed, in the interest of justice time is granted by way of last chance.

3. S.O. to 21.3.2023.

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD

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

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

ORAL ORDER :

Shri V.G. Salgare, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 3 to 5 and the same is taken on record. He undertakes to supply the copy of the reply to the learned counsel for the applicant. Learned Presenting Officer submits that respondent Nos. 1 & 2 may not file separate affidavit in reply and are adopting affidavit in reply filed on behalf of respondent Nos. 3 to 5.

3. The matter be listed for hearing on 10.4.2023. In the meanwhile, it would be open for the applicant to file rejoinder affidavit, if he so desires.

4. S.O. to 10.4.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 860 OF 2022
(Harichandra A. Gawali Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 23.2.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time to file affidavit in reply. The request is opposed by the learned counsel for the applicant. In the O.A. the applicant is praying for directions against the respondents to at least start him paying provisional pension. Having regard to the prayer so made, in fact the respondents must have come with the affidavit in reply by that time. However, time is granted by way of last chance. It is made clear that if the affidavit in reply is not filed on or before the said date, the matter will be heard and decided on the next date.

3. S.O. to 9.3.2023.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 386 OF 2021
(Chandrashekhar R. Chopdar Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

ORAL ORDER :

Heard Shri Harish S. Bali, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. The arguments are concluded. Keep the matter for query, if any by the Tribunal or else on that date the order will be dictated in the open court.

3. S.O. to 14.3.2023.

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD

**ORIGINAL APPLICATION NO. 433 OF 2021
(Chabutai R. Dudhe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

ORAL ORDER :

Shri A.K. Mishra, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has tendered across the bar rejoinder affidavit and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. List the matter for hearing on 23.3.2023.

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD

**ORIGINAL APPLICATION NO. 626 OF 2021
(Rajendra Baburao Telap Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

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. At the request of learned counsel for the applicant, S.O. to 27.3.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD

**M.A.NO. 426/2022 IN O.A.ST.NO. 868/2022
(Pradyumnakumar P. Gosavi Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

ORAL ORDER :

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

2. Misc. Application for condonation of delay and the O.A. both shall be heard together.

3. S.O. to 5.4.2023.

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD

**ORIGINAL APPLICATION NO. 120 OF 2023
(Anilkumar M. Dabshede Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

ORAL ORDER :

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

Shri S.S. Dambe, learned counsel for respondent No. 2 (**absent**).

2. Learned Presenting Officer has tendered across the bar a copy of communication dated 22.2.2023 received to the office of learned Chief Presenting Officer from the State Government and the same is taken on record. In view of the same, the matter is adjourned to 8.3.2023.

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD

ORIGINAL APPLICATION NO. 513 OF 2021
(Manik Govindrao Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 23.2.2023

ORAL ORDER :

Heard Shri A.D. Gadekar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. The retiral benefits of the present applicant are withheld on the only ground that criminal appeal filed by the State against the order of acquittal recorded in favour of the applicant is pending before the Hon'ble High Court Bench at Aurangabad. This issue is no more res integra. Merely because criminal appeal is pending against the Government servant, retiral benefits cannot be withheld by the State. At the most the respondents may while releasing the retiral benefits obtain a bond from the Government servant to the effect that in the event he is convicted in the criminal appeal pending before the Hon'ble High Court, within the period which may be mentioned in the said bond, will refund the amount released in his favour.

3. One more prayer has been made that the respondents have not taken any decision about the

period of suspension and period from dismissal to reinstatement of the applicant. In the circumstances the following order is passed.

ORDER

By obtaining the bond in the nature of indemnity from the applicant to the effect that in the event of his conviction in appeal pending before the Hon'ble High Court, he will refund the retiral benefits paid to him, which could not have been paid in the event of conviction in the trial court, the respondents shall release the retiral benefits to the applicant within 12 weeks from the date of this order.

(ii) The respondents are directed to take decision about the period of suspension & the period of dismissal to reinstatement of the applicant also within the aforesaid period. Need not to be stated that if any grievance remains after decision by the respondents, it would be open for the applicant to challenge the same before this Tribunal.

(iii) The Original Application stands allowed in the aforesaid terms.

(iv) There shall be no order as to costs.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 634 OF 2022
(Somnath R. Baviskar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicant does not wish to file any rejoinder affidavit. List the matter for hearing on 10.4.2023.

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD

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

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

ORAL ORDER :

Heard Shri S.R. Shirsath, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer has again sought time to file affidavit in reply on behalf of the respondents. The request is opposed by the learned counsel appearing for the applicant. However, in the interest of justice last chance is granted to file affidavit in reply till 13.3.2023. It is made clear that if the reply is not filed by the respondents on or before the next date, the matter will be heard without reply of the respondents.

3. S.O. to 13.3.2023.

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD

**ORIGINAL APPLICATION NO. 376 OF 2022
(Priyanka S. Bansode Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

ORAL ORDER :

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

2. Learned Presenting Officer has sought time to file affidavit in reply. Though the request is opposed by the learned counsel appearing for the applicant stating that sufficient opportunities are already availed, in the interest of justice time is granted by way of last chance.

3. S.O. to 21.3.2023.

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD

**ORIGINAL APPLICATION NO. 649 OF 2022
(Prena S. Gadve Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time to file affidavit in reply. Though the request is opposed by the learned counsel appearing for the applicant stating that sufficient opportunities are already availed, in the interest of justice time is granted by way of last chance.

3. S.O. to 21.3.2023.

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD

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

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

ORAL ORDER :

Shri V.G. Salgare, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 3 to 5 and the same is taken on record. He undertakes to supply the copy of the reply to the learned counsel for the applicant. Learned Presenting Officer submits that respondent Nos. 1 & 2 may not file separate affidavit in reply and are adopting affidavit in reply filed on behalf of respondent Nos. 3 to 5.

3. The matter be listed for hearing on 10.4.2023. In the meanwhile, it would be open for the applicant to file rejoinder affidavit, if he so desires.

4. S.O. to 10.4.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 860 OF 2022
(Harichandra A. Gawali Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 23.2.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time to file affidavit in reply. The request is opposed by the learned counsel for the applicant. In the O.A. the applicant is praying for directions against the respondents to at least start him paying provisional pension. Having regard to the prayer so made, in fact the respondents must have come with the affidavit in reply by that time. However, time is granted by way of last chance. It is made clear that if the affidavit in reply is not filed on or before the said date, the matter will be heard and decided on the next date.

3. S.O. to 9.3.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 386 OF 2021
(Chandrashekhar R. Chopdar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 23.2.2023

ORAL ORDER :

Heard Shri Harish S. Bali, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. The arguments are concluded. Keep the matter for query, if any by the Tribunal or else on that date the order will be dictated in the open court.

3. S.O. to 14.3.2023.

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD

**ORIGINAL APPLICATION NO. 433 OF 2021
(Chabutai R. Dudhe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

ORAL ORDER :

Shri A.K. Mishra, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has tendered across the bar rejoinder affidavit and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. List the matter for hearing on 23.3.2023.

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD

ORIGINAL APPLICATION NO. 626 OF 2021
(Rajendra Baburao Telap Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 23.2.2023

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. At the request of learned counsel for the applicant, S.O. to 27.3.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD

**M.A.NO. 426/2022 IN O.A.ST.NO. 868/2022
(Pradyumnakumar P. Gosavi Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

ORAL ORDER :

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

2. Misc. Application for condonation of delay and the O.A. both shall be heard together.

3. S.O. to 5.4.2023.

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD

**ORIGINAL APPLICATION NO. 120 OF 2023
(Anilkumar M. Dabshede Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

ORAL ORDER :

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

Shri S.S. Dambe, learned counsel for respondent No. 2 (**absent**).

2. Learned Presenting Officer has tendered across the bar a copy of communication dated 22.2.2023 received to the office of learned Chief Presenting Officer from the State Government and the same is taken on record. In view of the same, the matter is adjourned to 8.3.2023.

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD

ORIGINAL APPLICATION NO. 6 OF 2022
(Ramesh Narayanrao Shahane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 23.2.2023

ORAL ORDER :

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

2. The grievance of the applicant is that though he retired on 31.8.2017 on attaining the age of superannuation till today his retiral benefits are not fully paid to him on the ground that criminal prosecution is pending against him. Learned counsel pointed out that the applicant is being given only provisional pension, however, neither the amount of gratuity has been paid nor amount of leave encashment or other retiral benefits i.e. commutation of pension etc. Learned counsel pointed out that the criminal case which is alleged to be pending against the applicant is a private complaint. Learned counsel further pointed out that though the FIR in the said matter was registered on 31.1.2013, the charge-sheet has been filed in the said matter on 8.4.2022. Learned counsel submits that the applicant when retired on 31.8.2017 the criminal case cannot be

said to be pending against the applicant, since no charge-sheet was filed in the said matter. Learned counsel in the circumstances has prayed for allowing the application thereby directing the respondents to release the retiral benefits in fully to the applicant.

3. Shri M.P. Gude, learned Presenting Officer reiterated the contentions raised in the affidavit in reply filed on behalf of the respondents. Learned P.O. submitted that in view of the specific provision under the Maharashtra Civil Services (Pension) Rules, more particularly Rule 130 (c) thereof the applicant is not entitled for release of the said benefits, in view of the fact that criminal prosecution is pending against the applicant.

4. I have duly considered the submissions so made on behalf of the applicant and learned Presenting Officer. Admittedly, there was no departmental enquiry pending against the applicant. The pensionary benefits are withheld for the reason that the criminal prosecution is pending against the applicant. The respondents have not disputed that the criminal case pending against the applicant has not been in connection with the official duties of the applicant and was registered on the basis of private complaint.

5. After having considered the facts and circumstances, it appears to me that the respondents cannot withhold the retiral benefits payable to the applicant on the ground that criminal prosecution is pending against the applicant. As is revealing from the chronology of the events, though the FIR was registered on 31.1.2013, that date is not material for withholding the retiral benefits. The charge-sheet has been filed on 8.4.2022 i.e. after the retirement of the applicant. It is thus, evident that on the date of retirement no criminal prosecution can be said to be pending against the applicant. Moreover, when the respondents have not denied that the criminal prosecution is having no nexus with the official duties of the applicant, there seems no reason for withholding the said amount. Learned counsel for the applicant has relied upon the judgment and order passed by this Tribunal in the case of Dilip Prabhat Patil Vs. State of Maharashtra & Ors. (O.A. No. 346/2021 decided on 17.2.2022) having identical facts.

6. After having considered the entire material on record the Original Application deserves to be allowed and is accordingly allowed in the following terms: -

- (i) After obtaining the bond from the applicant in the nature of indemnity to the effect that in the event of his conviction in the criminal prosecution

against him, he will redeposit the amount which in such case he will be required to deposit within the period which may be mentioned in the bond of indemnity, the respondents shall release the retiral benefits in favour of the applicant within 12 weeks from the date of this order.

(ii) The Original Application stands allowed in the aforesaid terms.

(iii) There shall be no order as to costs.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 513 OF 2021
(Manik Govindrao Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 23.2.2023

ORAL ORDER :

Heard Shri A.D. Gadekar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. The retiral benefits of the present applicant are withheld on the only ground that criminal appeal filed by the State against the order of acquittal recorded in favour of the applicant is pending before the Hon'ble High Court Bench at Aurangabad. This issue is no more res integra. Merely because criminal appeal is pending against the Government servant, retiral benefits cannot be withheld by the State. At the most the respondents may while releasing the retiral benefits obtain a bond from the Government servant to the effect that in the event he is convicted in the criminal appeal pending before the Hon'ble High Court, within the period which may be mentioned in the said bond, will refund the amount released in his favour.

3. One more prayer has been made that the respondents have not taken any decision about the

period of suspension and period from dismissal to reinstatement of the applicant. In the circumstances the following order is passed.

ORDER

By obtaining the bond in the nature of indemnity from the applicant to the effect that in the event of his conviction in appeal pending before the Hon'ble High Court, he will refund the retiral benefits paid to him, which could not have been paid in the event of conviction in the trial court, the respondents shall release the retiral benefits to the applicant within 12 weeks from the date of this order.

(ii) The respondents are directed to take decision about the period of suspension & the period of dismissal to reinstatement of the applicant also within the aforesaid period. Need not to be stated that if any grievance remains after decision by the respondents, it would be open for the applicant to challenge the same before this Tribunal.

(iii) The Original Application stands allowed in the aforesaid terms.

(iv) There shall be no order as to costs.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 359 OF 2021
(Hajrabee @ Nurbe Shaikh Nijam Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 23.2.2023

ORAL ORDER :

Heard Shri Ravindra V. Gore, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, Shri D.T. Devane, learned counsel for respondent Nos. 2 to 4 and Shri Abed M. Pathan, learned counsel for respondent No. 7.

2. When the present matter is taken up for consideration, learned counsel appearing for respondent No. 7 submits that in the present matter the parties are willing to resolve the dispute by way of amicable settlement and has, therefore, sought time. On the previous date also similar submissions were made. However, if the parties are really desirous of settling the matter amicably the time needs to be provided for that. In the circumstances, the matter now stands adjourned to 10.3.2023, till then if the parties reach to any settlement, the consent terms be produced before the Tribunal, so

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O.A NO. 359/2021

that matter can be disposed of after considering the terms of settlement. If no compromise is arrived at, the matter will be heard on merit on the given date.

3. S.O. to 10.3.2023. **High on board.**

VICE CHAIRMAN

ORAL ORDER 23.2.2023-HDD