

ORIGINAL APPLICATION NO. 141 OF 2019
(Dr. Pandharinath Gawali & Ors. Vs. The State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri Ajay S. Deshpande, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 13.08.2024.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDER 23.07.2024

ORIGINAL APPLICATION NO. 374 OF 2022
(Vijay D. Dehade Vs. The State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Arguments of both the sides are concluded. The matter is closed for orders.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 386 OF 2022
(Lata D. Dehade Vs. The State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Arguments of both the sides are concluded. The matter is closed for orders.

MEMBER (A)

VICE CHAIRMAN

M.A. NO. 266/2024 IN T.A. 06/2023 (W.P. 480/2024)
(Ganeshlal Pannalal Jaiswal (Died) through L.R. Lalita G. Jaiswal
& Ors. Vs. The State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Heard Shri S.K. Mathpati, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Present Misc. Application is filed seeking impleadment of the legal heirs of applicant no. 01 Ganeshlal s/o Pannalal Jaiswal, who died during pendency of the Transfer Application. Learned counsel for the applicants submits that since the deceased employee had filed Transfer Application seeking certain benefits, the cause of action to prosecute the matter further since survives for the reasons that if ultimately the application is allowed, the monetary benefits will be payable to the legal heirs. Learned counsel in the circumstances has prayed for allowing the present application and to take on record the names of the legal heirs of the applicant no. 01 Ganeshlal s/o Pannalal Jaiswal.

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**M.A. NO. 266/2024 IN
T.A. 06/2023 (W.P.
480/2024)**

3. Learned Presenting Officer submits that some delay has occasioned in preferring the misc. application. After having considered the submissions, we pass the following order:-

ORDER

- (i) Misc. Application stands allowed.
- (ii) The delay if any is condoned. The abatement caused if any also stands set aside.
- (iii) The Legal Heirs of applicant no. 01 Ganeshlal s/o Pannalal Jaiswal be taken on record.
- (iv) There shall be no order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.338/2024
(Afran Fahim Syed Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri Taher Aliquadri Pathan Ziya, learned counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has filed affidavit in reply on behalf of respondent nos.2 to 4. It is taken on record. Learned P.O. undertakes to serve copy of the reply on the other side.

3. S.O. to 30-07-2024. Interim relief granted earlier to continue till then. **High on Board.**

MEMBER (A)
YUK ORAL ORDER 23.07.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.600/2024
(Shyam S. Lohi Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned counsel for the applicant, Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities and Shri Ajay S. Deshpande, learned Counsel for respondent no.3.

2. Learned Counsel for the applicant has tendered across the bar copy of the application submitted under the provisions of the Right to Information Act seeking certain documents. Same is taken on record.

3. Arguments are concluded. S.O. to 30-07-2024 for order.

MEMBER (A)
YUK ORAL ORDER 23.07.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.579/2021
(Siddharth R. Pandurnikar Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Heard Shri Ajay Deshpande, learned counsel for the applicant, Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities (R-1 to 3 & 5) and Shri A.S.Shelke, learned Counsel for respondent no.6.

Shri Shailendra S. Kulkarni, learned Counsel for respondent no.4 is **absent**.

2. Arguments of learned Counsel for applicant, learned P.O. and learned Counsel appearing for respondent no.6 are heard.

3. Learned Counsel for applicant has sought some accommodation to place on record the report of the University in the matter and has sought time therefor. Time is granted till 29-07-2024.

4. S.O. to 29-07-2024. Interim relief granted earlier to continue till then. **Part Heard**.

MEMBER (A)
YUK ORAL ORDER 23.07.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.48/2024
(Dr. Shankarrao Deshmukh Vs. State of Maharashtra & Ors.)

ORIGINAL APPLICATION NO.61/2024
(Dr. Namdev Korde Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri J.S.Deshmukh, learned counsel for the applicants and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities, are present.

None appears for the respondent no.4.

2. S.O. to 14-08-2024. Interim relief granted earlier to continue till then.

MEMBER (A)
YUK ORAL ORDER 23.07.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.892/2018
(Dhananjay Chandodkar & Ors. Vs. State of Maharashtra & Ors.)
ORIGINAL APPLICATION NO.901/2018
(Bhagwat S. Somase Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri A.V.Thombre, learned Counsel holding for Shri S.S.Thombre, learned counsel for the applicants and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 13-08-2024. Interim relief granted earlier to continue till then.

MEMBER (A)
YUK ORAL ORDER 23.07.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.794/2022
(Ishvar S. Survase Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri A.V.Thombre, learned Counsel holding for Shri S.S.Thombre, learned counsel for the applicants and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 13-08-2024. Interim relief granted earlier to continue till then.

MEMBER (A)
YUK ORAL ORDER 23.07.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.590/2023
(Rajendra A. Shirsat Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 13-08-2024. Interim relief granted earlier to continue till then.

MEMBER (A)
YUK ORAL ORDER 23.07.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.381/2023
(Rajesh S. Manwate Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Heard Shri Vaibhav U. Pawar, learned counsel
for the applicant and Shri V.R.Bhumkar, learned
Presenting Officer for the respondent authorities.

2. S.O. to 02-08-2024. **Part Heard.**

MEMBER (A)
YUK ORAL ORDER 23.07.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.395/2023
(Nandkishor S. Giri & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Heard Shri Vaibhav U. Pawar, learned counsel
for the applicant and Shri V.R.Bhumkar, learned
Presenting Officer for the respondent authorities.

2. S.O. to 02-08-2024. **Part Heard.**

MEMBER (A)
YUK ORAL ORDER 23.07.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.721/2023
(Rahul S. Salunkhe Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Heard Shri Vaibhav U. Pawar, learned counsel
for the applicant and Shri V.R.Bhumkar, learned
Presenting Officer for the respondent authorities.

2. S.O. to 02-08-2024. **Part Heard.**

MEMBER (A)
YUK ORAL ORDER 23.07.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 620 OF 2018
(Baban D. Gadekar Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

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

2. I have learned counsel for the applicant and learned P.O. for some time.

3. Learned counsel for the applicant seeks time to place on record the copy of order passed by the Hon'ble High Court of Bombay, Bench at Aurangabad in Writ Petition No. 2589/2012 dated 13.08.2015 and also to make the appropriate submission as to whether the temporary service period can be considered to calculate the qualifying service for the purpose of pensionary benefits. Time granted.

4. S.O. to 01.08.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 656 OF 2018
(Dr. Sunil D. Dhumal Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Ms. Preeti R. Wankhade, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicant at present is not responding. However, learned counsel for the applicant has learnt from some other source that the applicant has submitted his resignation long back and he is not in Government service. However, learned counsel for the applicant is not sure about it.

3. In view of above, learned Presenting Officer is requested to take specific instructions in this regard till the next date of hearing.

4. S.O. to 05.08.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 698 OF 2023
(Suresh R. Warade Vs. State of Maharashtra & Ors.)**

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

DATE : 23.07.2024

ORAL ORDER :

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

2. Part heard.

3. At the request of learned P.O., S.O. to 30.07.2024 for taking instructions/for further hearing.

4. The interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 425 OF 2023
(Dinesh R. Choudhary Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 14.08.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 428 OF 2023
(Sanjiv P. Bodkhe Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri S.P. Bodkhe, applicant in person, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent Nos. 2 & 3, are present.

2. At the request of learned counsel for respondent Nos. 2 & 3, S.O. to 30.07.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 508 OF 2023
(Shalini P. Bidarkar Vs. State of Maharashtra & Ors.)**

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

DATE : 23.07.2024

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 07.08.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 23.07.2024

ORIGINAL APPLICATION NO. 817 OF 2023
(Vaishali N. Kattul Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Smt. S.A. Ghate-Deshmukh, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 20.08.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 23.07.2024

ORIGINAL APPLICATION NO. 81 OF 2024
(Ganesh M. Mupde Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri Mohit R. Deshmukh, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. In view of absence of learned counsel for the applicant, S.O. to 26.07.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 302 OF 2024
(Seema V. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 23.07.2024

ORAL ORDER :

Shri Sunil P. Koli, learned counsel for the applicant, Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities and Shri V.P. Kadam, learned counsel for respondent No.4, are present.

2. S.O. to 31.07.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 593 OF 2024
(Rama C. Hawaka Vs. State of Maharashtra & Ors.)**

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

DATE : 23.07.2024

ORAL ORDER :

Shri K.B. Jadhav, 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 affidavit in rejoinder. The same is taken on record and copy thereof is given to other side.

3. At the request of learned P.O., S.O. to 06.08.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 23.07.2024

ORIGINAL APPLICATION NO. 686 OF 2022
(Shaikh Musa Shaikh Mohioddin Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri H.M. Shaikh, 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 12.09.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 97 OF 2024
(Govind B. Hambarde Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri R.A. Joshi, learned counsel for respondent No. 3, are present.

2. Learned counsel for respondent No. 3 submits that during the course of the day affidavit in reply will be filed.

3. Learned Presenting Officer submits that the respondent No. 1 is adopting the affidavit in reply filed on behalf of respondent No. 2.

4. List the matter for filing rejoinder affidavit if any and admission hearing on 09.08.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 423 OF 2024
(Achyut G. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicant, reissue notices to the respondents, returnable on 10.09.2024.

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 10.09.2024.

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

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 : 23.07.2024

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri A.V. Thombre, learned counsel for respondent No. 5, are present. Shri S.B. Ghute, learned counsel for respondent No. 4, is **absent**.

2. At the request of learned counsel for the applicant, time is granted for filing rejoinder affidavit.

3. S.O. to 05.08.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 957 OF 2022
(Mamik S. Desale & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicants submits additional affidavit. Same is taken on record and copy thereof is given to learned Presenting Officer.

3. Learned Presenting Officer submits that during the course of the day affidavit in reply will be filed.

4. List the matter for filing rejoinder affidavit, if any and admission hearing on 18.09.2024.

MEMBER (J)

Later on :

5. Learned Presenting Officer seeks time to file affidavit in reply to the amended O.A. Time granted.

6. S.O. to 18.09.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 868 OF 2022
(Ramdas G. Gangadhare Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri G.R. Bhumkar, learned counsel holding for Shri R.P. Bhumkar, 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 seeks leave to place on record two documents, though they are marked as Annexures. Leave granted. The said documents are accepted and copies thereof are given to learned P.O.

3. S.O. to 18.09.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 480 OF 2024
(Vikas D. Wagh Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri Viraj Parakh, learned counsel holding for Shri Bharat Waramaa, 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, time is granted for filing rejoinder affidavit.

3. S.O. to 06.08.2024 for hearing.

MEMBER (J)

M.A. No. 471/2023 in O.A. St. No. 797/2023
(Dr. Yadav S. Sonkamble Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, 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 12.09.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 23.07.2024

ORIGINAL APPLICATION NO. 210 OF 2023
(Ganesh D. Chhabilwad Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Smt. Rutuja Kulkarni, learned counsel holding for Shri M.R. Kulkarni, 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 13.09.2024 for hearing.

MEMBER (J)

M.A. No. 264/2024 in O.A. No. 835/2023
(Bhanudas D. Avhad Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri V.P. Golewar, learned counsel holding for 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 29.08.2024.

MEMBER (J)

KPB ORAL ORDER 23.07.2024

ORIGINAL APPLICATION NO. 418 OF 2024
(Sainath N. Panchal Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri B.P. Gonare/I.D. Maniyar, learned counsel for the applicant (**Absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri U.B. Deshmukh, learned counsel for respondent No. 4, are present.

2. Even though the last chance is granted, no affidavit in reply has been filed due to some personal difficulty of respondent No. 4.

3. List the matter for admission hearing on 20.08.2024 with liberty to the other side to file affidavit in reply, if any till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 697 OF 2022
(Mohammad Shahejada Mohammad Sultan Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri G.N. Kulkarni, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits rejoinder affidavit. Same is taken on record and copy thereof is given to learned Presenting Officer.

3. S.O. to 18.09.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 717 OF 2024
(Vasant B. Galphade Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri J.B. Choudhary, learned counsel for the applicant, Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities and Smt. Kalyani Kakde, learned counsel holding for Shri Avinash Deshmukh, learned counsel for respondent No. 4, are present.

2. Learned Chief Presenting Officer submits that the record is received and the same will be filed during the course of the day along with the short affidavit on behalf of respondent Nos. 1 to 3.

3. List the matter for filing rejoinder affidavit, if any and admission hearing on 26.07.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 02 OF 2021
(Kiran S. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri Ajay Deshpande, 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 31.07.2024 for hearing in **urgent admission category**.

MEMBER (J)

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 : 23.07.2024

ORAL ORDER :

Smt. Suchita 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 Presenting Officer, S.O. to 14.08.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 484 OF 2024
(Yashwant D. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 5. Same is taken on record and copy thereof is given to learned counsel for the applicant.

3. At the request of learned P.O., S.O. to 27.08.2024 for filing affidavit in reply on behalf of respondent Nos. 1 to 4.

MEMBER (J)

ORIGINAL APPLICATION NO. 374 OF 2024
(Lalitabai P. Mahaka & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri V.B. Dhage, learned counsel for the applicants and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits separate affidavits in reply on behalf of respondent Nos. 1 & 2 and 3 respectively. Same are taken on record and copies thereof are given to learned counsel for the applicants.

3. List the matter for filing rejoinder affidavit, if any and admission hearing on 19.08.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 171 OF 2024
(Dinesh S. Bedse Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri A.C. Sisodiya, learned counsel for the applicant (**Absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 3 and submits that other respondents are adopting the affidavit in reply filed on behalf of respondent No. 3. Same is taken on record along with spare copy for the applicant.

3. List the matter for filing rejoinder affidavit, if any and admission hearing on 28.08.2024.

MEMBER (J)

**ORIGINAL APPLICATION ST. NO. 2298 OF 2023
(Shyam M. Maske Vs. State of Maharashtra & Ors.)**

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

DATE : 23.07.2024

ORAL ORDER :

Heard Shri A.G. Deshmukh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that though the order of suspension came to be passed in the year 2021 i.e. on 10.12.2021, however, by filing the present Original Application, the applicant is challenging the said order for the reason that the same is in contravention of the ratio laid down by the Hon'ble Apex Court in a case of **Ajay Kumar Choudhary Vs. Union of India through its Secretary and Anr., (2015) 7 SCC 291** and also for the reason that the applicant is under suspension for more than two and half years and the matter is yet not referred to the review committee.

3. In view of the same, the office objections in the form that the O.A. is barred by limitation and the applicant has not filed departmental appeal are not sustainable.

4. Issue notices to the respondents, returnable on 23.08.2024.

//2// O.A. St. 2298/2023

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

6. 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.

7. 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.

8. 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.

9. S.O. to 23.08.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 589 OF 2024
(Gangadhar N. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Heard Shri Amol Kokad, 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 20.09.2024.

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 20.09.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 656 OF 2024

(Balu H. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Heard Shri Ajay Deshpande, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 29.08.2024.

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 29.08.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 666 OF 2024
(Narendra L. Patil (Warule) Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Heard Shri Mayur Subhedar, learned counsel holding for Shri C.V. Dharurkar, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. The office has raised an objection that the applicant has not filed statutory appeal before the appellate authority.

3. Learned counsel for the applicant on instructions seeks leave to delete the prayer clause 10(B).

4. Leave granted. Prayer clause 10(B) stands deleted. The applicant shall carry out necessary amendment forthwith. So far as prayer clause 10(B) is concerned, the applicant is seeking directions to the respondent No. 2 to provide certain documents as detailed in representation dated 28.11.2023 (Annexure A-6).

5. In view of above, issue notices to the respondents, returnable on 03.09.2024.

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

//2//

O.A. No. 666/2024

7. 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.

8. 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.

9. 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.

10. S.O. to 03.09.2024.

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

MEMBER (J)

**O.A. No. 763/2024 with Caveat No. 36/2024
(Jayshri R. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 23.07.2024

ORAL ORDER :

Heard Shri Vijay Dhakne, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities. Shri V.B. Dhage, learned counsel for Caveator/respondent No. 4, is **absent**.

2. Learned counsel for the applicant is now pressing interim relief, since the respondent No. 4 has already been appointed as Police Patil of village Bhukmari, Tq. Kandhar, Dist. Nanded by order dated 28.06.2024.

3. In view of above, issue notice to Caveator/respondent No. 4 and other respondents, returnable on 06.08.2024.

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

//2//

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

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (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 06.08.2024.

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

MEMBER (J)

M.A. No. 368/2023 in O.A. St. No. 1513/2023
(Shankar N. Narawade Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri A.T. Kanawade, learned counsel holding for Shri A.G. Ambetkar, 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, time is granted for filing synopsis of events.

3. S.O. to 30.07.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 23.07.2024

M.A. No. 71/2024 in O.A. St. No. 2406/2023
(Popat S. Pote & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri A.T. Kanawade, learned counsel holding for Shri A.G. Ambetkar, learned counsel for the applicants and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 30.07.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 23.07.2024

M.A. No. 300/2024 in O.A. No. 815/2023
(Bijusing D. Gusinge Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Heard Shri Swaraj Tandale, 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 wants to add certain grounds in the O.A., since the applicant has procured certain information from the General Administration Department, Mumbai.

3. Learned Presenting Officer has prayed for passing necessary orders in M.A., but in O.A. the respondents may be given liberty to file additional affidavit, if so required.

4. In view of above and for the reasons stated in the application, M.A. No. 300/2024 is hereby allowed in terms of prayer clause 3(B) with liberty to the other side to file additional reply, if so required. The applicant shall carry out necessary amendment in the O.A. within a period of two weeks and copy of the amended O.A. be served on the other side.

//2// M.A. No. 300/2024 in
O.A. No. 815/2023

5. M.A. No. 300/2024 is accordingly disposed of.
No order as to costs.

6. O.A. to come up on board on 22.08.2024.

MEMBER (J)

KPB ORAL ORDER 23.07.2024

ORIGINAL APPLICATION NO. 638 OF 2015
(Harichandra D. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

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

2. I have learned counsel for the applicant at length.

3. Part heard.

4. At the request of learned Presenting Officer, S.O. to 30.07.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 580 OF 2017
(Subhmangal Shimon Bhakt Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Heard Shri M.B. Kolpe, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that though the applicant has made prayer seeking directions to continue the benefit of time bound promotion granted to her vide order dated 13.09.1996 w.e.f. 01.10.1994, however, inadvertently prayer to consider the case of the applicant for second benefit of time bound promotion as per G.R. dated 01.04.2010 remained to be made in the present O.A. Learned counsel submits that the second prayer would be the consequential relief, if the first prayer is allowed.

3. In view of above, since in the identical O.A. No. 581/2017 the said prayer is already made, the applicant in the present Original Application is permitted to carry out the amendment and add prayer cause C-1 in terms of the above submissions. The applicant shall carry out necessary amendment in the O.A. forthwith.

//2//

O.A. No. 580/2017

4. Learned Presenting Officer submits that there is no need to file additional affidavit in reply for insertion of prayer clause C-1 as permitted by this Tribunal.

5. The Original Application is hereby allowed. Reasons would follow.

MEMBER (J)

KPB ORAL ORDER 23.07.2024

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

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

DATE : 23.07.2024

ORAL ORDER :

Heard Shri D.T. Devane, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. The Original Application is hereby allowed.
Reasons would follow.

MEMBER (J)

KPB ORAL ORDER 23.07.2024

ORIGINAL APPLICATION NO. 659 OF 2022
(Navnath Chandulal Ugalmugale Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri K.G. Salunke, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has requested for keeping the present matter for amicable settlement before the **LOK ADALAT** to be held on 21.09.2024.

3. Learned Chief Presenting Officer submits that he will take instructions in this regard from the State authorities.

4. We have gone through the pleadings of the parties. It appears to us that amicable settlement is possible. The present matter, therefore, be placed before the **LOK ADALAT**.

MEMBER (A)

VICE CHAIRMAN

M.A.NO. 309/2024 IN O.A.NO. 483/2024
(Manohar Subhash Alone Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Heard Shri R.J. Nirmal, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks leave of this Tribunal to correct the prayer clause numbers by substituting the correct paragraph numbers. Leave granted as prayed for. The necessary amendment be carried out forthwith.

3. The present Misc. Application is filed for bringing on record the subsequent events and the contextual prayers. The events which are intended to be brought on record are having nexus with the subject matter. In the circumstances, we are inclined to allow the present Misc. Application. Hence, the following order is passed.

ORDER

- (i) The Misc. Application stands allowed.
- (ii) The necessary amendment be carried out forthwith.

:: - 2 - :: M.A. 309/24 IN O.A. 483/24

(iii) The copy of amended O.A. be supplied to the learned Presenting Officer.

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

(iv) The O.A. to come up for hearing on 02.08.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23.07.2024-HDD

ORIGINAL APPLICATION NO. 755 OF 2024
(Jayanta Subhash Tiple Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 23.07.2024

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 19.08.2024.

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 19.08.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 762 OF 2024
(Rahul Shankarrao Mahamune Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 23.07.2024

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 19.08.2024.

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 19.08.2024.

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

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 68/2024 IN O.A.NO. 677/2022
(Prashant Vasantrya Sugarwar Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 23.07.2024

ORAL ORDER :

Shri Swapnil S. Dargad, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue simple notice at present to respondent No. 2, returnable on 09.09.2024.

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 09.09.2024.

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

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 11/2024 IN O.A.NO. 372/2019
(Dr. Sanjay V. Deshpande Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri Avinash 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 08.08.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23.07.2024-HDD

REV.NO. 03/2024 IN O.A.NO. 312/2019
(Maharashtra Public Service Commission, through its Secretary
Vs. Principal Secretary & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri M.B. Kolpe, learned counsel for the petitioner/respondent in O.A., Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri J.S. Deshmukh, learned counsel for respondent No. 2/applicant in O.A., are present.

2. In the present review petition the arguments of the parties were heard on the previous date. Today the matter was kept for placing on record certain information which during the course of the arguments was revealed necessary. Learned counsel appearing for the petitioner submits that the said information is not yet received and sought two days' time. Time is granted to place the said information on record.

3. S.O. to 25.07.2024.

MEMBER (A)

VICE CHAIRMAN

REV.NO. 04/2024 IN O.A.NO. 360/2019
(Maharashtra Public Service Commission, through its Secretary
Vs. Principal Secretary & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri M.B. Kolpe, learned counsel for the petitioner/respondent in O.A., Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri Ajay S. Deshpande, learned counsel for respondent No. 5/applicant in O.A., are present.

2. In the present review petition the arguments of the parties were heard on the previous date. Today the matter was kept for placing on record certain information which during the course of the arguments was revealed necessary. Learned counsel appearing for the petitioner submits that the said information is not yet received and sought two days' time. Time is granted to place the said information on record.

3. S.O. to 25.07.2024.

MEMBER (A)

VICE CHAIRMAN

REV.NO. 05/2024 IN O.A.NO. 67/2018
(Maharashtra Public Service Commission, through its Secretary
Vs. Dr. Mohd. Feroj Iqbal & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri M.B. Kolpe, learned counsel for the petitioner/respondent in O.A., Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri K.G. Salunke, learned counsel for respondent No. 3/applicant in O.A., are present.

2. In the present review petition the arguments of the parties were heard on the previous date. Today the matter was kept for placing on record certain information which during the course of the arguments was revealed necessary. Learned counsel appearing for the petitioner submits that the said information is not yet received and sought two days' time. Time is granted to place the said information on record.

3. S.O. to 25.07.2024.

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 32/2024 IN O.A.NO. 633/2022
(Dr. Sanjay Baburao Dhage Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri Shamsunder B. Patil, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 08.08.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23.07.2024-HDD

ORIGINAL APPLICATION NO. 13 OF 2019
(Tufansing Laxmansing Shele Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Arguments are concluded. Reserved for orders.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 628 OF 2022
(Sunil Changdev Ahire Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri A.G. Ambetkar, learned counsel for the applicant, Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities and Shri Pradeep Tapse Patil, learned counsel for respondent No. 5, are present.

2. Learned Chief Presenting Officer has filed affidavit in reply on behalf of respondent No. 2 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 23.08.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 95 OF 2022
(Vijay Uttamrao Kale Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri G.M. Jadhav, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer seeks leave of this Tribunal to file affidavit in reply on behalf of respondent No. 3. Leave granted. The affidavit in reply be taken on record and copy thereof be supplied to the other side.

3. S.O. to 19.09.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 97 OF 2022
(Vijay Uttamrao Kale Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri G.M. Jadhav, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 19.09.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 507 OF 2024
(Dr. Tushar Kashinath Bhople Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri Shamsunder B. Patil, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 02.08.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 653 OF 2018
(Gorakshanath Nivrutti Londhe & Ors. Vs. State of Maharashtra
& Ors.)

ORIGINAL APPLICATION NO. 654 OF 2018
(Somnath Baban Bagul & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Smt. Suchita Amit Dhongde, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in both the matters, are present.

2. Learned counsel for the applicants seeks time to work-out the matters since she has recently received instructions from the applicants to appear on their behalf in these matters. Time granted.

3. S.O. to 22.08.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 393 OF 2024
(Dr. Shaikh Wahab S/o Ayub Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri K.B. Bhise, learned counsel for the applicant and Shri V.G. Pinlge, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 02.08.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

M.A.NO. 104/2024 IN O.A.ST.NO. 90/2024
(Ruhi Ravindra Aher Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has filed short affidavit in reply on behalf of respondent No. 2 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. S.O. to 22.08.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23.07.2024-HDD

M.A.NO. 103/2024 IN O.A.ST.NO. 88/2024
(Monali Yashwant Karande Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has filed short affidavit in reply on behalf of respondent No. 2 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. S.O. to 22.08.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23.07.2024-HDD

ORIGINAL APPLICATION NO. 128 OF 2021
(Pradeep Marotirao Thakkarwad Vs. State of Maharashtra & Ors.)

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

DATE : 23.07.2024

ORAL ORDER :

Heard Shri Ganesh V. Mohekar, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

This is a motion for speaking to minutes.

2. Learned counsel appearing for the applicant pointed out that in the order passed in O.A. No. 128/2021 certain dates are incorrectly mentioned. Learned counsel submitted that though the order is passed on 15.07.2024 inadvertently date is mentioned as 16.07.2024, so also in paragraph No. 2 the date of appointment of the applicant is mentioned as 23.08.2004 and it should be 30.04.2004. Learned counsel further submitted that in 4th line of paragraph No. 5 date has been mentioned as 22.08.2006 and it should be 08.05.2006. Learned counsel further submitted that in last line of paragraph No. 10 the date has been mentioned as 22.02.2007 and it shall be 08.11.2006.

In paragraph No. 11 also the same date i.e. 22.02.2007 needs to be corrected as 08.11.2006.

3. We have gone through the record. It appears to us that the inadvertent mistakes have occurred in mentioning the dates. Therefore, the said dates shall be accordingly corrected and corrected copy of the order be supplied to all concerned.

4. The motion for speaking to minutes stands disposed of. No order as to costs.

MEMBER (A)

VICE CHAIRMAN