

ORIGINAL APPLICATION NO. 1115/2024
(Kalpesh B. Vanjari Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 23.09.2024

ORAL ORDER :

Heard Shri N.L. Choudhari, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 16.10.2024.

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

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

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

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

7. S.O. to 16.10.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 1090/2024
(Vijay L. Sonwane Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 23.09.2024

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 29.10.2024.

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

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

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

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

7. S.O. to 29.10.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 1113/2024
(Machindra S. Mane Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 23.09.2024

ORAL ORDER :

Heard Shri R.A. Joshi, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 29.10.2024. **If any contingency arises, it will be open for the applicant to move an application seeking appropriate relief.**

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

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

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

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

7. S.O. to 29.10.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 861/2023
(Rajendra J. Pawar Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 23.09.2024

ORAL ORDER :

Shri U.T. Sonawane, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. In the present matter the written notes of arguments are filed by the learned counsel for the applicant. Today we heard the arguments of learned Chief Presenting Officer appearing for the State authorities.

3. The matter stands reserved for orders.

MEMBER (A)

ARJ ORAL ORDER 23.09.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 213/2024
(Prashant G. Badgajar & Ors. Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 23.09.2024

ORAL ORDER :

Shri Ajay S. Deshpande, learned counsel for the applicants, Shri V.G. Pingle, learned Presenting Officer for the respondent authorities and Shri V.B. Wagh, learned counsel for respondent nos. 05 and 06, are present.

2. S.O. 03/10/2024. The interim relief granted earlier to continue till then.

MEMBER (A)
ARJ ORAL ORDER 23.09.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 988/2023
(Venkatesh V. Mundhe Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 23.09.2024

ORAL ORDER :

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

2. S.O. 03/10/2024. The interim relief granted earlier to continue till then.

MEMBER (A)
ARJ ORAL ORDER 23.09.2024

VICE CHAIRMAN

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

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

Shri Vinay Kargaonkar, Member (A)

DATE : 23.09.2024

ORAL ORDER :

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

2. S.O. 14/10/2024. The interim relief granted earlier to continue till then.

MEMBER (A)
ARJ ORAL ORDER 23.09.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 387/2023
(Sachin M. Landge Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 23.09.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. 14/10/2024. The interim relief granted earlier to continue till then.

MEMBER (A)

ARJ ORAL ORDER 23.09.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 425/2024
(Urmila B. Chothe Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 23.09.2024

ORAL ORDER :

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

2. S.O. 09/10/2024. The interim relief granted earlier to continue till then.

MEMBER (A)
ARJ ORAL ORDER 23.09.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 07/2024
(Vilas R. Ghule Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 23.09.2024

ORAL ORDER :

Shri C.V. Dharurkar, learned counsel for the applicant (**absent**). Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, is present.

2. S.O. 15/10/2024. The interim relief granted earlier to continue till then.

MEMBER (A)

ARJ ORAL ORDER 23.09.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 1087/2024
(Rahul S. Kumawat Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 23.09.2024

ORAL ORDER :

Heard Shri Bhushan Mahajan, learned counsel for the applicant. Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, is present.

2. It is the case of the applicant that he applied for the post of Assistant Administrative Officer, Group (B) in pursuance of the advertisement issued by respondent no. 03 on 21.09.2022. It is the further contention of the applicant that in the merit list he stood 2nd by securing 84 marks. It is his further contention that for Open category 01 post was reserved and another post was reserved for VJ-A category candidate. It is further submitted that the candidate namely Shrikant Avhad, who was shown to have secured highest marks and recommended for the post, did not join the post within the given time or even within the extended period. Learned counsel for the applicant submits that according to the applicant the said post is still unfilled, meaning thereby that the selected candidate has not join the post. Learned counsel submitted that in the circumstances the respondents must have issued the appointment order in

favour of the applicant. It is further brought to our notice that such request was made by the applicant to the respondents in writing on 21.08.2024 however no response is yet received to the said communication. In the circumstances, the applicant has approached this Tribunal by filing the present Original Application seeking direction against the respondents to issue appointment order in favour of the applicant.

3. From the documents placed on record, it appears that the applicant has certainly made out a prima-facie case. In the circumstances, we deem it appropriate to pass the following order:-

ORDER

(i) Issue notice to respondents, returnable on 29.10.2024. **The respondents are called upon to show cause as to why appointment order has not been issued in favour of the applicant, who is the second highest candidate in order of merit, when the first candidate in order of merit did not join, by the next date.**

(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) S.O. to 29.10.2024.

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

MEMBER (A)

ARJ ORAL ORDER 23.09.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 721 OF 2017
(Subhash K. Parlikar Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

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

2. S.O. to 15.10.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 885 OF 2017
(Shailesh S. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 23.09.2024

ORAL ORDER :

Shri M.J. Sharma, learned counsel holding for Shri Mohit Deshmukh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 09.10.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 761 OF 2019
(Vitthal G. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri Siddharth Shinde, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 21.11.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 27 OF 2022
(Shaikh Hamed Shaikh Hyder Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri I.D. Maniyar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 19.11.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 125 OF 2023
(Milind D. Shah Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

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

2. S.O. to 14.11.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 170 OF 2023
(Balkrushna M. Joshi Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri R.A. Joshi, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 18.11.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 211 OF 2023
(Dr. Nitin R. Agrawal Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicant and Smt. V.P. Choudhari, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 21.11.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 130 OF 2024
(Madhukar J. Rokade & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri H.P. Jadhav, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 09.10.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 134 OF 2024
(Ashok D. Bankar Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri S.B. Sontakke, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 22.10.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 139 OF 2024
(Shridhar L. Lawande Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri A.G. Ambetkar, learned counsel for the applicant and Smt. V.P. Choudhari, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 13.11.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 140 OF 2024
(Markas U. Magar Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri A.G. Ambetkar, learned counsel for the applicant and Smt. V.P. Choudhari, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 13.11.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 141 OF 2024
(Vilas S. Makasare Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri A.G. Ambetkar, learned counsel for the applicant and Smt. V.P. Choudhari, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 13.11.2024 for hearing.

MEMBER (J)

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

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

DATE : 23.09.2024

ORAL ORDER :

Shri A.C. Sisodiya, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 16.10.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 23.09.2024

ORIGINAL APPLICATION NO. 463 OF 2024
(Shrinivas P. Bhutavale Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri U.B. Deshmukh, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri S.N. Janakwade, learned counsel for respondent No.6, are present.

2. S.O. to 21.10.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 570 OF 2024
(Pranjal P. Patil Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 571 OF 2024
(Navnath P. Sonawane Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicants in both the O.As. and Shri Ajay Deshpande, learned special counsel for the respondent authorities in both the O.As., are present.

2. S.O. to 24.10.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 23.09.2024

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

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

DATE : 23.09.2024

ORAL ORDER :

Shri S.G. Kulkarni, learned counsel holding for Shri Ajay Deshpande, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 15.10.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 906 OF 2024
(Savita B. Nath Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri Y.H. Lagad, learned counsel holding for Shri D.R. Kale Patil, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 09.10.2024 for filing rejoinder affidavit, if any.

MEMBER (J)

M.A. No. 334/2024 in O.A. No. 813/2024
(Sakharam G. Shardul & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri S.B. Sontakke, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicants submits that in view of the office objection, the applicants have already filed application seeking condonation of delay. However, the said application is not listed.

3. In view of the same, the office is directed to list the M.A. seeking condonation of delay along with the present matter on the next date of hearing.

4. S.O. to 04.10.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 997 OF 2024
(Vasant Janardan Koli Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

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

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 2 & 3. Same is taken on record and copy thereof is given to learned counsel for the applicant.

3. List the matter for filing rejoinder affidavit, if any and admission hearing on 07.10.2024.

MEMBER (J)

M.A. No. 604/2019 in O.A. St. No. 2158/2019
(Venkat S. Mundhe Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 11.10.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 23.09.2024

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

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

DATE : 23.09.2024

ORAL ORDER :

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

2. It is a part heard matter. As none present for respondent No. 4, S.O. to 07.10.2024 for further hearing.

MEMBER (J)

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

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

DATE : 23.09.2024

ORAL ORDER :

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

2. It is a part heard matter. At the request of learned Presenting Officer, S.O. to 10.10.2024 for further hearing. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 133 OF 2023
(Ramesh S. Mali Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

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

2. It is a part heard matter. S.O. to 17.10.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 845 OF 2022
(Mayur M. Kakade Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits a copy of G.R. dated 23.08.1996 & Government Circular dated 05.02.2010. Same are taken on record.

3. It is a part heard matter. S.O. to 04.10.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 517 OF 2022
(Shital A. Gundewad Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri S.Y. Patil, learned counsel holding for Shri M.B. Kolpe, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri Sudhir Patil, learned counsel for respondent Nos. 6 to 8, are present.

2. It is a part heard matter. S.O. to 10.10.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 110 OF 2021
(Dr. Namdeo R. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits copies of some citations. Same are taken on record and copies thereof are given to learned counsel for the applicant.

3. Learned counsel for the applicant also seeks leave to place on record a copy of G.R. dated 04.07.2024. Leave granted. Same is taken on record and copy thereof is given to learned counsel for the applicant.

4. It is a part heard matter. S.O. to 14.10.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 571 OF 2020
(Madhukar R. Mapari Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

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

2. It is a part heard matter. S.O. to 14.10.2024 for citations.

MEMBER (J)

ORIGINAL APPLICATION NO. 639 OF 2023
(Sandhay V. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present. Smt. Pooja Mundhe, learned counsel for respondent No. 4, is **absent**.

2. Learned counsel for the applicant submits that the applicant is not willing to file any rejoinder affidavit.

3. List the matter for admission hearing on 14.10.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 46 OF 2024
(Bhimchanran W. Magare Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri K.G. Salunke, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present. Shri Hamza Khan Pathan, learned counsel for respondent No. 3, is **absent**.

2. List the matter for admission hearing on 14.10.2024. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 143 OF 2024
(Vaijinath S. Hange Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri K.D. Khade, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 28.10.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 709 OF 2024
(Dwarkabai P. Ramteke Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

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

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 4. Same is taken on record and copy thereof is given to learned counsel for the applicant.

3. At the request of learned Presenting Officer, S.O. to 10.10.2024 for filing affidavit in reply on behalf of respondent Nos. 1 to 3.

MEMBER (J)

ORIGINAL APPLICATION NO. 772 OF 2024
(Savita J. Enkanwar Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri Vishal Rathod, learned counsel holding for Shri Shamsunder B. Patil, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 3. Same is taken on record and copy thereof is given to learned counsel for the applicant.

3. Learned counsel for the applicant submits that the applicant is not willing to file any rejoinder affidavit.

4. List the matter for admission hearing on 07.10.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 930 OF 2024
(Sunil P. Zinge Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 931 OF 2024
(Vinod G. Degaonkar Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 932 OF 2024
(Kalawati S. Bhusewad Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri Dhananjay Chinchole, learned counsel holding for Shri J.J. Patil, learned counsel for the applicants in all these O.As. and Shri D.M. Hange & Smt. Vanita Choudhary, learned Presenting Officers for the respondent authorities in respective O.As., are present.

2. Learned counsel for the applicants submits that the applicants are not willing to file any rejoinder affidavit.

3. List the matter for admission hearing on 04.10.2024.

MEMBER (J)

M.A. No. 142/2024 in O.A. St. No. 517/2023
(Ashok W. Gosavi Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri U.B. Deshmukh, learned counsel for the applicant, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Shri S.D. Joshi, learned counsel for respondent Nos. 5 to 8, are present.

2. Even though the last chance is granted, no affidavit in reply has been filed.

3. List the matter for hearing on 21.10.2024 with liberty to the other side to file affidavit in reply, if any till then.

MEMBER (J)

KPB ORAL ORDER 23.09.2024

M.A. No. 180/2024 in O.A. No. 438/2024
(Shripad Anil @ Anilkumar Rakshe & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri Nagesh Talekar, learned counsel for the applicant (**Absent**). Smt. Vanita Choudhary, learned Presenting Officer for the respondent authorities, is present.

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

3. List the matter for hearing on 21.11.2024.

MEMBER (J)

M.A. No. 192/2024 in O.A. No. 287/2024
(Dinesh R. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri S.R. Patil, learned counsel for the applicant, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Shri B.V. Thombre, learned counsel for respondent No. 3, are present.

2. It appears that pleadings are completed. List the matter for hearing on 12.11.2024.

MEMBER (J)

KPB ORAL ORDER 23.09.2024

ORIGINAL APPLICATION ST. NO. 1978 OF 2023
(Bhaskar K. Dabhade Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri Sanjay Kolhare, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 22.10.2024 for hearing.

MEMBER (J)

M.A. No. 156/2023 in O.A. St. No. 601/2023
(Manisha M. Nikalje Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri S.G. Kulkarni, learned counsel holding for Shri A.B. Rajkar, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 07.10.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 23.09.2024

M.A. No. 192/2023 in O.A. No. 318/2023
(Mohammad Sarvar Abdul Gani Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri S.G. Kulkarni, learned counsel holding for Shri A.B. Rajkar, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 07.10.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 23.09.2024

1. **M.A.NO. 339/2024 IN O.A.NO. 1152/2022**
(Sandhay P. Rathod & Ors. Vs. State of Maharashtra & Ors.)
2. **M.A.NO. 340/2024 IN O.A.NO. 113/2023**
(Vaibhav R. Kakade Vs. State of Maharashtra & Ors.)
3. **M.A.NO. 341/2024 IN O.A.NO. 112/2023**
(Aanuradha L. Sonkamble & Ors. Vs. State of Maharashtra & Ors.)
4. **M.A.NO. 342/2024 IN O.A.NO. 773/2023**
(Prasad K. Kamble Vs. State of Maharashtra & Ors.)
5. **M.A.NO. 343/2024 IN O.A.NO. 935/2023**
(Abhishek M. Patil & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri K.G. Salunke, learned counsel for the applicants in all these cases and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities in all these cases, are present.

2. Learned P.O. also seeks time to file affidavit in reply to the applications seeking amendment. Time granted as a last chance.

3. S.O. to 07.10.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 399 OF 2024
(Vijay L. Chavan Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 436 OF 2024
(Ashok R. Kashid Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for the applicants in both the O.As. and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in both the O.As., are present.

2. By consent of both the sides, S.O. to 16.10.2024 for hearing. The interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 435 OF 2024
(Ganesh P. Sonawane Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 16.10.2024 for hearing. The interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 429 OF 2024
(Vinod R. Bhagwat Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri Y.G. Gujarathi, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. The present matter is not board. At the request of learned counsel for the applicant it is taken on board.

3. Learned counsel for the applicant submits that inadvertently the notices are not collected from the office.

4. In view of the same, returnable date is extended till 28.10.2024.

MEMBER (J)

M.A. No. 94/2021 in O.A. No. 1060/2019
(Devidas D. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri S.V. Suryawanshi, learned counsel for the applicant in M.A. / respondent No. 8 in O.A. (**Absent**). Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities and Shri R.A. Shinde, learned counsel holding for Shri D.B. Thoke, learned counsel for the applicant in O.A./ respondent No. 1 in M.A. , are present.

2. Learned counsel for the applicant submits that as directed by this Tribunal, hearing intimation is given to learned counsel respondent No. 8/applicant in M.A., though he has not served with the intimation in writing.

3. Learned counsel for the applicant in O.A. undertakes to give intimation of next hearing date to learned counsel for respondent No. 8 / applicant in M.A.

4. S.O. to 21.10.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 1073 OF 2024
(Tukaram Baburao Lavte Vs. State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

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

2. Learned counsel for the applicant submits that the applicant is working as Forest Guard and in that capacity he has almost worked in the Tribal area for about 12 years. In the Annual General Transfers of the year 2024, though the applicant has given choice transfers of 10 places, however none of it was considered. By impugned transfer order dated 31.08.2024, the applicant came to be transferred from Andharmali Forest, Yawal East, Division Jalgaon to Jamanya-2, Forest Wildlife Jamanya, Division Nashik. Learned counsel submits that even the respondent No. 3 by communication dated 04.09.2024 has recommended the case of the applicant and suggested two places of transfer viz. Charmali West or Mohmandli West (Tribal area). Learned counsel as per the instructions from the applicant submits that the department has considered the transfer issue of the applicant on

//2//

O.A. No. 1073/2024

19.09.2024. However, no decision has been conveyed to the applicant.

3. Learned Presenting Officer is hereby directed to take specific instructions from the concerned respondent/s as to whether any decision in respect of transfer issue of the applicant has been taken in the meeting or not.

4. S.O. to 25.09.2024 **in urgent admission category.**

MEMBER (J)

KPB ORAL ORDER 23.09.2024

M.A.NO. 461/2024 IN O.A.NO. 1100/2024
(Prabhakar S. Surose & Ors. Vs. The State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri V.P. Kadam, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Remove from board.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23.09.2024-HDD

C.P.NO. 77/2024 IN O.A.NO. 364/2024
(Amol Tatyrao Mhaske Vs. The State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Heard Shri Vishant P. Kadam, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel appearing for the applicant submits that the order passed by this Tribunal in O.A. No. 364/2024 a contempt of which is alleged in the present contempt petition has been complied with and, as such, he has prayed for disposing of the contempt petition.

3. In view of the aforesaid submissions made on behalf of the applicant the following order is passed: -

ORDER

The contempt petition stands disposed of however, without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23.09.2024-HDD

C.P.NO. 10/2024 IN O.A.NO. 745/2022
(Karbhari Mohan Bahure Vs. The State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri D.K. Rajput, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present

2. Since nobody appears for the applicant, S.O. to 16.10.2024

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23.09.2024-HDD

ORIGINAL APPLICATION NO. 609 OF 2023
(Ashruba Bhaguji Jaybhaye Vs. The State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Smt. Renuka V. Ghule, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

Shri Vinod M. Vibhute, learned counsel for respondent No. 5 (**absent**).

2. In the present matter in spite of availing due opportunities affidavit in reply has not been filed by the respondents. List the matter for hearing on 11.11.2024 without affidavit in reply of the respondents.

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 73/2024 IN O.A.NO. 716/2023
(Kailas Ganpatrao Datkhil Vs. The State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

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

2. Today, learned Presenting Officer has tendered across the bar communication dated 20.09.2024 received from the Government and the same is taken on record. We deem it necessary to observe that the respondents to whom notices are issued in their name must have made the necessary compliance as per the provisions under the Contempt of Courts Act, that has not been done. Learned Presenting Officer shall take note of it.

3. Learned counsel for the applicant has filed additional affidavit and the same is taken on record and copy thereof has been served on the other side.

4. S.O. to 03.10.2024 for filing affidavit in reply by the respondents.

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 17/2024 IN O.A.NO. 650/2022
(Umabai Madhav Mane & Anr. Vs. The State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri S.G. Kulkarni, learned counsel holding for Shri A.B. Rajkar, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer seeks leave to file short affidavit on behalf of respondent No. 2. Granted. Reply be taken on record and copy of the same be served on the other side.

3. S.O. to 29.10.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23.09.2024-HDD

ORIGINAL APPLICATION NO. 543 OF 2024
(Mahendra Uttamrao Harpalkar Vs. The State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri Ajay S. Deshpande, learned counsel for the applicants and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. It is brought to our notice that affidavits in reply have already been filed by the respondents. List the matter for filing rejoinder affidavit by the applicant, if any on 21.10.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23.09.2024-HDD

ORIGINAL APPLICATION NO. 596/2021
(Uday H. Patil Vs. The State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri Yogesh P. Deshmukh, learned counsel for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 13.11.2024 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23.09.2024-HDD

ORIGINAL APPLICATION NO. 155/2024
(Pradeep M. Chaudhari & Ors. Vs. The State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri Swaraj Tandale, learned counsel holding for Shri B.R. Kedar, learned counsel for the applicants, Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, Shri S.G. Kulkarni, learned counsel holding for Shri Ajay Deshpande, learned counsel for respondent nos. 03 & 06 and Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for respondent nos. 05 & 07, are present.

2. Learned counsel for respondent nos. 03 and 06 has tendered the affidavit in reply on behalf of said respondents. It is taken on record and copy thereof has been supplied to other side.

3. List the matter for hearing on 12.11.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 727/2023
(Minatai A. Khillare & Ors. Vs. The State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Heard Shri Ajay S. Deshpande, learned counsel for the applicants, Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities and Shri D.R. Irale-Patil, learned counsel for respondent no. 05.

2. The matter is reserved for orders.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23.09.2024-HDD

ORIGINAL APPLICATION NO. 317/2024
(Sharad P. Kachave Vs. The State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

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

2. Learned counsel for the applicant shall provide complete copy of the paper book to the learned Presenting Officer.

3. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

4. S.O. to 22.10.2024.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NOS. 487 AND 488 BOTH OF
2022**

(Rajesh J. Gangurde & Anr. Vs. The State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicants in both the matters and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities in both the matters, are present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent nos. 01 to 03 in O.A. No. 487/2022. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 15.10.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23.09.2024-HDD

ORIGINAL APPLICATION NO. 835/2022
(Suklal B. Pawar Vs. The State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri S.R. Patil, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicant is not intending to file any rejoinder affidavit.
3. List the matter for hearing on 25.10.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23.09.2024-HDD

ORIGINAL APPLICATION NO. 833/2022
(Sampat Mallad Vs. The State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri A.S. Mirajgaonkar, learned counsel holding for Shri C.V. Dharurkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered affidavit in reply on behalf of respondent nos. 01 to 04. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 11.11.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23.09.2024-HDD

M.A.NO. 195/2024 IN O.A.NO. 489/2024
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

M.A.NO. 196/2024 IN O.A.NO. 362/2024
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

M.A.NO. 197/2024 IN O.A.NO. 363/2024
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

M.A.NO. 198/2024 IN O.A.NO. 365/2024
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

M.A.NO. 199/2024 IN O.A.NO. 368/2024
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

M.A.NO. 208/2024 IN O.A.NO. 373/2024
Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

M.A.NO. 209/2024 IN O.A.NO. 372/2024
Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

ORIGINAL APPLICATION NO. 385 OF 2024
(Pranita Shivaji Randive Vs. State of Maha. & Ors.)

ORIGINAL APPLICATION NO. 386 OF 2024
(Shital Diliprao Kadam Vs. State of Maha. & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri Avinash Khedkar, learned counsel for the applicants in all these MAs/Intervenors and S/Shri Mahesh B. Bharaswadkar and V.R. Bhumkar learned Chief Presenting Officer and Presenting Officer for the respective respondents in respective matters and Shri Ajay Deshpande, learned counsel for the respective applicants in respective OAs, Shri Ashish Hazari, learned

counsel holding for Shri Amol Chalak, learned counsel for the applicant in O.A. No. 362/2024 and Shri B.N. Magar, learned counsel for the applicants in O.A. Nos. 385 & 386, Shri Dhananjay Mane, learned counsel for applicants in O.A. No. 373/2024, are present.

Shri G.V. Mohekar, learned counsel for the applicants in O.A. No. 365/2024 and and Shri Vijay Dhakane, learned counsel for the applicants in 368/2024, **are absent.**

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent, Maharashtra Public Service Commission in O.A. Nos. 362, 363, 365, 368, 372, 373, 489 all of 2024 and same is taken on record and copy thereof has been served on the other side.

3. Learned Presenting Officer submits that most probably other respondents may not be required to file any affidavit in reply.

4. List the present matters for hearing on 10.10.2024. Interim relief granted earlier, if any shall remain in force till next date. **The O.A. No. 473/2024 be kept along with these matters.**

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 507 OF 2023
(Mamta B. Ghayal Vs. The State of Maharashtra & Ors.)

ORIGINAL APPLICATION NO. 524 OF 2023
(Suwarnamala S. Bikkad Vs. The State of Maharashtra & Ors.)

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

DATE : 23.09.2024

ORAL ORDER :

Shri Sachin S. Deshmukh, learned counsel for the applicant in O.A. No. 507/2023 (**absent**).

Shri S.B. Kakade, learned counsel for the applicant in O.A. No. 524/2023 and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned Chief Presenting Officer seeks time to file affidavit in reply. Time granted by way of last chance.

3. S.O. to 27.09.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23.09.2024-HDD

C.P.NO. 50/2019 IN O.A. NO. 242/2017
(Mohan R. Chaudhari Vs. State of Maharashtra & Ors.)

C.P.NO. 51/2019 IN O.A. NO. 648/2017
(Bhaskar S. Patil Vs. State of Maharashtra & Ors.)

C.P.NO. 52/2019 IN O.A. NO. 878/2016
(Nitinkumar T. Adhe Vs. State of Maharashtra & Ors.)

C.P.NO. 22/2021 IN O.A. NO. 947/2018
(Bhagwat T. Choudhari Vs. State of Maharashtra & Ors.)

C.P.NO. 23/2021 IN O.A. NO. 432/2018
(Ajabrao R. Patil Vs. State of Maharashtra & Ors.)

C.P.NO. 24/2021 IN O.A. NO. 169/2018
(Shankar D. Choudhari Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 23.09.2024

ORAL ORDER :

Heard Shri A.D. Sugdare, learned counsel for the applicants, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in all these matters and Smt. Sunita D. Shelke, learned counsel for respondent Nos. 2 & 3 in all these contempt petitions except C.P. No. 24/21.

Shri Yogesh M. Patil, learned counsel for respondent No. 3 in C.P. No. 24/2021 (**absent**).

2. Today, when the present matters are taken up for consideration, learned Presenting Officer has tendered across the bar communication dated 19.09.2024 received to the office of CPO, wherein it is informed that the review petition has been filed before the Hon'ble Apex Court seeking review of the order passed by the Hon'ble

Apex Court, whereby the SLPs have been dismissed by the Hon'ble Apex Court. Documents are taken on record.

3. Learned counsel submitted that the common order, contempt of which is alleged in the present contempt petitions, has been challenged before the Hon'ble High Court and the said WPs are pending before the Hon'ble High Court. Learned counsel further submitted that the Hon'ble High Court has not granted any stay to the order passed by this Tribunal.

4. Learned counsel appearing for the respondents submitted that the Hon'ble High Court has rejected WPs and the respondents challenged the orders passed in the said W.Ps. before the Hon'ble Apex Court by filing Special Leave Petitions. Learned counsel further submitted that the SLPs have been dismissed by the Hon'ble Apex Court and against the said decisions now the Review Petitions are being filed.

5. The OAs were filed by the applicants in the year 2017, which were decided in the year 2018 in favour of the applicants. The common order was passed by this Tribunal on 30.10.2018. The applicants are,

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thus waiting for compliance of the order passed by this Tribunal in their favour from last 06 years. The present contempt petitions were filed in the year 2019 and have been time to time adjourned at the instance of the respondents and having considered the fact that the W.Ps. are filed before the Hon'ble High Court, that the S.L.Ps. are filed before the Hon'ble Supreme Court etc. S.L.Ps. filed before the Hon'ble Supreme Court have been admittedly dismissed. In the circumstances, it does not appear to us that now any more latitude can be shown to the respondents, who have apparently failed in complying the order passed by this Tribunal.

6. We are satisfied that the case is certainly made out for initiating action against the respondents under the provisions of the Contempt of Courts Act. We are therefore inclined to pass the following order:-

ORDER

(i) The present contempt petition be registered and numbered as per Rule 5 of the Maharashtra Administrative Tribunal (Contempt of Courts) Rules, 1996 in the register in Form No. I and the registry shall cause a notice to respondent No. 2 in Form-III appended to the Contempt of Courts Rules, 1996 to

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appear before the Tribunal in person or through an Advocate on 23.10.2024 to show cause against the present proceedings.

(ii) S.O. to 23.10.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23.09.2024-HDD