

**O.A. NOS. 848, 892, 893, 895, 869 AND 894 ALL OF 2022**

**(Vijay Thombre & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard S/shri JS Deshmukh & Ajay Deshpande, learned counsel for the applicants in respective matters and Shri MS Mahajan, learned Chief Presenting Officer for the respondent authorities in all these matters.

2. Today the arguments are heard in few matters, but in other matters the arguments are yet to be heard. Hence, these matters be treated as Part Heard. The learned CPO is directed to make available the relevant original record since certain objections are raised in that regard.

3. S.O. to 4.1.2023 for hearing. **First on Boart.**

**VICE CHAIRMAN**

ARJ ORAL ORDER 23.12.2022

**C.P. No. 33/2022 in O.A. No. 832/2016**  
**(Viashl P. Gangawane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Await service of notice upon the respondents.
3. S.O. to 09.01.2023.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 23.12.2022

**C.P. No. 37/2022 in O.A. No. 138/2019**  
(Dnyanoba K. Ovhal Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri D.T. Devane, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.

3. S.O. to 27.01.2023.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 23.12.2022

**T.A. No. 01/2019 (W.P. No. 11496/2019)**  
**Caveat No. 66/2019 with Caveat Nos. 68 & 69/19**  
**(Sonali S. Varwate & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicants, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for respondent No. 19. Shri Avinash Deshmukh, learned Advocate for caveator in Caveat No. 66/2019 (**Leave Note**). Shri S.D. Munde, learned Advocate for caveators in Caveat Nos. 68 & 69 of 2019, (**Absent**).

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of remaining respondents.

3. S.O. to 30.01.2023 for filing rejoinder affidavit to the affidavit in reply filed on behalf of respondent No. 1.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 128 OF 2019**  
(Ganesh T. Pagare Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri S.M. Mene, learned Advocate holding for Shri S.P. Urgunde, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri A.V. Thombre, learned Advocate holding for Shri R.D. Khadap, learned Advocate for respondent No. 6.

2. At the request made on behalf of respondent Nos. 1, 4, 5 & 6, time is granted as a last chance for filing affidavit in reply

3. S.O. to 09.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 274 OF 2019**  
**(Prakash S. Sapkale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri M.R. Wagh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Await service of notice upon the respondents.
3. S.O. to 27.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 311 OF 2019**  
**(Rekha I. Manikhedar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri C.V. Dharurkar, learned Advocate for the applicant (**Absent**). Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted as a last chance for filing sur-rejoinder.

3. S.O. to 01.02.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 312 OF 2019**  
**(Dr. Ashok P. Misal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply on behalf of respondent No. 2.

3. S.O. to 03.02.2023.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 790 OF 2019**  
(Gajanan K. Kakade Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri V.G. Mete, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. S.O. to 03.02.2023 as one more last chance for filing rejoinder affidavit.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 135 OF 2020**  
**(Santosh V. Suryawanshi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri V.M. Vibhute, learned Advocate for the applicant (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply on behalf of respondents.

3. S.O. to 03.02.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 552 OF 2020**  
**(Vyankat N. Gaikwad & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri M.B. Bharaswadkar, learned Advocate for the applicants, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri R.A. Joshi, learned Advocate holding for Shri S.V. Natu, learned Advocate for respondent Nos. 8 & 9.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 4. Same is taken on record and copy thereof has been served on the other sides.

3. S.O. to 02.02.2023 for filing rejoinder affidavit, if any.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 10 OF 2021**  
(Shivaji S. Amberao Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri S.A. Deshmukh, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.

3. S.O. to 03.02.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 61 OF 2021**  
**(Shantilal H. Deore Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri D.B. Shinde, learned Advocate for the applicant (**Absent**). Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. S.O. to 06.02.2023 as one more last chance for filing rejoinder affidavit.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 227 OF 2021**  
**(Surekha B. Andhale & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri R.A. Joshi, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 01.02.2023 for filing rejoinder affidavit, if any.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 447 OF 2021**  
(Malti A. Gangadhar Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri C.V. Dharurkar, learned Advocate for the applicant (**Absent**). Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. Record shows that affidavit in reply is already filed separately on behalf of respondent Nos. 2 and 3.
3. S.O. to 01.02.2023 for filing rejoinder affidavit, if any.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 480 OF 2021**  
**(Shankar M. Sutar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri A.B. Rajkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. S.O. to 31.01.2023 as one more last chance for filing rejoinder affidavit, if any.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 525 OF 2021**  
**(Guruling N. Tanwade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri S.D. Dhongde, learned Advocate holding for Smt. Suchita Dhongde, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned Advocate for respondent Nos. 2 and 3.

2. At the request of learned Advocate for respondent Nos. 2 & 3, time is granted as one more last chance for filing affidavit in reply.

3. 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 time bound promotion and ACPS are to be dealt with by the Single Bench. The present matter is pertaining to recovery/benefits of time bound promotion.

4. In view of the same, the present matter be placed before the Single Bench for further hearing.

5. S.O. to 03.02.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 574 OF 2021**  
**(Smt. Latabai B. Savant Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned Chief Presenting Officer filed affidavit in reply separately on behalf of respondent No. 2 and jointly on behalf of respondent Nos. 2 to 5. Same are taken on record and copies thereof have been served on the other side.

3. 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 time bound promotion and ACPS are to be dealt with by the Single Bench. The present matter is pertaining to Revision of Pay Fixation/benefits of time bound promotion.

4. In view of the same, the present matter be placed before the Single Bench for further hearing.

5. S.O. to 03.02.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 606 OF 2021**  
(Tambe S. Govind Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri Zia Ul Mustafa , learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply on behalf of respondents. If the respondents failed to file affidavit in reply on or before the next date of hearing, the present matter will proceed further without affidavit in reply of the respondents.

3. S.O. to 18.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 713 OF 2021**  
(Yogesh C. Gupta & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri S.S. Dambe, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply on behalf of respondents.

3. S.O. to 03.02.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 819 OF 2021**  
**(Laxmi G. Lagad & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Ms. Preeti Wankhade, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. S.O. to 02.02.2023 for filing rejoinder affidavit.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 03 OF 2022**  
(Sunil S. Ingle Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri C.V. Dharurkar, learned Advocate for the applicant (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. S.O. to 02.02.2023 for filing rejoinder affidavit, if any.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 73 OF 2022**  
**(Chakardhar P. Wadje Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri S.D. Dhongde, learned Advocate holding for Smt. Suchita Dhongde, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned Advocate for respondent No. 2.

2. At the request made on behalf of respondents, time is granted as a last chance for filing affidavit in reply.

3. 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 time bound promotion and ACPS are to be dealt with by the Single Bench. The present matter is pertaining to benefits of 3<sup>rd</sup> time bound promotion.

4. In view of the same, the present matter be placed before the Single Bench for further hearing.

5. S.O. to 06.02.2023.

**ORIGINAL APPLICATION NO. 115 OF 2022**  
**(Pralhad V. Kurewad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri R.B. Ade, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent No. 3. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 06.02.2023 for filing rejoinder affidavit, if any.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 144 OF 2022**  
**(Dr. Dayanand P. Jagtap Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. Record shows that in spite of grant of opportunities, the affidavit in reply is not filed on behalf of respondents. Hence, the present matter will proceed further without affidavit in reply of the respondents.

3. S.O. to 23.01.2023 for admission.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 162 OF 2022**  
(Gopal P. Patil Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri M.S. Sonwane, learned Advocate for the applicant (**Absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply on behalf of respondents.

3. S.O. to 06.02.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 293 OF 2022**  
(Adinath S. Ghanwat Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri V.B. Wagh, learned Advocate for the applicant (**Leave Note**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted as a last chance for filing affidavit in reply on behalf of respondents.

3. S.O. to 03.02.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 325 OF 2022**  
(Pradeep P. Bahekar & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri Avinash Dehmukh, learned Advocate for the applicants (**Leave Note**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.

3. S.O. to 06.02.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 360 OF 2022**  
(Anil P. Khaladkar Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri S.B. Bhosale, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondent authorities. Shri V.P. Narwade, learned Advocate for respondent Nos. 4 & 5, **absent**.

2. At the request of learned Presenting Officer, time is granted as a last chance for filing affidavit in reply on behalf of respondent Nos. 1 to 3.

3. S.O. to 06.02.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 362 OF 2022**  
**(Dr. Ashok S. Gawali Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri V.B. Wagh, learned Advocate for the applicant (**Leave Note**). Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. S.O. to 30.01.2023 for filing rejoinder affidavit.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 567 OF 2022**  
(Devrao C. Dhole Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri P.S. Anerao, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. S.O. to 07.02.2023 for filing rejoinder affidavit.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 613 OF 2022**  
**(Rahul D. Sathe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate holding for Shri R.D. Khadap, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities. Shri Avinash Deshmukh, learned Advocate for respondent Nos. 8,15,17,22,24,26 to 28 and Shri A.D. Sugdare, learned Advocate for respondent No. 29 (**Leave Note**).

2. Record shows that affidavit in reply is filed on behalf of respondent No. 2.

3. S.O. to 08.02.2023 for filing affidavit in reply on behalf of remaining respondents.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 623 OF 2022**  
**(Dr. Deepak B. Kharat Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri S.S. Ware, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. S.O. to 02.02.2023 for filing rejoinder affidavit, if any.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 665 OF 2022**  
(Kalpana P. Jadhav Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri S.B. Bhosle, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. S.O. to 12.01.2023 for filing rejoinder affidavit, if any.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 754 OF 2022**  
(Akash k. Chougule Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.

3. S.O. to 22.01.2023. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 782 OF 2022**  
**(Bhausahab A. Shelke Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri A.R. Gaikwad, learned Advocate for the applicant (**Absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.

3. S.O. to 07.02.2023. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 857 OF 2022**  
(Dr. Chandrajyoti R. Dhange Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri A.R. Lukhe, learned Advocate holding for Shri M.B. Kolpe, learned Advocate for respondent No. 3.

2. S.O. to 05.01.2023 for filing rejoinder by the applicant.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 363 OF 2022**  
(Dr. Vinod G. Jogdand Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri D.M. Hange, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri A.R. Lukhe, learned Advocate holding for Shri M.B. Kolpe, learned Advocate for respondent No. 3.

2. Await service of notice upon the respondents.

3. S.O. to 05.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 865 OF 2022**  
(Sangamesh G. Lakhe & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri V.C. Patil (Ashtekar), learned Advocate for the applicants (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.

3. S.O. to 09.02.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 890 OF 2022**  
(Ganesh G. Yerawar Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri V.B. Wagh, learned Advocate for the applicant (**Leave Note**). Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.

3. S.O. to 06.02.2023.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 927 OF 2022**  
**(Ratan V. Kajale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri Avinash Deshmukh, learned Advocate for the applicant (**Leave Note**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.

3. S.O. to 20.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1054 OF 2022**  
(Yogesh A. Bangar Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Await service of notice upon the respondents.
3. S.O. to 07.02.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1076 OF 2022**  
(Dnyaneshwar V. Parjane & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Await service of notice upon the respondents.
3. S.O. to 07.02.2023.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 373/2019 in O.A. No. 980/2018**  
(Narayan K. Vyas Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

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 time bound promotion and ACPS are to be dealt with by the Single Bench. The present matter is pertaining to benefits of time bound promotion/ACPS.

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

4. S.O. to 31.01.2023 for filing rejoinder affidavit, if any.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 534/2019 in O.A. St. No. 2024/2019**  
**(Subhash B. Selukar & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri Rahul Shemre, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. S.O. to 01.02.2023 for filing rejoinder affidavit.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 369 OF 2022**  
**(Madhukar K. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri Rahul Shemre, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.

3. S.O. to 02.02.2023.

**MEMBER (A)**

**MEMBER (J)**

**DATE : 23.12.2022**

**ORIGINAL APPLICATION NO. 1156 OF 2022**

**(Shrikant S. Deshmukh Vs. The State of Maha.& Ors.)**

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

1. Shri D.T. Devane, learned Advocate for the applicant and Smt. S.K. Ghate-Deshmukh, learned P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on **23.01.2023**. The case be listed for admission hearing on **23.01.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**

**DATE : 23.12.2022**

**ORIGINAL APPLICATION NO. 1155 OF 2022**

**(Sagar A. Zinzurde Vs. The State of Maha.& Ors.)**

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

1. Shri L.V. Sangit, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on **27.01.2023**. The case be listed for admission hearing on **27.01.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**



**ORIGINAL APPLICATION NO.756/2022  
(Jitendra Kadam Vs. State of Maharashtra & Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

Shri Vinod D. Godbharle, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. files affidavit in reply on behalf of respondent no.3. It is taken on record. Copy thereof be provided to the other side.

3. Learned Counsel for the applicant has filed affidavit in rejoinder. It is taken on record. Copy thereof has been provided to other side.

4. List the matter for hearing on 07-02-2023.

**VICE CHAIRMAN**

**M.A.NO.552/2022 IN O.A.NO.98/2021**  
**(Bhagwat Deshmukh through LRs Sanjivani B. Deshmukh**  
**& Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

Heard Shri Vinod D. Godbharle, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities.

2. Present M.A.No.552/2022 has been filed for bringing the legal heirs of the deceased applicant on record.

3. For the reasons stated in the application, it is allowed. Legal heirs of the deceased be taken on record. Necessary amendment be carried out within a week. M.A. stands disposed of. No costs.

4. Place the O.A. for hearing on 25-01-2023

**VICE CHAIRMAN**

**M.A.NO.472/2022 IN O.A.ST.NO.1845/2022  
(Harishchandra Fulpagare Vs. State of Maharashtra & Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

Shri Kakasaheb B. Jadhav, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 17-01-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 23.12.2022

**ORIGINAL APPLICATION NO.722/2022**  
**(Devidas Kandhare Vs. State of Maharashtra & Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

Shri P.R.Tandale, learned Counsel for the applicants, Smt. Deepali Deshpande, learned Presenting Officers for the respondent authorities and Shri G.N.Patil, learned Counsel for respondent nos.2 and 3, are present.

2. Shri G.N.Patil, learned Counsel has filed Vakalatnama on behalf of respondent nos.2 and 3. Shri G.N.Patil, learned Counsel tenders affidavit in reply on behalf of respondent nos.2 and 3. It is taken on record. Copy thereof be provided to the other side.

3. List the matter for hearing on 25-01-2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.10/2022**  
**(Akash Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

Ms. G.N.Syyed, learned Counsel holding for Mr. A.D.Aghav, learned Counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Though ample opportunities are granted, affidavit in reply is not filed by the respondents.
3. List the matter for hearing on 13-01-2023.

**VICE CHAIRMAN**

**T.A.NO.12/2022 IN W.P.NO.3413/2022  
(Shubham Gadve Vs. State of Maharashtra & Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

Shri A.S.Shejwal, 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 submitted that he will provide copy of the petition as well as the documents today itself to the learned P.O.

3. S.O. to 08-02-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 23.12.2022

**ORIGINAL APPLICATION NO.1117/2022**  
**(Harishchandra Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

Shri S.G.Kawade, learned Counsel for the applicant and Shri M.S.Mahajan, learned Presenting Officer for the respondent authorities, are present.

2. Issue notice to the respondents, returnable on 23-01-2023.

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 23-01-2023.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.534/2022**  
**(Sominath Dandge Vs. State of Maharashtra & Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

Shri A.B.Rajkar, 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 Presenting Officer, S.O. to 02-02-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 23.12.2022



**ORIGINAL APPLICATION NO.370/2021  
(Jyoti K. Mote Vs. State of Maharashtra & Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

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

2. S.O. to 17-01-2023 for filing reply.

**VICE CHAIRMAN**

YUK ORAL ORDER 23.12.2022

**ORIGINAL APPLICATION NO.705/2021**  
**(Balwant Mukhade Vs. State of Maharashtra & Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

Shri D.T.Devane, learned Counsel for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 13-01-2023 for filing rejoinder.

**VICE CHAIRMAN**

YUK ORAL ORDER 23.12.2022

**ORIGINAL APPLICATION NO.728/2021  
(Shaikh Abdul Gafur Vs. State of Maharashtra & Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

Shri Ashish B. Rajkar, 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 has filed affidavit in rejoinder. It is taken on record. Copy thereof has been provided to the other side.

3. S.O. to 23-01-2023 for hearing.

**VICE CHAIRMAN**

YUK ORAL ORDER 23.12.2022

**ORIGINAL APPLICATION NO.644/2022**  
**(Dr. Bhausaheb N. Chalak Vs. State of Maharashtra & Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

Shri B.S.Shinde, learned Counsel for the applicant is **absent**. Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities is present.

2. S.O. to 17-01-2023 for filing in reply.

**VICE CHAIRMAN**

YUK ORAL ORDER 23.12.2022

**ORIGINAL APPLICATION NO.915/2022**  
**(Kailas Prajapati Vs. State of Maharashtra & Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

Shri Kakasaheb B. Jadhav, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has filed a short affidavit on behalf of respondent nos.2 and 4. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 23-01-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 23.12.2022

**ORIGINAL APPLICATION NO.980/2022**  
**(Dattatray Ambre Vs. State of Maharashtra & Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

Smt. Suchita Dhongde, learned Counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 23-01-2023 for filing reply.

**VICE CHAIRMAN**

YUK ORAL ORDER 23.12.2022

**ORIGINAL APPLICATION NO.993/2022**  
**(Dattatraya Kakde Vs. State of Maharashtra & Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

Shri S.G.Kawade, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 23-01-2023 for taking steps.

**VICE CHAIRMAN**

YUK ORAL ORDER 23.12.2022

**ORIGINAL APPLICATION NO.995/2022**  
**(Shaikh Imroj Shaikh Riyaz Vs. State of Maharashtra &**  
**Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

Shri Tushar Shinde, learned Counsel for the applicant is **absent**. Shri M.P.Gude, learned Presenting Officer for the respondent authorities is present.

2. S.O. to 23-01-2023 for filing reply.

**VICE CHAIRMAN**

YUK ORAL ORDER 23.12.2022



**ORIGINAL APPLICATION NO.1036/2022**  
**(Sumedh Waghmare Vs. State of Maharashtra & Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

Shri A.D.Gawale, learned Counsel for the applicant is **absent**. Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities is present.

2. S.O. to 02-02-2023 for taking steps.

**VICE CHAIRMAN**

YUK ORAL ORDER 23.12.2022

**ORIGINAL APPLICATION NO.1052/2022**  
**(Nuzhat Jaan Jamal Khan Vs. State of Maharashtra & Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

Shri V.G.Pingle, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 23-01-2023 for filing reply.

**VICE CHAIRMAN**

YUK ORAL ORDER 23.12.2022

**M.A.NO.508/2022 IN O.A.ST.NO.1894/2022  
(Eknath Mysekar Vs. State of Maharashtra & Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

Shri A.B.Rajkar, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 02-02-2023 for taking steps.

**VICE CHAIRMAN**

YUK ORAL ORDER 23.12.2022

**ORIGINAL APPLICATION NO.175/2021 & 689/2021  
(Ajay More Vs. State of Maharashtra & Ors.)**

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

**DATE : 23-12-2022**

**ORAL ORDER :**

Shri K.G.Salunke, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 02-01-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 23.12.2022

**ORIGINAL APPLICATION NO. 622 OF 2021  
(Arjun R. Deshmukh (Gawali) Vs. State of Maharashtra &  
Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri C.V. Bodkhe, learned Advocate holding for Shri R.V. Gore, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. Record shows that the respondents are served in long back in October, 2021. Thereafter, in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondents.

3. In view of the above, in the interest of justice, last chance is granted for filing affidavit in reply.

4. S.O. to 27.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 237 OF 2022**  
**(Vinayak U. Banchod Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri R.A. Joshi, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. Issue fresh notices to the respondents, returnable on 03.02.2023.

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 03.02.2023.

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

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1151 OF 2022**  
**(Samadhan J. Gaikwad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

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

2. Issue notices to the respondents, returnable on 25.01.2023.
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 25.01.2023.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**MEMBER (J)**

**O.A.NOS. 162, 163, 164, 173, 174, 175, 176 AND  
221 ALL OF 2019  
(Mahadev R. Powar & Ors. Vs. State of Maharashtra &  
Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicants in all these O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these O.As, are present.

2. S.O. to 02.02.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**



**O.A.NO. 445/2019 WITH O.A.NO. 446/2019  
(Mangal P. Musande & Ors. Vs. State of Maharashtra &  
Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri Vishnu Dhoble, learned Advocate for the applicants in both the O.As. and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in both the O.As., are present.

Shri Sachin Deshmukh, learned Advocate for the respondent Nos.3 & 4 in O.A.No. 445/2019 and for respondent Nos. 4 & 5 in O.A.No.446/2019, is **absent**.

2. At the request of the learned C.P.O., S.O. to 18.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**O.A.NOS. 966, 967, 968, 969, 970, 971, 972, 974, 975, 976, 977, 978 & 979 ALL OF 2019 AND O.A.NO. 537 OF 2020**  
**(Prakash V. Deshmukh & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri V.G. Pingle, learned Advocate for the applicants in all these O.As., Shri S.K. Shirse, learned Presenting Officer for the respondent authorities in all these O.As., Shri S.B. Mene, learned Advocate for the respondent No.5 in O.A.No.968/2019 and for respondent Nos. 3 & 4 in O.A.No. 978/2019, Shri N.U. Yadav, learned Advocate for the respondent No.5 in O.A.No. 970 & 971/2019 and Shri Shamsundar Patil, learned Advocate for the respondent No.5 in O.A.No. 975/2019 and for respondent No. 6 in O.A.No. 537/2020, are present.

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 time bound promotion and ACPS are to be dealt with by the Single Bench. The Original Applications are pertaining to Time Bound Promotion.

//2// O.A.Nos.966/2019 &Ors.

3. In view of the same, the present matters be placed before the Single Bench for further hearing.
4. S.O. to 06.02.2023.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 23.12.2022

**ORIGINAL APPLICATION NO. 125 OF 2020  
(Venkati B. Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri S.V. Deshmukh, learned Advocate for the applicant, is **absent**. Shri N.U. Yadav, learned Presenting Officer for the respondents, is present.

2. S.O. to 27.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 127 OF 2020**  
**(Resha P. Karhale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri A.S. Deshmukh, learned Advocate for the applicant has filed a **leave note**. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.

2. Affidavit in sur-rejoinder filed on behalf of the respondent Nos. 2 & 3 is taken on record. Learned P.O. undertakes to supply the copy of affidavit in sur-rejoinder on the learned Advocate for the applicant.

3. S.O. to 02.02.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 265 OF 2020**  
**(Gulab H. Panchal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri A.S. Deshmukh, learned Advocate for the applicant has filed a **leave note**. Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents, is present.

2. S.O. to 30.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 500 OF 2020**  
**(Yeshwant K. Bhandare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri V.B. Wagh, learned Advocate for the applicant has filed a **leave note**. Shri M.P. Gude, learned Presenting Officer for the respondents, is present.

2. S.O. to 30.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 185 OF 2021**  
**(Subhash J. Khote Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri V.B. Wagh, learned Advocate for the applicant has filed a **leave note**. Shri V.R. Bhumkar, learned Presenting Officer for the respondents, is present.

2. S.O. to 02.02.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 350 OF 2021**  
**(Shaikh Chand Badshaha Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri A.B. Rajkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

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 time bound promotion and ACPS are to be dealt with by the Single Bench. The Original Application is pertaining to Time Bound Promotion.

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

4. S.O. to 31.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 641 OF 2021  
(Nilesh V. Salunke Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri Gajanan Kadam, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. The present matter be treated as part heard.
3. S.O. to 20.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 655 OF 2021**  
**(Rahul D. Gaikwad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

None present on behalf of the applicant.

Smt. Deepali S. Deshpande, learned Presenting  
Officer for the respondents, is present.

2. S.O. to 01.02.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 572/2022 IN O.A.NO. 297/2018**  
**(The State of Maharashtra & Ors. Vs. Ajay R. Umale)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri S.K. Shirse, learned Presenting Officer for the applicants/respondents in O.A.

Shri Vijay V. Deshmukh, learned Advocate for the respondent/applicant in O.A. (**Absent**).

2. This Misc. Application is made by the original respondents in O.A. No.297/2018 seeking extension of time of two months for compliance of final order dated 05.09.2022 by which the Original Application No.297/2018 was disposed of thereby the respondents were directed to reinstate the applicant in service within four weeks from the date of the order and it was further observed that in view of the discussion made by us hereinabove, it would be open to the respondents to initiate a regular departmental enquiry against the present applicant, if they so desire. Payment of back wages shall abide by result of such enquiry. Such enquiry, if any, must be initiated as early as possible and not later

//2// M.A.572/2022 In  
O.A.297/2018

than 8 weeks from the date of communication of order and if such enquiry is initiated within the given period, it should be completed within 12 weeks after its commencement.

3. By the present M.A., the applicants in M.A. /Original respondents submit that they want to comply with the said order. But due to pressure of work, the order could not be complied with and they seek extension of time.

4. In the interest of justice, time is extended for compliance of order till 25.01.2023. Accordingly, the Misc. Application stands disposed of with no order as to costs.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 345/2022 IN O.A.NO. 125/2019**  
**(Uttam G. Shinde (Died) LRs. Lilawati U. Shinde Vs. State**  
**of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri D.K. Dagadkhair, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

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 time bound promotion and ACPS are to be dealt with by the Single Bench. The Original Application is pertaining to ACPS.

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

4. S.O. to 31.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 346/2022 IN O.A.NO. 127/2019**  
**(Uttam S. Kshirsagar (Died) LRs. Sumanbai U. Kshirsagar**  
**Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri D.K. Dagadkhair, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

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 time bound promotion and ACPS are to be dealt with by the Single Bench. The Original Application is pertaining to ACPS.

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

4. S.O. to 31.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 401 OF 2022**  
**(Kirti M. Nagargoje Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri Suresh Dhongde, learned Advocate holding for Smt. Suchita Dhongde, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 03.02.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 601 OF 2022**  
**(Deepak U. Kulkarni Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri S.D. Munde, learned Advocate for the applicant, is **absent**. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.

2. S.O. to 03.02.2023 for admission.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 446 OF 2022**  
**(Giriraj K. Joshi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri V.P. Latange, learned Advocate for the applicant, is **absent**. Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned Advocate holding for Shri S.G. Bhalerao, learned Advocate for the respondent Nos.3 & 4, are present.

2. S.O. to 10.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 751 OF 2021**  
**(Santosh S. Vaidya Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Smt. Maya Jamdhade, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Gahte, learned Presenting Officer for the respondents, are present.

2. During the course of hearing, learned P.O. for the respondents placed on record the copy of G.R. dated 09.12.2021 showing that the office of the erstwhile Superintending Engineer, P.W.D., Aurangabad is bifurcated into three divisions namely Aurangabad, Nanded and Latur.

3. Learned P.O. for the respondents further submitted that the Offices of respondent No.3 i.e. the Divisional Engineer, P.W.D. Nanded and the respondent No.4 i.e. the Sub-Divisional Engineer, P.W.D. Hingoli comes under the office of Superintending Engineer, P.W.D. Nanded.

4. In view of the same, learned Advocate for the applicant seeks leave to add the Superintending Engineer, P.W.D. Nanded as party respondent No.5.

//2// O.A.No. 751/2021

5. Leave as prayed for is granted. Liberty is also granted to the applicant to file affidavit in rejoinder.
6. Issue fresh notice to the newly added respondent No.5, returnable on 02.02.2023.
7. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
8. 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.
9. 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.
10. 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.
11. S.O. to 02.02.2023.
12. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 45 OF 2022**  
**(Sanjay D. Pathrut & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri M.R. Kulkarni, leaned Advocate holding for Shri M.D. Narwadkar, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. S.O. to 02.02.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 30 OF 2022**  
**(Mahesh S. Vaidya Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri Sushant B. Choudhari, learned Advocate for the applicant (**Absent**). Shri M.P. Gude, learned Presenting Officer for the respondents, is present.

2. S.O. to 02.02.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

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

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri A.V. Thombre, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. Learned Advocate for the applicant submits that at present there is no Secretary of Ice Hockey Association of India described as respondent No.11, but there is post of President. In view of the same, he seeks to replace the Secretary by President in the description of the respondent No.11. Allowed to correct it forthwith.

3. Issue fresh notice to the respondent No.11, returnable on 02.02.2023.

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

//2//

O.A.794/2022

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. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of remaining respondents.
9. S.O. to 02.02.2023. Interim relief granted earlier to continue till then.
10. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**MEMBER (J)**



**M.A.NO. 288/2022 IN O.A.NO. 599/2022**  
**(Tushar T. Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri A.S. Deshmukh, learned Advocate for the applicant has filed a **leave note**. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.

2. S.O. to 31.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 23.12.2022

**M.A.NO. 456/2018 IN O.A.ST.NO. 1919/2018  
(Lakshman K. Nirmal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

Shri S.R. Kedar, learned Advocate for the respondent No.3, is **absent**.

2. S.O. to 24.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**M.A.ST.NO. 1291/2020 IN O.A.NO. 493/2018**  
**(Rajendra K. Shimpi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri H.A. Joshi, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. S.O. to 27.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 23.12.2022

**M.A. NO. 51/2021 IN O.A.ST.NO. 184/2021**  
**(Sangameshwar M. Kadam Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Ms. Preeti R. Wankhade, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 27.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 23.12.2022

**M.A.NO. 362/2021 IN O.A.NO. 745/2021**  
**(Arvind D. Gaikwad & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri V.B. Wagh learned Advocate for the applicants has filed a **leave note**. Shri N.U. Yadav, learned Presenting Officer for the respondents, is present.

2. S.O. to 30.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 23.12.2022

**M.A.NO. 174/2022 IN O.A.NO. 262/2017**  
**(Trimbak G. Phasle Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri V.B. Wagh learned Advocate for the applicant has filed a **leave note**. Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.

2. S.O. to 03.02.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 23.12.2022

**M.A.200/2020            IN            M.A.506/2018            IN**  
**O.A.ST.1951/2018**  
**(Sajed Khan Ajiz Khan Pathan Vs. State of Maharashtra &**  
**Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri R.N. Bharaswadkar, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

Shri C.B. Gore, learned Advocate for the respondent Nos.5 & 6 and Shri V.G. Pingle, learned Advocate for the respondent No.7, are **absent**.

2. S.O. to 25.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 557/2022 IN O.A.NO. 244/2016**  
**(Vijaykumar P. Narwade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri M.R. Kulkarni, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. S.O. to 13.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 23.12.2022



**M.A.NO. 579/2022 IN O.A.NO. 1145/2022**  
**(Subhash R. Aage Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri S.L. Bhapkar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. By this application the applicant is seeking amendment in the Original Application to the effect of correcting the name of the father of the applicant as Ramdas instead of Ramchandra and further challenging the communication/order dated 15.12.2022 received by him from the respondent No.3 i.e. the Superintendent of Police, Aurangabad (Rural), Police Headquarter, Aurangabad during pendency of this Original Application, whereby gratuity is refused to the applicant.

3. The Original Application is filed seeking benefit of gratuity only. In view of the same in our considered opinion, the proposed amendment is not going to change the nature of original proceeding. In fact the proposed amendment would be just and

//2// M.A.579/2022 In  
O.A.No. 1145/2022

necessary to determine the real question of controversy between the parties. I therefore, proceed to pass the following order:-

**ORDER**

- (i) The Misc. Application No.579/2022 is allowed.
- (ii) Amendment as prayed for is granted.
- (iii) The applicant to carry out the amendment within the period of one week from the date of this order and to serve the copy of amended O.A. on the other side.
- (iv) No order as to costs.

**MEMBER (A)**

**MEMBER (J)**

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

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri S.L. Bhapkar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. After carrying out amendment in O.A., issue fresh notice the respondents, returnable on 25.01.2023.
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 25.01.2023.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 580 OF 2022 IN O.A.NO. 1146 OF 2022  
(Subhash S. Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri S.L. Bhapkar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. By this application the applicant is seeking amendment in the Original Application to the effect of challenging the communication/order dated 15.12.2022 received by him from the respondent No.3 i.e. the Superintendent of Police, Aurangabad (Rural), Police Headquarter, Aurangabad during pendency of this Original Application, whereby gratuity is refused to the applicant.

3. The Original Application is filed seeking benefit of gratuity only. In view of the same in our considered opinion, the proposed amendment is not going to change the nature of original proceeding. In fact the proposed amendment would be just and necessary to determine the real question of

//2// M.A.580/2022 In  
O.A.No. 1146/2022

controversy between the parties. I therefore, proceed to pass following order:-

**ORDER**

- (i) The Misc. Application No. 580/2022 is allowed.
- (ii) Amendment as prayed for is granted.
- (iii) The applicant to carry out the amendment within the period of one week from the date of this order and to serve the copy of amended O.A. on the other side.
- (iv) No order as to costs.

**MEMBER (A)**

**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)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri S.L. Bhapkar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. After carrying out amendment in O.A., issue fresh notice the respondents, returnable on 25.01.2023.
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 25.01.2023.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**MEMBER (J)**

**T.A. 11/1999 (W.P. 3251/1993)**  
**T.A. 19/1999 (W.P. 2311/1994)**  
**T.A. 26/1999 (W.P. 2772/1993)**  
**T.A. 47/1999 (W.P. 776/1993)**  
**T.A. 07/1999 (W.P. 3765/1997)**  
**T.A. 06/2006 (W.P. 4261/1995)**  
**T.A. 36/2002 (W.P. 3007/1991)**  
**M.A. 311/2008 in T.A. 42/1999 (W.P. 1274/1991)**  
**T.A. 17/1999 (W.P. 2791/1994)**  
**T.A. 35/1998 (W.P. 296/1998)**  
**M.A. 309/2008 in T.A. 24/1999 (W.P. 3607/1993)**  
**M.A. 306/2008 in T.A. 36/1999 (W.P. 652/1994)**  
**T.A. 28/1999 (W.P. 1253/1991)**  
**T.A. 30/1999 (W.P. 617/1994)**  
**T.A. 33/1999 (W.P. 3796/1997)**  
**T.A. 34/1999 (W.P. 3620/1997)**  
**T.A. 37/1999 (W.P. 1382/1994)**  
**T.A. 14/1999 (W.P. 3770/1997)**  
**T.A. 16/1999 (W.P. 1226/1991)**  
**T.A. 13/1999 (W.P. 777/1995)**  
**T.A. 20/1999 (W.P. 882/1991)**  
**T.A. 38/1999 (W.P. 329/1992)**

**(Marathwada Serva Shramik Sanghatana through its  
Joint Secretary M.S. Sonwane & Ors. V/s. State of  
Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri Ganesh Jadhav, learned Advocate holding  
for Shri S.K. Shelke, Shri S.R. Barlinge and Shri  
Subhash Mundhe, learned Advocates for the  
respective applicants in respective matters,

//2/ T.A.11/1999 (W.P.3251/1993 &  
Ors.)

Shri Goverdhan Ganoji, party in person in T.A.No.06/2006 and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all the cases and Shri B.B. Yenge, learned Advocate for the applicant in M.A.No.309/2008 and M.A.No.306/2008, are present.

2. S.O. to 12.1.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDER 23.12.2022-HDD



**ORIGINAL APPLICATION NO. 758 OF 2015  
(Dr. Tanuja S. Kulkarni Vs. State of Maharashtra  
& Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Ms. Angha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned counsel for the respondent authorities, are present.

2. S.O. to 27.1.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 831 OF 2016  
(Pathan Hares Khan Pathan S Khan Vs. State of  
Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Ms. Angha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned counsel for the respondent authorities, are present.

2. S.O. to 27.1.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 156 OF 2017  
(Raufkhan H. Pathan Vs. State of Maharashtra &  
Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri Anup D. Sonar, learned Advocate for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned counsel for the respondent authorities, is present.

2. S.O. to 31.1.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 141 OF 2018  
(Nanda P. Bankar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri V.B. Wagh, learned Advocate for the applicant has filed leave note. Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present. Shri Avinash S. DEshmukh, learned Advocate for respondent No. 2 has filed leave note.

2. S.O. to 6.2.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDER 23.12.2022-HDD

**ORIGINAL APPLICATION NO. 657 OF 2018  
(Ayesha F. Khan Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri Milind Deshpande, learned Advocate for the applicant (**absent**). Shri V.R. Bhumkar, learned counsel for the respondent authorities, is present.

2. S.O. to 1.2.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDER 23.12.2022-HDD

**ORIGINAL APPLICATION NO. 802 OF 2018  
(Jitendra B. Mutyalu Vs. State of Maharashtra &  
Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri Sanjay B. Bhosale, learned Advocate for the applicant (**absent**). Shri N.U. Yadav, learned counsel for the respondent authorities, is present.

2. S.O. to 2.2.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 79 OF 2019  
(Prakash F. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri V.B. Wagh, learned Advocate for the applicant has filed leave note. Smt. Sanjivani Deshmukh-Ghate, learned counsel for the respondent authorities, is present.

2. S.O. to 6.2.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDER 23.12.2022-HDD

**ORIGINAL APPLICATION NO. 260 OF 2019  
(Mukund B. Jagtap Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri V.D. Dharurukar, learned Advocate for the applicant (**absent**). Shri M.P. Gude, learned counsel for the respondent authorities, is present.

2. S.O. to 3.2.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDER 23.12.2022-HDD



**O.A.NOS. 272 TO 283 ALL OF 2020  
(Umesh L. Dargode & Ors. Vs. State of  
Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri Vivek G. Pingle learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents authorities in all these cases.

2. S.O. to 7.2.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDER 23.12.2022-HDD

**O.A.NOS. 706 TO 709 ALL OF 2021  
(Devendra B. Bacchav & Ors. Vs. State of  
Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Ms. Angha Pandit, learned counsel holding for Shri S.B. Talekar, learned Advocate for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents authorities in all these cases and Shri H.D. Gaikwad, learned Advocate for respondent No. 4 in O.A. Nos. 706, 708 & 709 all of 2021 and for respondent No. 3 in O.A. No. 707/2021, are present.

2. S.O. to 6.2.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 950 OF 2012**  
**(Sanjeev R Kadam Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri J.B. Choudhary, learned Advocate for the applicant has filed leave note. Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

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 time bound promotion and ACPS are to be dealt with by the Single Bench. The present matter is pertaining to benefits of time bound promotion/ACPS.

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

4. S.O. to 27.01.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 900 OF 2018**  
**(Bhika M. Pathare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri J.S. Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

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 time bound promotion and ACPS are to be dealt with by the Single Bench. The present matter is pertaining to benefits of time bound promotion/ACPS.

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

4. S.O. to 3.02.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 907 OF 2018**  
**(Prabhakar A. Satdive Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri J.S. Deshmukh, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

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 time bound promotion and ACPS are to be dealt with by the Single Bench. The present matter is pertaining to benefits of time bound promotion/ACPS.

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

4. S.O. to 3.02.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 416 OF 2019**  
**(Arjun M. Maskar & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri Rahul Shimre, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicants, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri S.D. Dhongde, learned Advocate for respondent Nos.2 & 3, are present.

2. S.O. to 02.02.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDER 23.12.2022-HDD

**ORIGINAL APPLICATION NO. 478 OF 2019**  
(Dr. Anand S. Patil Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2022**

**ORAL ORDER :**

Shri Avinash S. Deshmukh, learned Advocate for the applicant has filed leave note. Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 01.02.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDER 23.12.2022-HDD

**ORIGINAL APPLICATION NO. 1157 OF 2022  
(Smt. Smita M. Chavan Vs. State of Maha. & Ors.)**

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

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri R.A. Joshi, learned counsel appearing for the applicant and Shri M.P. Gude, learned Presenting Officer appearing for the respondent authorities.

2. The applicant was working as Assistant Professor for the subject of 'Information Technology' in the Government Engineering College at Aurangabad. On administrative ground she has been transferred to the Government Engineering College at Karad vide order dated 14.12.2022. Shri R.A. Joshi, learned counsel appearing for the applicant submitted that two sons of the applicant are taking education respectively in 10<sup>th</sup> standard & 4<sup>th</sup> standard at Aurangabad. Learned counsel submitted that in the circumstances, the applicant has made a request for giving her some more time to join at her transferred place. Letter so submitted by her on 19.12.2022 with respondent No. 3 has been forwarded by him to respondent No. 2. Copy of the said letter is annexed as Annexure 'A-2'. Learned counsel submitted that till date no response has been received to the aforesaid request letter so submitted by the



applicant. Learned counsel submitted that the applicant is willing to join at her transferred place after examinations are over of her sons, who are taking education in 10<sup>th</sup> and 4<sup>th</sup> standard respectively. Learned counsel submitted that in the circumstances the impugned order may be temporarily stayed till the decision of the present O.A.

3. Learned Presenting Officer has tendered across the bar the communication received from respondent No. 3 revealing information that the applicant has been relieved today. Learned P.O. pointed out that the applicant is transferred for the reason that the post on which she was working has rendered 'surplus' and, as such, there is no work to be provided to her in the Government Engineering College at Aurangabad. In the circumstances, learned P.O. opposed for grant of any interim relief.

4. I have considered submissions advanced by the learned counsel appearing for the applicant and learned Presenting Officer appearing for the respondents.

5. Learned counsel appearing for the applicant submitted that when the applicant has been transferred as because her post has been rendered 'surplus', candidate, junior to her must have been transferred and

not the applicant. However, in the O.A. there is no such pleading taken by the applicant. From the record however, it appears that request has been made by the applicant for extension of time to join at the transferred place vide her application dated 19.12.2022. The relieving order though referred to letter dated 20.12.2022 by the Joint Director, Technical Education, the copy of the said communication is not placed on record. Having regard to the fact that the retention is asked by the applicant for genuine reason, it appears to me that at least till filing of the affidavit in reply by the respondents, interim protection needs to be granted as has been prayed by the applicant. In the circumstances, the following order is passed: -

**ORDER**

- (i) Issue notice to respondents, returnable on 16.1.2023.
- (ii) Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- (iii) 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.

(iv) This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

(v) The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

**(vi) The impugned order of transfer shall stand stayed to the extent of the present applicant is concerned till affidavit in reply is filed by the respondents.**

(vii) S.O. to 16.1.2023.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 712 OF 2021  
(Dr. Subhash G. Kabade Vs. State of Maha. & Ors.)**

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

**DATE : 23.12.2022**

**ORAL ORDER :**

Heard Shri Shamsunder B. Patil, learned counsel appearing for the applicant and Shri M.P. Gude, learned Presenting Officer appearing for the respondent authorities.

2. Aggrieved by the order dated 18.10.2021 the applicant has preferred the present Original Application. The applicant initially worked as Medical Officer at Primary Health Centre, Deverjan, District Latur during the period from 28.1.1994 to 31.7.1998. While working on the said post the applicant got another appointment as Medical Officer in the Employees' State Insurance Scheme (for short 'ESIS'). He resumed the duties on the ESIS on 1.8.1998. The applicant is retiring on 31.12.2022 on attaining the age of superannuation. On the verge of his retirement the aforesaid order has been issued, whereby the respondents have directed the recovery of certain amount from the retiral benefits of the applicant on the ground that though the period of his previous service from 28.1.1994 to 31.7.1998 was directed to be considered only for the purpose of the

pension, leaves and increments were also granted to the applicant of the said period while fixation of the pay of the applicant in the new post, increments granted to the applicant during the period between 1994 to 1998 were also considered. According to respondents, pay of the applicant in new post was thus wrongly fixed. The amount which has been paid according to the respondents because of that wrong fixation in excess of the entitlement of the applicant is sought to be recovered vide the impugned order. The said order is challenged in the present Original Application.

3. Shri Shamsunder B. Patil, learned counsel appearing for the applicant submitted that the impugned order is wholly unsustainable and against the relevant rules more particularly the Maharashtra Civil Services (Pay) Rules, 1981. Learned counsel submitted that when the earlier service from the period from 1994 to 1998 was directed to be considered for the purpose of leave and pension it was presumed that the increments earned by the applicant during the said period will be appropriately considered while fixing his pay on his new assignment. Learned counsel submitted that even otherwise Rule 11(2) of the Pay Rules specifically provides that the pay drawn of the Government employee if he is resuming on the same post in any other

establishment has to be protected. It is not in dispute that in his earlier employment the last drawn pay of the applicant was in the pay scale of Rs. 8515/-. The new assignment which the applicant accepted was in the same pay scale. In the circumstances, the pay of the applicant in the new post was liable to be fixed by protecting his last drawn pay at the erstwhile post i.e. from 8515/-. Accordingly, the pay has been fixed and the further increments are awarded to the applicant. In the circumstances, there appears no reason for directing any recovery from the retiral benefits payable to the applicant. It appears that while passing the impugned order the provisions of the Pay Rules more particularly provisions under Rule 11(2) are lost sight of by the respondent authorities which has resulted in passing such erroneous order. The impugned order, therefore, needs to be set aside.

4. Vide order dated 5.1.2022 the applicant was directed to deposit the amount of Rs. 10,74,596/- in 12 installments each for Rs. 84,596/-. As submitted, majority installments are already recovered. It is needless to state that the applicant is entitled for refund of the amount, which is recovered from the applicant on the basis of the order dated 5.1.2022. Hence, the following order: -

**ORDER**

- (i) Order dated 5.1.2022 impugned in the present O.A. is quashed and set aside.
- (ii) The amount recovered from the applicant on the strength of the order dated 5.1.2022 shall be refunded to the applicant within three months from the date of this order.
- (iii) The Original Application stands allowed in the aforesaid terms.
- (iv) No order as to costs.

**VICE CHAIRMAN**

- (1) **ORIGINAL APPLICATION NO. 500/2022**  
(Jaganlal B. Kewat Vs. State of Maharashtra & Ors.)
- (2) **ORIGINAL APPLICATION NO. 1003/2022**  
(Bapurao S. Shinde Vs. State of Maharashtra & Ors.)
- (3) **ORIGINAL APPLICATION NO. 646/2022**  
(Dr. Deelip R. Tandale Vs. State of Maharashtra & Ors.)
- (4) **ORIGINAL APPLICATION NO. 647/2022**  
(Dr. Manik S. Madke Vs. State of Maharashtra & Ors.)
- (5) **ORIGINAL APPLICATION NO. 721/2022**  
(Laxman R. Jadhav Vs. State of Maharashtra & Ors.)
- (6) **ORIGINAL APPLICATION NO. 723/2022**  
(Dattatraya K. Istake Vs. State of Maharashtra & Ors.)
- (7) **ORIGINAL APPLICATION NO. 724/2022**  
(Baban N. Jadhav Vs. State of Maharashtra & Ors.)

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

**DATE : 23.11.2022**

**ORAL ORDER :**

Heard S/shri K.B. Jadhav & P.R. Tandale, learned counsel for the respective applicants in respective matters, S/shri MP Gude, VR Bhumkar, SK Shirse, NU Yadhav, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities in all these matters, Shri SB Mene, learned counsel for respondent no. 2 in O.A. No. 724/2022. Shri Ajinkya Reddy, learned counsel for



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**O.A. NO. 500/2022 & Ors.**

respondent no. 3 in O.A. No. 646/2022 and for respondent no. 5 in O.A. No. 647/2022 (**absent**).

2. Shri GN Patil, learned counsel has filed his VP for respondent nos. 2 & 3 in O.A. Nos. 721 & 723 both of 2022 and also tendered the affidavits in reply on behalf of the said respondents. The same are taken on record and copies thereof are supplied to other side.

3. All these Original Applications are arising from common issue and therefore decided together by this common order.

4. All these applicants stood retired on 30<sup>th</sup> June of their respective year of retirement. Their next increment was due on 1<sup>st</sup> July of the respective year in which they have retired (Chart showing the details as about date of appointment of the applicant, date of their retirement and date of order of retirement order etc. is appended with this order as Annex. 'A'). Since the applicants retired on attaining the age of superannuation before 1<sup>st</sup> July of their respective year of retirement, the respondents did not grant them the benefit of

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increment of the said year. It is the contention of the learned counsel that, none of the applicant was having any enquiry pending against him or her nor anyone of them was under suspension at the time of their retirement. The applicants have retired after completing the entire tenure of their service after attaining the age of superannuation. In all these matters the applicants have prayed for holding them eligible for next increment, which fall due one day after their retirement.

5. The learned counsel have relied upon the judgment of the Division Bench of Hon'ble Bombay High Court, Bench at Aurangabad delivered on 12.10.2022 in the case of **Shri Ramesh Eknath Suryawanshi and Others Vs. the State of Maharashtra through its Chief Secretary and Others, (WP No. 10272/2022)**, as well as, the judgments earlier delivered by this Tribunal, in support of their contentions and have prayed for allowing these applications.

6. The learned Presenting Officer fairly conceded that the judgments relied upon by the learned

counsel for the applicants are supporting the contentions raised and prayers made by the applicants in their respective OAs. The learned PO therefore submitted for passing appropriate orders.

7. Shri GN Patil, learned counsel appearing for respondent nos. 2 & 3 in O.A. Nos. 721 and 723 both of 2022 submitted that the Hon'ble Supreme Court in SLP (Civil) Nos. 4722/2021 by order dated 5.4.2021 has granted Stay in identical matters in which issue of grant of benefit of one notional increment due on 1<sup>st</sup> July, who retires on 30<sup>th</sup> June is involved. The learned counsel, in the circumstances, submitted that if the Court is inclined to allow the aforesaid 2 applications, the same shall be allowed subject to outcome of the aforesaid SLPs pending before the Hon'ble Supreme Court.

8. It is not in dispute that all these applicants have retired after attaining the age of superannuation on 30<sup>th</sup> June of the respective year of their retirement. It is also not disputed that vide orders impugned in the respective OAs the

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respondents have refused the request made by the applicants for grant of next increment, which fell due on the next day of their retirement.

9. I deem it appropriate to reproduce herein below para nos. 3 & 4 of the judgment delivered by the Hon'ble Bombay High Court, Bench at Aurangabad on 12.10.2022 in the case of **Shri Ramesh Eknath Suryawanshi and Others** (cited supra), which read thus :-

*“3. The issue raised is no longer res integra, having been concluded by the learned Division Bench of the Madras High Court, vide judgment dated 15.09.2017, in WP No.15732/2017, filed by P.Ayyamperumal Vs. The Registrar, Central Administrative Tribunal and others, which judgment has been sustained by the Hon'ble Supreme Court, vide order dated 23.07.2018, in Special Leave Petition (Civil) Diary No.22283/2018. Even this Court has passed several orders granting such benefits, which have been sustained by the Hon'ble Supreme Court.*

*4. In view of the above, this petition is partly allowed. The petitioners are entitled to the notional addition of the last yearly increment for the purpose of calculating their pension, gratuity, earned leave, commutation benefits etc. In so far as arrears of the benefits are concerned, the petitioners would be entitled for the same for a period of three years, preceding the date of filing*

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*of this petition or as per actuals, whichever is less. Such arrears should be calculated and be paid to the petitioners, on or before 30.12.2022 .”*

10. It will also be useful to refer to the discussion made by the principal seat of this Tribunal at Mumbai in the case of **Shri Sadashiv Kashinath Inamke & Ors. Vs. the State of Maharashtra & Ors., O.A. No. 950/2019 with other OAs** on 5.7.2022. Considering the earlier judgments on the issue the Tribunal has recorded following finding in para 15 of the said judgment, which reads thus :-

*“15. In view of the aforesaid legal position, the Applicants cannot be deprived of benefit of increment which was due on 1st July of the concerned year. All that learned P.O. submits that since the Applicants have approached belatedly, the actual monetary benefits be restricted to three years preceding to filing of Original Applications. I find merit in her submission on the point of arrears. Indeed, the Applicants have filed these proceedings long after retirement when they got knowledge of the judgment of the Hon’ble Supreme Court giving benefit of increment due on next day of retirement. Be that as it may, insofar as arrears are concerned, it will have to be restricted to three years preceding to the date of filing proceeding.”*

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11. In view of the judgments relied upon by the learned counsel for the applicants there has remained no doubt that the employees who stood retired on 30<sup>th</sup> June of their respective year of retirement on attaining the age of superannuation, must be held entitled for next increment which fell due on immediate next day of their retirement with all the consequential benefits deserve to be granted in their favour. Hence, the following order :-

**ORDER**

- (i) All these Original Applications stand allowed.
- (ii) Subject to the outcome of SLP (Civil) No. 4722/2021 pending before the Hon'ble Supreme Court, the Applicants are held entitled for increment due on 1st July of the concerned year of their retirement. It shall be reckoned for the purpose of pension and gratuity and other retiral benefits subject to rider that the Applicants would be entitled to arrears of monetary benefits for the period of three years only preceding the date of filing Original Applications.

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(iii) By obtaining the necessary undertaking from the applicants for refund of the amount, which may be paid to them in view of the present order in case the Hon'ble Supreme Court in the aforesaid matters rules that no such increment was payable, the Respondents are directed to make payment of arrears accordingly within three months from today and also to ensure that revised pension is paid accordingly.

(iv) No order as to costs.

**VICE CHAIRMAN**

ARJ O.A. NOS. 500 OF 2022 1003-2022 646-2022 AND GROUP

## ANNEXURE-A

O.A. Nos.	Name of applicants	Dates of retirement	Increment due on Date	Retired as
500/2022	Jaganlal Bhimlal Kewat.	30.6.2020	1.7.2020	Reserved Police Sub-Inspector (RSI)
1003/2022	Bapurao Shripati Shinde.	30.6.2021	1.7.2021	Senior Clerk
646/2022	Dr. Dilip Ramkrushnarao Tandale	30.6.2014	1.7.2014	Livestock Development Officer
647/2022	Dr. Manik Sopanrao Madke	30.6.2012	1.7.2012	Livestock Development Officer
721/2022	Laxman Raosaheb Jadhav	30.6.2013	1.7.2013	Junior Clerk
723/2022	Dattatray Kashinath Istake	30.6.2017	1.7.2017	Junior Clerk
724/2022	Baban Nivrutti Jadhav	30.6.2013	1.7.2013	Junior Clerk