

**ORIGINAL APPLICATION NO. 420 OF 2023  
(Mamta S. Vispute Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present. Shri Y.M. Patil/Smt. Archana Pawar, learned counsel for respondent No. 3, is **absent**.

2. At the request of learned counsel for the applicant, S.O. to 28.06.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 843 OF 2023**  
**(Bhagwat M. Kavhar Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri M.K. Bhosle, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present. Shri D.T. Devane, learned counsel for respondent No. 3, is **absent**.

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

3. S.O. to 10.05.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 844 OF 2023**  
**(Sunil D. Kakde Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri M.K. Bhosle, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present. Shri D.T. Devane, learned counsel for respondent No. 3, is **absent**.

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

3. S.O. to 10.05.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1031 OF 2023**  
**(Dr. Pradeep M. Thakkarwad Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

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

3. List the matter for admission hearing on 09.05.2024 with liberty to the other to file affidavit in reply, if any till then.

**MEMBER (J)**

**O.A. Nos. 258, 259 & 260 all of 2024**  
**(Rohit K. Gangurde & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri M.S. Mahajan, learned counsel for the applicants in all these O.As. and S/shri M.B. Bharaswadkar & D.M. Hange, learned Chief Presenting Officer and Presenting Officer for the respondent authorities in respective O.As., are present.

2. At the request of learned counsel for the applicants, S.O. to 24.04.2024 as a last chance for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 237 OF 2024**  
**(Suresh H. Jarwal Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri P.M. Nagargoje, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. At the request of learned Chief Presenting Officer, S.O. to 24.04.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 489 OF 2023**  
**(Rekah B. Tathe Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant and Shri Shamsunder B. Patil, learned counsel for respondent Nos. 1 & 2, are present.

2. By consent, S.O. to 20.06.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 23.04.2024

**ORIGINAL APPLICATION NO. 1018 OF 2022**  
**(Mangilal N. Shirsath Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. It is a part heard matter. At the request of learned counsel for the applicant, S.O. to 09.05.2024 for further hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 307 OF 2022**  
**(Chandrabhan V. Veer Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 28.06.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 69 OF 2024**  
**(Satish U. Mundhe Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri A.V. Thombre, 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 Presenting Officer, time is granted as a last chance for filing affidavit in reply on behalf of respondents.

3. S.O. to 10.05.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 157 OF 2024**  
**(Swapnil P. Kale Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri Swaraj Tandale, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 07.05.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 121 OF 2024**  
**(Alka P. Wagh (Patil) & Anr. Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri V.S. Panpatte, learned counsel for the applicants (**Absent**). Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 & 2. Same is taken on record along with the spare copy for the applicants.

3. List the matter for filing rejoinder affidavit, if any and admission hearing on 28.06.2024.

**MEMBER (J)**

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

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 2 & 3. Same is taken on record along with the spare copy for the applicant.

3. List the matter for filing rejoinder affidavit, if any and admission hearing on 09.05.2024. Interim relief, if any to continue till then.

**MEMBER (J)**

**M.A. No. 581/2023 in O.A. St. No. 2457/2023  
(Neeta D. Chavan & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, 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. 1 and respondent No. 2 is adopting the affidavit in reply filed on behalf of respondent No. 1. Same is taken on record and copy thereof is given to other side.

3. List the matter for hearing on 27.06.2024.

**MEMBER (J)**

**M.A. No. 379/2023 in O.A. No. 97/2020**  
**(Tukaram V. Sanap Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri M.R. Andhale, 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 in O.A. Same is taken on record and copy thereof is given to other side.

3. List the matter for hearing on 14.06.2024.

**MEMBER (J)**

KPB ORAL ORDER 23.04.2024

**ORIGINAL APPLICATION NO. 733 OF 2023**  
**(Shashikant U. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri M.R. Kulkarni, 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 respondents. Same is taken on record and copy thereof is given to other side.

3. List the matter for filing rejoinder affidavit, if any and admission hearing on 27.06.2024.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 580 OF 2023**  
(Nilkant P. Pawar Vs. State of Maharashtra & Ors.)

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

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

3. S.O. to 28.06.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION ST. NO. 434 OF 2024**  
**(Bhagwat M. Chaudhari Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri H.P. Randhir, learned counsel for the applicant (**Absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 28.06.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 451 OF 2024**  
(Madhuri L. Shelke Vs. State of Maharashtra & Ors.)

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. Issue notices to the respondents, returnable on 28.06.2024.

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 28.06.2024.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 297 OF 2023**  
**(Prashant B. Kahhawa Vs. State of Maharashtra & Ors.)**  
**WITH**  
**O.A. No. 44 OF 2023 With Caveat No. 03 of 2023**  
**(Prashant B. Kahhawa Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri K.G. Salunke learned counsel for the applicant in both the O.As. and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities in both the O.As. Shri R.R. Imale/R.D. Khadap, learned counsel for respondent No.4 in O.A. 297/2023, is **absent**.

2. The present matters not on board. At the request of learned Chief Presenting Officer, the same are taken on board.

3. At the request of learned Chief Presenting Officer, the present matters are listed for hearing on '29.04.2024' instead of '26.04.2024', which date is already given.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 467 OF 2024**  
**(Rangnath Bhivsan Shinde Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant submits that thought the applicant has been given show cause notice after his retirement i.e. on 09.09.2021, however, till date no charge-sheet has been given to him. Learned counsel submits that though the applicant has not been paid the retiral benefits, however provisional pension was paid to him from the date of retirement i.e. June 2020 till October 2023. Thereafter for no reason, the provisional pension has been stopped.

3. In view of the same and since the charge sheet has not been served on the applicant till date right from 2021, **interim relief in terms of prayer clause 10(D) is hereby granted till filing of the affidavit in reply by the respondents, which is as follows :-**

//2// O.A. No. 467/2024

***“D) Pending hearing and final disposal of the original application, the respondents be directed to pay the provisional pension to the applicant from the month of November 2023.”***

4. Issue notices to the respondents, returnable on 28.06.2024.
5. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
6. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
8. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of

//3// O.A. No. 467/2024

compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

9. S.O. to 28.06.2024.

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

**MEMBER (J)**

KPB ORAL ORDER 23.04.2024

**ORIGINAL APPLICATION ST. NO. 959 OF 2024**  
**(Vikas Daulatrao Wagh Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Heard Shri Bharat Warma, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. The office has raised an objection that the present Original Application is barred by limitation.

3. Learned counsel for the applicant submits that by impugned order dated 09.12.2022 though the applicant came to be transferred from Ahmednagar to Police Training Centre, Dhule, however on account of registration of crime, the applicant came to be suspended and the office at Ahmednagar has raised an objection to the effect that during the period of suspension the applicant cannot be transferred. In view of the same, the applicant was actually relieved on 25.02.2023 and he had joined the place of transfer on 02.03.2023. Furthermore, the applicant has also submitted a representation on 20.03.2024 for cancellation of his transfer from Ahmednagar to Dhule Police Training Centre during



//2// O.A. St. 959/2024

the suspension period. However, the said representation is still not considered.

4. In view of above submissions, since the representation filed by the applicant is still pending and further he has been relieved belatedly even though the impugned order is dated 15.12.2022, the objection raised by the office is not sustainable and the same stands overruled.

5. Issue notices to the respondents, returnable on 30.04.2024.

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

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

//3// O.A. St. 959/2024

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

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

10. S.O. to 30.04.2024.

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

**MEMBER (J)**

**C.P.NO. 04/2024 IN O.A.NO. 49/2015  
(Dattatraya G. Zade Vs. State of Maharashtra & Ors.)**

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 23.04.2024**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for respondent authorities.

2. Learned counsel for the applicant seeks leave to substitute the name of respondent No. 1. Leave granted as prayed for. The necessary amendment be carried out within a period of one week.

3. After amendment is carried out, issue simple notice to the substituted respondent, returnable on 28.06.2024.

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

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

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

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

8. S.O. to 28.06.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 410 OF 2024**  
**(Ajay Chandrakant Udate Vs. State of Maharashtra & Ors.)**

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri A.R. Kawade, learned counsel holding for Shri C.R. Thorat, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for respondent authorities, are present.

2. Remove from the board.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 23.04.2024-HDD

**C.P.ST.NO. 799/2024 IN O.A.NO. 373/2019**  
**(Gajendra Ramrao Patil Vs. State of Maharashtra & Ors.)**

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 03.05.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 23.04.2024-HDD

**ORIGINAL APPLICATION NO. 459 OF 2024**  
**(Dr. Atul N. Chandramore Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. Issue notice to the respondents, returnable on 27.06.2024. **The respondents are not precluded from deciding the representation submitted by the applicant on its own merit, in the meanwhile period.**

3. After amendment is carried out, issue simple notice to the substituted respondent, returnable on 28.06.2024.

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

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

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

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

8. S.O. to 27.06.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 443 OF 2024  
(Shriram Bhagoji Gawade Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Heard Shri Rahul O. Awasarmol, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for respondent authorities.

2. Issue notice to the respondents, returnable on 28.06.2024.

3. After amendment is carried out, issue simple notice to the substituted respondent, returnable on 28.06.2024.

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

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

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

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

8. S.O. to 28.06.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 439/23 IN M.A.NO. 194/23 IN O.A.NO. 326/16  
(Changdeo Ganpat Sawant Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Heard Ms. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for respondent authorities.

2. At the request of learned counsel for the applicant, reissue notice to the respondents on delay condonation application, returnable on 28.06.2024.

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 28.06.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**



**O.A.NOS. 111, 151 & 152 ALL OF 2022  
(Pandurang V. Hande & Ors. Vs. State of Maharashtra &  
Ors.)**

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 23.04.2024**

**ORAL ORDER :**

Ms. Megha Y. Mali, learned counsel holding for Shri S.K. Mathpati, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for respondent authorities in all these matters, are present.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent No. 2. The request is opposed by the learned counsel for the applicants. The record also reveals that due opportunities are already availed. The request, therefore, stands rejected.

3. List these matters for hearing without reply of respondent No. 2 on 02.07.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**C.P.NO. 05/2024 IN O.A.NO. 739/2023**  
**(Prashant Narayan Kedar Vs. State of Maharashtra & Ors.)**

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. S.O. to 07.05.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 23.04.2024-HDD

**ORIGINAL APPLICATION NO. 426 OF 2024**  
**(Abhijeet Anil Mhaske & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. Learned counsel appearing for the applicants seeks time. Time granted.
3. S.O. to 14.06.2024

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 23.04.2024-HDD

**ORIGINAL APPLICATION NO. 153 OF 2021**  
**(Dr. Kiran Pravin Rochkari Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. When the present matter is taken up for consideration the learned counsel for the applicant has tendered across the bar the copy of G.R. dated 08.11.2023. Same is taken on record. Learned counsel pointed out that vide the aforesaid G.R. the grievance made by the applicant in the present application has been redressed and almost all the requests made by the applicant are accepted by the Government. In the circumstances, the learned counsel has prayed for disposing of the Original Application.

3. Learned Presenting Officer also has made same request referring to the said G.R. dated 08.11.2023. In view of above, the following order is passed :-

**ORDER**

(i) In view of G.R. dated 08.11.2023, as stated by the learned counsel for the applicant, since the prayers made by the applicant in the present O.A. have been accepted by the Government, the present O.A. stands disposed of.

(ii) Respondents shall as mentioned in the said G.R. comply the obligations on them as expeditiously as possible.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 556 OF 2019**  
**(Dr. Shamkant Dattatray Gawande Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Heard Shri Jayant S. Deshmukh, learned counsel for the applicant, Shri V.G. Pingle, learned Presenting Officer for respondent authorities and Shri U.S. Mote, learned counsel for respondent No. 4.

2. When the present matter is taken up for consideration the learned counsel for the applicant has tendered across the bar the copy of G.R. dated 08.11.2023. Same is taken on record. Learned counsel pointed out that vide the aforesaid G.R. the grievance made by the applicant in the present application has been redressed and almost all the requests made by the applicant are accepted by the Government. In the circumstances, the learned counsel has prayed for disposing of the Original Application.

3. Learned Presenting Officer also has made same request referring to the said G.R. dated 08.11.2023. In view of above, the following order is passed :-

**ORDER**

- (i) In view of G.R. dated 08.11.2023, as stated by the learned counsel for the applicant, since the prayers made by the applicant in the present O.A. have been accepted by the Government, the present O.A. stands disposed of.
- (ii) Respondents shall as mentioned in the said G.R. comply the obligations on them as expeditiously as possible.
- (iii) There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

**C.P. NO. 10/2022 IN O.A.NO. 191/2021**  
**(Sandip Wamanrao Khadse Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Heard Shri A.W. Khadse, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondent authorities.

2. Learned counsel for the applicant seeks leave to add one more respondent in the contempt petition. Leave as prayed for granted. The necessary amendment be carried out within a period of one week.

3. S.O. to 02.05.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 23.04.2024-HDD



**C.P. NO. 27/2024 IN O.A.NO. 254/2022**  
**(Sandip Wamanrao Khadse Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant seeks leave to add one more respondent in the contempt petition. Leave as prayed for granted. The necessary amendment be carried out within a period of one week.

3. S.O. to 02.05.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 23.04.2024-HDD

**C.P. NO. 23/2024 IN O.A.NO. 759/2021**  
**(Anand V. Bade Vs. State of Maharashtra & Ors.)**

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. At the request of learned Presenting Officer, S.O. to 06.05.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 23.04.2024-HDD

**ORIGINAL APPLICATION NO. 13/2019**  
**(Tufansing L. Shele vs. the State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. S.O. to 14.06.2024. Part Heard.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 23.04.2024

**ORIGINAL APPLICATION NO. 113/2019**

**(Graduate Part Time Employees Association, Dhule through President Sanjay N. Brahmane (Tembhekar) vs. the State of Maharashtra & Ors.)**

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

**AND**

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel holding for Shri Ashish Rajkar, learned counsel for applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for respondent authorities, are present.

2. S.O. to 07.05.2024. High on Board.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 23.04.2024

**O.A.NOS. 273, 275, 278, 279, 280, & 282 ALL OF 2020  
(Kunal Dilip Vadnere & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Heard Smt. Sanjivani Deshmukh-Ghate, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for respondent authorities in all these matters.

2. At the request of learned counsel for the applicants, S.O. to 02.05.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 23.04.2024

**C.P. 19/2020 IN O.A. 704/2017**

**(Asman D. Garje & Ors. vs. the State of Maharashtra & Ors.)**

**C.P. 27/2020 IN O.A. 749/2017**

**(Mohd. Abdul Hai Mohd. Abdul Gani & Ors. vs. the State of Maharashtra & Ors.)**

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

**AND**

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 23.04.2024**

**ORAL ORDER :**

Heard Shri J.B. Choudhary, learned counsel for applicants in both the matters and Shri V.R. Bhumkar, learned Presenting Officer for respondent authorities in both the matters.

2. When the present matters are taken up for consideration, the learned Presenting Officer has tendered across the bar the communication received from the office of Chief Engineer, P.W.D., Aurangabad dated 8.4.2024. Same is taken on record. Learned Presenting Officer submits that the matter is under process and moment the information is collected, the necessary orders will be passed.

3. We have gone through the contents of the communication, which is now placed on record. We have pointed out to the learned P.O. that the option is not now left with the respondents to decide whether deemed date

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deserves to be granted or otherwise. The order has already been passed. In the circumstances, after having collected the information the orders are required to be complied with.

4. The matters stand adjourned to 19.6.2024 for submitting compliance report.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 23.04.2024

**ORIGINAL APPLICATION NO. 470/2024**

**(Smt. Jyostna Subhash Dhule @ Jyostna w/o Santosh Gastgar vs. the State of Maharashtra & Ors.)**

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 23.04.2024**

**ORAL ORDER :**

Heard Shri S.B. Gastgar, learned counsel holding for Shri V.D. Gunale, learned counsel for applicant.

2. The applicant has filed the present Original Application seeking the following prayers:-

*“(A) This Original Application may kindly be allowed.*

*(B) To quash and set-aside the impugned order dated 20.03.2024 issued by respondent no. 2 and the order dated 19.04.2024 issued by the respondent no. 3 thereby deputing the applicant in the office of the Collector, on the post of Tahsildar, NA at Chhatrapati Sambhaji Nagar and entrusting the election work to her as AERO for Loksabha Election 2024 and directing to the applicant to join on the said post forthwith and proposed action against the applicant under the provisions of representation of Peoples Act, 1951 in failure of her joining on the said post on deputation.*

***INTERIM RELIEF PRAYED:***

*(C) Pending hearing and final disposal of the original application effect, operation, implementation*



*and execution of the impugned order dated 20.03.2024 issued by respondent no. 2 and the order dated 19.04.2024 issued by the respondent no. 3 thereby deputing the applicant in the office of the Collector, on the post of Tahsildar, NA at Chhatrapati Sambhaji Nagar and entrusting the election work to her as AERO for Loksabha Election, 2024 and directing to the applicant to join on the said post forthwith and proposed action against the applicant under the provisions of representation of Peoples Act, 1951 in failure of her joining on the said post on deputation, may kindly be stayed.*

*(D) Ad interim relief in terms of prayer clause (C) may be granted.*

*(E) Any other just and equitable relief which this Hon'ble Court may deem fit be granted in favour of applicant."*

3. From the pleadings in the Original Application and the documents filed on record, it reveals that the applicant was assigned with the election duties and was directed accordingly to resume the said duties. However, the applicant did not join as was directed and hence she is served with show cause notice. It is the contention of the applicant that she is suffering from such ailment that she may not be able to perform the election duties. It is the further contention of the applicant that in her entire service she has never said 'NO' for such work. The applicant had submitted an application along with medical certificate and pointed out her inability to

perform the election duties due to her severe health problem. However, said request of the applicant was not considered by the respondents. In the circumstances the applicant has approached this Tribunal with the prayers as mentioned hereinabove. By way of interim relief the applicant has prayed for issuance of directions against the respondents to stay the effect and execution of the order dated 20.03.2024 issued by respondent no. 02 and the order dated 19.04.2024 issued by respondent no. 03.

4. We have gone through the documents placed on record. It does not appear to us that any case is made out by the applicant even for issuance of notices to the respondents. The assignment of election duties is completely within power of respondent no. 2 and judicial intervention would be unjust and improper in such matters. No such grounds are made out by the applicant to cause such intervention. In the circumstances, we are not inclined to issue notice to the respondents. Hence, the following order:-

**ORDER**

The Original Application stands dismissed in limine, however, without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 466/2024**

**(Shri Vikas Dhulatrao Wagh vs. the State of Maharashtra & Ors.)**

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

**AND**

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 23.04.2024**

**ORAL ORDER :**

Heard Shri Bharat R. Waramaa, learned counsel for applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for respondent authorities.

2. Learned counsel for the applicant seeks leave to add one more prayer in the O.A., as well as, one more prayer by way of ad interim relief. Leave granted as prayed for. The necessary amendment be carried out forthwith.

3. Though the grievance has been made by the learned counsel appearing for the applicant as about the very purpose and object of initiating such types of enquiries, we are not at this stage inclined to entertain any such objection. To conduct the enquiry is the right and authority of the employer and that cannot be restricted. Learned counsel pointed out that in the order directing to conduct the preliminary enquiry the wording which has been used creates doubt in the mind of the delinquent whether the enquiry will be fair or it will be a

farce of enquiry. Clause 09 is worded in such a manner that no scope is left for the Enquiry Officer except to hold the applicant guilty in the said enquiry. Clause 09 of the communication dated 14.03.2024 reads thus:-

*“९. प्राथमिक चौकशी अधिकारी यांनी उक्त प्राथमिक चौकशी एक (०१) महिन्यांच्याआत पूर्णकरून त्याबाबतचा प्राथमिक चौकशी अहवाल अपचा-यावर ठेवावयाच्या नेमक्या दोषारोपाच्या प्रारूपासह (जोडपत्र १ ते ४) व आवश्यक त्या सर्व कागदपत्रांसह विहित मुदतीत शिस्तभंगविषयक कार्यवाहीसाठी सादर करावा ”*

4. Learned counsel has pointed out that till today the preliminary enquiry as directed vide communication dated 14.3.2024 has not proceeded further.

5. We reiterate that to direct the Departmental Enquiry is completely within the domain of the disciplinary/appointing authority but the said authority certainly cannot ask the officer concern to submit the report of the said enquiry along with the 'Draft Charge' for the purpose of initiating Departmental Enquiry against the delinquent. The enquiry, may be preliminary, needs to be conducted in a just and fair manner. The enquiry officer must be an independent entity and expected to be completely impartial. In the circumstances, we deem it necessary to direct respondent no. 02 to delete or withdraw the later part of clause 09, which directs the submission of the draft charge sheet forthwith. Hence, the following order:-

**O R D E R**

- (i) Issue notice to the respondents, returnable on 11.6.2024. **By way of interim order respondent no. 2 is directed to delete the contents of clause 09 to the extent they require the Enquiry Officer to submit the report with the draft charge sheet (Annexures 1 to 4) and with necessary documents.**
- (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 11.6.2024.
- (vii) Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

**C.P. NO. 09/2024 IN O.A.NO. 218/2023**  
**(Sandip Trimbakrao Jogdand Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Heard Shri Rahul D. Khadap, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for respondent authorities.

2. In the present matter the notice was issued on 25.01.2024 and was made returnable on 11.03.2024. On 11.03.2024 time was sought for filing affidavit in reply by the respondents and accordingly the matter was adjourned to 27.03.2024. On the said date learned Chief Presenting Officer has again sought time to file reply. Accordingly, time was granted till today i.e. 23.04.2024. Today, instead of filing affidavit in reply, the learned P.O. again sought time, but no cogent reason is assigned. Hence the request is rejected.

3. Learned counsel appearing for the applicant pointed out that the applicant was put under suspension vide order dated 09.12.2021 since FIR was registered against the applicant and he was taken in Police custody and remained there for more than 48 hours. Departmental enquiry was also proposed against the applicant. Since the order of suspension was not

reviewed by the respondents, the applicant approached this Tribunal by filing O.A. No. 218/2023. While allowing the said O.A. the Tribunal has passed the following order: -

**ORDER**

“(i) The respondents are directed to refer the matter to the review committee and review committee shall review the order of suspension within 4 weeks from the date of this order.

(ii) The respondents are further directed to pay to the applicant subsistence allowance from the date of order of suspension till this date, at the rate prescribed in Rule 68 of the Maharashtra Civil Services (Joining Time, Foreign Service and Payments during Suspension, Dismissal and Removal) Rules, 1981 within 4 weeks from the date of this order.

(iii) It need not be stated that even after the decision of the review committee, the grievance subsists, it would be open for applicant to subject the said decision for judicial scrutiny.

(iv) With the above observations the Original Application stands disposed of however, without any order as to costs.

4. After passing of the order as aforesaid since the respondents did not take the steps as were directed in

the order, the applicant issued notice to all the respondents praying for compliance of the order passed by the Tribunal or else he will be constrained to approach the Tribunal again initiating the contempt proceedings against the concerned respondents. Despite the service of notice on the respondents the order has not been complied with. The respondents have also not submitted any say or explanation as to why order has not been complied with.

5. After having considered the fact as aforesaid we have prima facie reached to the conclusion that by not complying the order passed by this Tribunal the respondents have committed the breach of the order so passed and have become liable for action of contempt against them under the provisions of Contempt of Courts Act.

6. For the reasons stated above, the following order is passed: -

**ORDER**

The present contempt petition be registered and numbered as per Rule 5 of the Maharashtra Administrative Tribunal (Contempt of Courts) Rules,



**:: - 4 - ::**

**C.P. NO. 09/2024 IN  
O.A.NO. 218/2023**

1996 in the register in Form No. I and the registry shall cause a notice to respondent No. 2 in Form No. III appended to the Contempt of Courts Rules, 1996 to appear before the Tribunal in person or through an Advocate on 14.06.2024 to show cause against the present proceedings.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 23.04.2024-HDD

**ORIGINAL APPLICATION NO.562/2021**  
**(Alka B. Naigaonkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. At the request of learned Counsel for the applicant as well as the learned P.O., S.O. to 07-05-2024.

**MEMBER (A)**  
YUK ORAL ORDER 23.04.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.360/2024**  
**(Krishna N. Dhole & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Heard Shri Kakasaheb B. Jadhav, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities.

2. Today when the present matter was taken up for consideration, learned P.O. tendered across the bar communication dated 08-04-2024 received to the office of CPO from Superintendent of Police, Chhatrapati Sambhajnagar (Rural). Contents of the said communication reveal that the order dated 18-03-2024 has been cancelled by the respondents. This is the only prayer made in the O.A.

3. Since the respondents have cancelled the aforesaid order, very purpose of filing the application is satisfied. In the circumstances, present O.A. stands dispose of. No order as to costs.

**MEMBER (A)**  
YUK ORAL ORDER 23.04.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.997, 998, 1000, 1001,  
1002, 1003, 1004, 1006, 1097 & 1098 All of 2019  
(Dr. Ahmed Munibuddin & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri M.R.Kulkarni, learned Counsel for the applicants and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 29-04-2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**

YUK ORAL ORDER 23.04.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.49/2023**  
**(Sagar Subhash Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. S.O. to 07-05-2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**

YUK ORAL ORDER 23.04.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 228 OF 2022**  
**(Dr. Saurabh P. Kulkarni Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. This is a part heard matter.

3. At the request of learned counsel for the applicant, S.O. to 24.04.2024 for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 597 OF 2023  
(Ashish N. Hiware Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. This is a part heard matter.

3. At the request of learned P.O., S.O. to 26.04.2024 as a last chance for further hearing.

**MEMBER (J)**

**M.A.NO. 529/2019 IN O.A.ST.NO. 1650/2019  
(Gurunath S. Purohit Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri D.A. Bide, learned counsel holding for Shri S.S. Jadhavar, 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 28.06.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 23.04.2024



**M.A.NO. 227 OF 2021 IN O.A.ST.NO. 901 OF 2021  
(Anil V. Mahajan Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. Leave to amend the prayer clause 'B'.

3. There is a delay of 7 years and 8 months caused in filing the accompanying Original Application.

4. Learned counsel for the applicant submits that the applicant was working as a Agriculture Officer with the respondent No.4 and retired on attaining the age of superannuation on 31.05.2013. His pension proposal was submitted by respondent No.4 to Accountant General, Mumbai on 21.01.2013. By order dated 01.03.2013, the respondent No.5 i.e. the Accountant General-I, Mumbai has sanctioned the pension case of the applicant by issuing P.P.O. dated 01.03.2013. However, on 21.03.2013 one Mr. Bhokre, Assistant Project Officer had submitted the complaint on 21.03.2013 to the respondent No.5

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informing therein that there was departmental enquiry pending against the applicant and thus, requested not to disburse the pension and other benefits to the applicant. In response to the same, the respondent No.5 has issued letter dated 13.05.2013 to the respondent No.4 and directed to inform whether the departmental enquiry is pending against the applicant or not.

5. Learned counsel for the applicant submits that the applicant has submitted an application dated 14.11.2013 to respondent No.2 requesting therein to take action against the said Mr. Bhokre for delaying the retiral benefits of the applicant by giving the false information to respondent No.5. However, by order dated 18.11.2013 it was informed to the applicant that the retiral benefits have been paid to him within six months from the date of retirement and as such, the interest is not payable. Learned counsel for the applicant submits that time and again the applicant has repeatedly submitted an application for taking action against the said Mr. Bhokre and finally it was decided to conduct the departmental enquiry as per Rule 10 of the Maharashtra Civil Services (Discipline

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and Appeal) Rules, 1979 and accordingly, the charge sheet has been submitted against the said Mr. Bhokre. By order dated 21.09.2019, the respondent No.1 has issued the punishment order and imposed the punishment of withholding two annual increments of Mr. Bhokre for delaying the retiral benefits of the applicant. Thus finally the applicant on 04.12.2020 has submitted an application to respondents and requested to pay the interest on the delayed payments.

6. Learned counsel for the applicant submits that there is no inaction on the part of the applicant nor there is intentional and deliberate delay as such. The applicant has rightly brought to the notice of the department about the wrong committed by said Mr. Bhokre which was caused for delaying the payment of retiral benefits.

7. Learned Presenting Officer for the respondents has strongly resisted the application on the ground that there is an inordinate delay in approaching this Tribunal for which no satisfactory explanation has been tendered by the applicant. Learned P.O. further submits that the applicant has not diligently

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approached to this Tribunal within the stipulated period and as such, there is no substance in the application and the same is liable to be dismissed.

8. It is the case of the applicant right from the beginning that the retiral benefits have been paid belatedly to him only for the reason that one another employee of the department Mr. Bhokre has given false information to the respondent No.5 i.e. Accountant General, Mumbai, which is in the form that though no departmental enquiry was pending against the applicant, the said employee Mr. Bhokre has deliberately informed to respondent No.5 about the pendency of the departmental enquiry and as such, *prima-facie* it appears that the delay has been occurred in the payment of the retiral benefits.

9. It is the part of the record that by order dated 21.09.2019, the respondent No.1 has passed the punishment order and imposed the punishment of withholding two annual increments of Mr. Bhokre for delaying the retiral benefits of the applicant and thereafter the applicant has again submitted an application for interest on delayed payment.

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10. I find much substance in the submissions made on behalf of the applicant that there is no inaction on the part of the applicant nor there is intentional and deliberate delay as such. *Prima-facie* it appears that rightly after recording the findings against the said Mr. Bhokre, the applicant has specifically demanded the interest on the delayed payment. I am thus inclined to condone the delay subject to certain costs. Hence, the following order:-

**ORDER**

The Misc. Application No. 227/2021 is allowed in following terms:-

- (A) The delay of 7 years and 8 months caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to costs of Rs. 1,000/- (One Thousand only). The amount of costs to be paid to the Bar Association, MAT and after depositing the said amount, the applicant shall produce the receipt before the office of this Tribunal.

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- (B) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

**MEMBER (J)**

SAS ORAL ORDER 23.04.2024

**ORIGINAL APPLICATION ST.NO. 901 OF 2021  
(Anil V. Mahajan Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 02.07.2024.

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.

//2// O.A.St. 901/2021

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 02.07.2024.

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

**MEMBER (J)**

SAS ORAL ORDER 23.04.2024



**M.A.NO. 133 OF 2023 IN O.A.ST.NO. 264 OF 2023  
(Yashoda A. Rathod & Ors. Vs. State of Maharashtra &  
Ors.)**

**WITH**

**M.A.NO. 135 OF 2023 IN O.A.ST.NO. 266 OF 2023  
(Sahebjaan Gulab @ Babu Tadvi & Ors. Vs. State of  
Maharashtra & Ors.)**

**WITH**

**M.A.NO. 137 OF 2023 IN O.A.ST.NO. 306 OF 2023  
(Chaya K. Avhad & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri A.U. Chandel, learned counsel holding for Shri A.S. Bayas, learned counsel for the applicants in all these cases and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, in all these cases.

2. Learned counsel for the applicants seeks time to file synopsis of events to explain the delay in all these matters. Time granted.

3. S.O. to 10.05.2024 for hearing.

**MEMBER (J)**

**M.A.NO. 365 OF 2023 IN O.A.ST.NO. 1444 OF 2023  
(Gautam P. Karle Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. There is a delay of 2 years and 10 months caused in filing the Original Application.

3. Learned counsel for the applicant submits that the applicant is seeking directions to the respondent Nos. 2 to 4 to grant 2<sup>nd</sup> and 3<sup>rd</sup> benefits of revised Assured Career Progression Scheme on completion of 20/30 years regular service to the applicant and also seeking consequential directions to the respondents in this regard along with directions to respondent No.3 to decide the proposal submitted by the respondent No.4 in favour of the applicant.

4. Learned counsel for the applicant submits that the applicant came to be retired in the year 2017 but till today, the 2<sup>nd</sup> and 3<sup>rd</sup> benefits of the said revised A.C.P.S. are not granted to him.

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5. Learned counsel for the applicant submits that there is a recurring cause of action and there is no intentional or deliberate delay on the part of the applicant. There is no inaction on the part of the applicant. Learned counsel for the applicant submits that it is well settled that where a service related claim is based on a continuing wrong, relief can be granted even if there is a long delay in seeking remedy. Learned counsel for the applicant submits that the application seeking condonation of delay deserves to be allowed.

6. Learned Presenting Officer has strongly resisted the application on the ground that the applicant has failed to explain the delay satisfactorily. There is an inordinate delay and as such, the application seeking condonation of delay liable to be dismissed.

7. Though the applicant came to be retired in the year 2017, the said benefits of 2<sup>nd</sup> and 3<sup>rd</sup> revised A.C.P.S. are not granted to the applicant and as such, there is a continues cause of action. Further there is no inaction on the part of the applicant and as such, has submitted the representations from

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time to time even after his retirement, but those are not considered.

8. In view of same and for the reason stated in the application, I am inclined to condone the delay subject to costs. Hence, the following order:-

**ORDER**

The Misc. Application No. 365/2023 is allowed in following terms:-

- (A) The delay of 2 years and 10 months caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to costs of Rs. 1,000/- (One Thousand only). The amount of costs to be paid to the Bar Association, MAT and after depositing the said amount, the applicant shall produce the receipt before the office of this Tribunal.
- (B) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

**MEMBER (J)**

**ORIGINAL APPLICATION ST. NO. 1444 OF 2023  
(Gautam P. Karle Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. Issue notice to respondents, returnable on 02.07.2024.

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.

//2// O.A.St. 1444/2023

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 02.07.2024.

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

**MEMBER (J)**

SAS ORAL ORDER 23.04.2024

**M.A.NO. 158 OF 2024 IN O.A.NO. 147 OF 2021  
(Ratnaprabha T. Hingade Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. Learned P.O. submits additional affidavit on behalf of respondent No.5. The same is taken on record and copy thereof is given to learned counsel today itself.

3. Learned counsel for the applicant seeks time to take instructions in this regard and to file rejoinder, if any. Time granted.

4. S.O. to 30.04.2024 for hearing.

**MEMBER (J)**

**M.A.ST.NO. 813 OF 2024 IN O.A.NO. 929 OF 1999  
(Narayan N. Wakchaure Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel holding for Shri I.S. Thorat, 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 27.06.2024.

**MEMBER (J)**

SAS ORAL ORDER 23.04.2024



**ORIGINAL APPLICATION NO. 764 OF 2021  
(Rajendra R. Pol Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Smt. R.L. Jakhade/Shri. S.A. Kulkarni, learned counsel for the applicant, **absent**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 02.07.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 499 OF 2022  
(Laxminarayan A. Shingare Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri Vikrant Palsikar, 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 Presenting Officer, S.O. to 11.06.2024 as a last chance for hearing.

**MEMBER (J)**

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

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

**DATE : 23.04.2024**

**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. In compliance with the order dated 04.04.2024, learned P.O. submits that the representatives of respondent Nos.2 & 3 namely Vidya Mundhe, Tahasildar, Divisional Commissioner Office, Aurangabad and Vasudha Raghatate, Assistant District Supply Officer, Beed respectively are present before this Tribunal today.

3. Learned P.O. submits the additional affidavit on behalf of the respondent Nos. 1 to 3. The same is taken on record and copy thereof is given to learned counsel for the applicant today itself.

4. Learned counsel for the applicant seeks time to go through the said additional affidavit and file the rejoinder, if any. Time granted.

5. S.O. to 19.06.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 77 OF 2023  
(Deepak H. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Smt. R.L. Jakhade/Shri. S.A. Kulkarni, learned counsel for the applicant, **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 27.06.2024 as a last chance for hearing.

**MEMBER (J)**

SAS ORAL ORDER 23.04.2024

**ORIGINAL APPLICATION NO. 353 OF 2023  
(Satyabhama R. Ubale Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

None present for the applicant. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 03.07.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 23.04.2024

**ORIGINAL APPLICATION NO. 504 OF 2023**  
**(Avinash S. Panpatte Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri A.D. Sugdare, learned counsel for the applicant has filed a **leave note**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note of learned counsel for the applicant, S.O. to 09.05.2024 for hearing.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 542 OF 2023**  
**(Radhabai E. Jondhale Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri A.D. Gawale, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. The applicant is directed to place on record the certified copy of M.A.R.J.E No. 894/2021 and also the certified copy of M.A.R.J.E. No. 394/2023 (disposed of matter).

3. S.O. to 07.05.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 959 OF 2023**  
**(Deepali A. Gavhane-Katte Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri A.D. Gadekar, 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 Presenting Officer, S.O. to 09.05.2024 for hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 1089 OF 2023  
(Sachin S. Rajmane Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. I have heard learned counsel for the applicant for some time.

3. Learned counsel for the applicant submits that the applicant is appointed as a Brother in the year 2017 with respondent No.3. However, by order dated 13.12.2021, the applicant came to be suspended and transferred and posted at Paranda, Dist. Osmanabad. Learned counsel for the applicant submits that the applicant is still under suspension.

4. Learned counsel for the applicant submits that in the affidavit in reply filed on behalf of respondent No.3 particularly in paragraph No. 6 it is stated that the respondent No.3 on 12.03.2024 has submitted revised proposal of reinstatement of the applicant to the Divisional Revenue Commissioner, Ch. Sambhajinagar and meeting of said Review

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Committee though scheduled on 13.03.2024, it was canceled. Learned counsel for the applicant submits that the respondent No.3 has submitted positive proposal for reinstatement of the applicant by revoking of his suspension order.

5. The applicant is under suspension from 2021 and it is therefore expected from the Review Committee to take appropriate decision at the earliest.

6. In view of above, the learned P.O. is directed to apprise the Review Committee about the opinion and observations made by this Tribunal in this regard and take appropriate decision in the meeting of Review Committee about the suspension of the applicant at the earliest.

7. S.O. to 09.05.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 296 OF 2024**  
**(Pramod R. Bhingare & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. By consent of both the sides, S.O. to 26.04.2024 for hearing in **urgent admission category**.

**MEMBER (J)**

SAS ORAL ORDER 23.04.2024

**ORIGINAL APPLICATION NO. 364 OF 2024  
(Amol T. Mhaske Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri P.M. Nagargoje, 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 26.04.2024 for hearing in **urgent admission category**.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 383 OF 2024  
(Sheshrao J. Chavan Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant submits affidavit in rejoinder. The same is taken on record and copy thereof is given to learned P.O.

3. By consent of both the sides, S.O. to 26.04.2024 for hearing in **urgent admission category**.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 277 OF 2017**  
**(Shaikh Mehboob Abdul Kareem Vs. State of Maharashtra**  
**& Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri S.S. Jadhavar, learned counsel for the applicant, is **absent**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 03.07.2024 for passing of the order/for final hearing.

**MEMBER (J)**

SAS ORAL ORDER 23.04.2024

**ORIGINAL APPLICATION NO. 103 OF 2021  
(Dr. Harishchandra T. Kokani Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant and Shri R.N. Jain, learned counsel for respondent No.3, are **absent**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant and learned counsel for respondent No.3, S.O. to 04.07.2024 for final hearing.

**MEMBER (J)**

**M.A.NO. 529/2023 IN O.A.NO. 1112 OF 2022**  
**(Mohammad Raza Khan Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

Shri A.S. Deshmukh, learned counsel for the applicant, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Shri M.B. Bharaswadkar, learned counsel for respondent No.3 in O.A. 1112/2022, are present.

2. Learned counsel for the applicant submits that the SLP (C) No. 3059/2024 is pending before the Hon'ble Supreme Court which has been arisen out of final judgment and order dated 03.08.2023 in C.P. No. 582/2022 passed by the Hon'ble High Court of Judicature at Bombay, Bench at Aurangabad and the said matter is listed for hearing on 06.05.2024.

3. Learned counsel for the applicant has requested to adjourn this O.A. after summer vacation.

4. Learned counsel for respondent No.3 and learned P.O. have no objection if the case is listed for hearing on the date of opening of summer vacation.



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5. In view of above, S.O. to 10.06.2024 for hearing in **urgent admission category**. Interim relief granted earlier in O.A. to continue till then.

**MEMBER (J)**

SAS ORAL ORDER 23.04.2024

**ORIGINAL APPLICATION NO. 137 OF 2024**  
**( Ravindra S. Gaikwad Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. This Tribunal has expressed that there is no substance in the Original Application.

3. Learned counsel for the applicant seeks time to take specific instructions from the applicant as to whether he wants to continue with this Original Application and seek order. Time as prayed for is granted.

4. S.O. to 26.04.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 977 OF 2023**  
**(Abhijeet D. Naiknaware Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.04.2024**

**ORAL ORDER :**

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

2. Even though the last chance is granted, no reply has been filed on behalf of respondent No.2.

3. List the matter for admission hearing/for filing affidavit in rejoinder, if any on 19.06.2024.

**MEMBER (J)**

SAS ORAL ORDER 23.04.2024