

ORIGINAL APPLICATION NO. 383 OF 2018
(Meraj Begum Syeed Abdul Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

None appears for the applicant. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of applicant and her counsel, list the matter on 03.12.2024 for passing orders.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 715 OF 2019
ORIGINAL APPLICATION NO. 916 OF 2022
(Sushma E. Chaudhari Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Shri S.S. Jadhavar, learned counsel for the applicant in both the matters and Shri S.S. Dambe, learned Presenting Officer for the respondent authorities in both the matters, are present.

2. With the consent of both the sides, S.O. to 28.11.2024.

MEMBER (A)

MEMBER (J)

ARJ ORAL ORDER 24.10.2024

ORIGINAL APPLICATION NO. 1021 OF 2022
(Madhav K. Khairge Vs. State of Maharashtra & Ors.)

ORIGINAL APPLICATION NO. 186 OF 2024
(Shamrao A. Gite Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Smt. Vinaya Muley, learned counsel holding for Shri C.V. Dharurkar, learned counsel for the applicants in both the matters and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities in both the matters, are present.

2. Learned C.P.O. submits that in O.A. No. 186/2024 the instructions are received and on the next the affidavit in reply of the respondents will be filed. So far as O.A. No. 1021/2022 is concerned, efforts will be taken till next date to take instructions from the respondents.

3. S.O. to 18.11.2024. The interim relief, if any, granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

O.A. NO. 1241/2024 WITH M.A. NOs. 527, 530, 534, 535, 536, 537, 538, 539, 540, 541, 545, 546, 547, 549, 550, 554/2024

(Dr. Sharayu S. Andhale & Ors. Vs. State of Maharashtra & Ors. Dr. Anand T. Londhe & Ors.)

O.A. NO. 1248/2024

(Sanjay T. Gawande & Ors. Vs. State of Maharashtra & Ors.)

M.A. NO. 548/2024 IN O.A. NO. 1297/2024

(Dr. Ashwini B. Gunjal & Ors. Vs. State of Maharashtra & Ors.)

O.A. NO. 1295/2024

(Dr. Pranali B. Dighe & Ors. Vs. State of Maharashtra & Ors.)

O.A. NO. 1302/2024

(Rahul A. Kharat Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

A.S. Deshmukh, learned counsel holding for Sanjay Bhosale, learned counsel for the applicants in O.A. Nos. 1241/2024 and M.A. Nos. 548/2024 in O.A. No. 1297/2024, Shri Sandeep S. Dere, learned special counsel for respondent authorities and Shri V.T. Sakolkar, learned counsel for the applicants in M.A. NOs. 527, 530, 534, 535, 536, 537, 538, 539, 540, 541, 545, 546, 547, 549, 550/2024 and Ms. Pradnya Talekar, learned counsel for applicants in M.A. No. 554/2024.

::-2-::

O.A. NO. 1241/2024 & Group

Shri G.L. Deshpande, learned counsel for the applicants in O.A. No. 1248/2024, Smt. Usha N. Jadhav, learned counsel for the applicants in O.A. No. 1302/2024, Shri Manoj A. Dond, learned counsel for the applicants in O.A. No. 1295/2024.

2. We have heard both the sides for some time. The present matter pertains to the recruitment to the post of Medical Officer, Group-A in pursuance of the advertisement no. 01/2024 issued on 31.01.2024. In terms of the said advertisement, total 1729 posts were advertised, out of which 1446 posts were for the candidates holding qualification of MBBS and 283 posts were for the candidates holding the qualification of BAMS.

3. So far as the posts for the candidates holding the qualification of BAMS are concerned, the unsuccessful candidates have approached to this Tribunal on various grounds prominent among it that the candidates were not provided with the answer key, they are not being informed the raw marks obtained by them in the written examination and in consequence thereof they had no opportunity to raise their objections. It is also the ground raised by them that the guidelines of GR dated 04.05.2022,

which prescribes the process of recruitment including the selection process and MOU with the Company, who has been given the contract to complete the recruitment process so also the selection process. It is also argued vehemently that though on priority basis the Post Graduate candidates for the post of BAMS are required to be considered and certain additional marks are also required to be allotted to the experience, the same has not been done.

4. Learned Special counsel appearing for the respondent authorities submits that for filling in 283 posts of Medical Officers (Group-A) BAMS, total 22981 applications have been received online. Consequently, it was decided to hold the written examination and all the candidates including the present applicants herein have voluntarily appeared in the said examination without raising any objection. Further the written examination was required to be taken in multiple sifts. In view of the same, the decision was taken to use and apply normalization methodology. Learned Special counsel submits that there is record available that the said normalization methodology has been successfully

::-4-::

O.A. NO. 1241/2024 & Group

used and applied. In view of the same, issuance of answer key and communicating the raw marks and inviting objections from each and every candidate would have been irrelevant and might be the empty formality. Learned Special counsel also pointed out that the aforesaid G.R. as referred by the applicants in their submissions is applicable to Non-gazetted Group-B, Group-C and Group-D candidates and not for Group-A.

5. Learned Special counsel has placed before us the chart prepared as per the recent instructions and submits that on 05.10.2024, the appointment orders, subject to verification of documents, have been issued and in response to that movement order has been issued to 173 selected candidates, who have joined the respective PHC as specified in the appointment orders and so far as remaining 104 candidates are concerned, their appointments are kept on hold because of interim order passed by this Tribunal in O.A. Nos. 1241 and 1248 both of 2024 on 11.10.2024. Learned Special Counsel has clarified that in all 277 candidates were present for documents verification in view of the appointment orders issued to them and the said chart demonstrates their status as on today.

6. Due to paucity of time, since three working days remained before Depawali Vacation, it may not be possible for us to decide this matter on its merit. Further, even on yesterday and today also certain unsuccessful candidates have appeared before the Tribunal by filing Original Applications and their matters are also taken along with this group. There are number of Original Applications pending before us for consideration.

7. By order dated 11.10.2024 passed in O.A. Nos. 1241 and 1248/2024, the Division Bench of this Tribunal has passed the interim order - (i) staying the execution and implementation of the select list/result list published on 05.10.2024 by respondent no. 06 and the communication dated 07.10.2024 issued by respondent no. 05 until further orders and (ii) also directed respondent no. 01 to issue directions to all the Regional Deputy Directors of Health Services not to get resumed the candidates selected vide the selection list published on 05.10.2024 until further orders by this Tribunal.

8. At the time of passing of the aforesaid interim order, it was unfortunately not brought to the notice

::-6-::

O.A. NO. 1241/2024 & Group

of the Tribunal that the appointment orders have been issued to the selected candidates subject to verification of documents.

9. In view of above, since all these Medical Officers, Group-A are supposed to be mostly at Primary Health Centre across the State, before the selection process is concluded to its logical end, the Medical Officers who were working on contractual basis, their respective contracts will get terminated as soon as new selected incumbent joins the post. Thus considering the entire aspect of the case, we are of the opinion that the aforesaid interim order dated 11.10.2024 needs modification with certain riders. Hence, we pass the following order :-

ORDER

The interim order passed by this Tribunal dated 11.10.2024 in O.A. Nos. 1241 and 1248 both of 2024 is hereby modified as under:-

(i) The concerned respondent shall issue appointment orders to the selected candidates of the regions which come within the territorial jurisdiction of this Bench of the Tribunal, as per the select/merit

::-7-::

O.A. NO. 1241/2024 & Group

list with a note in bold letters that “The said appointments shall be subject to outcome of pending Original Applications before the Maharashtra Administrative Tribunal Mumbai, Bench at Aurangabad.”

(ii) In case, if appointment orders have already been issued as in the case of 177 candidates, they shall also be informed in writing that “their appointments would be subject to outcome of the pending Original Applications before the Maharashtra Administrative Tribunal Mumbai, Bench at Aurangabad.”

(iii) S.O. to 22.11.2024.

MEMBER (A)

MEMBER (J)

ARJ ORAL ORDER 24.10.2024

ORIGINAL APPLICATION NO. 556 OF 2014
(Sanjay R. Patange Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Shri Ajay Deshpande, learned counsel for the applicant (**Absent**). Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. This is old matter of the year 2014. As none present for the applicant, S.O. to 03.12.2024 for passing necessary orders.

MEMBER (A)

MEMBER (J)

**M.A. No. 314/2022 in O.A. No. 793/1992
(Devidas A. Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)**

DATE : 24.10.2024

ORAL ORDER :

Shri S.C. Swami Chakurkar, learned counsel for the applicant and Shri S.S. Dambe, learned Presenting Officer for the respondent authorities, are present.

2. Due to paucity of time, this matter cannot be taken up immediately for hearing.
3. S.O. to 06.01.2025 for hearing.

MEMBER (A)

MEMBER (J)

M.A. No. 532/2024 in O.A. No. 903/2024
(Balasaheb Y. Dhanve Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri Saket Joshi, learned counsel for respondent No. 4 in O.A., are present.

Smt. Kavita Bhale, learned counsel for respondent No. 3 in O.A., is **absent**.

2. At the request of learned counsel for respondent No. 4, time is granted as a last chance for filing affidavit in reply.

3. S.O. to 14.11.2024.

MEMBER (A)

MEMBER (J)

M.A. No. 510/2024 in O.A. No. 613/202024
(Dattatrya D. Sonune Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Heard Shri Amol R. Gaikwad, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that this Misc. Application seeking amendment is due to subsequent development and the Original Application accordingly required to be amended.

3. Learned Presenting Officer has no objection for the same.

4. In view of the same and for the reason stated in the application, M.A. No. 510/2024 is hereby allowed. The applicant is permitted to amend the Original Application as described in para No. 4 of M.A. The applicant shall carry out necessary amendment in the O.A. within a period of two weeks from the date of this order. The amended copy be placed on record, so also, the same shall be served on the other side.

//2// M.A. 510/2024 in
O.A. 613/2024

5. M.A. No. 510/2024 is accordingly disposed of.
No order as to costs.

6. O.A. come up on board for filing affidavit in
reply on 26.11.2024.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDER 24.10.2024

M.A. No. 281/2024 in O.A. No. 208/2023
(State of Maharashtra & Ors. Vs. Suryabhan E. Pawar)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Shri V.R. Bhumkar, learned Presenting Officer for the applicants in M.A./ respondents in O.A. and Shri K.B. Jadhav, learned counsel for the applicant in O.A./respondent in M.A., are present.

2. Learned counsel for the applicant in O.A. submits that the O.A. may be listed for final hearing.

3. In view of the same, the application seeking vacating interim relief can be heard along with O.A.

4. S.O. to 22.11.2024. Interim relief granted earlier in O.A. to continue till then.

MEMBER (A)

MEMBER (J)

**M.A. No. 295/2021 in O.A. St. No. 1154/2021
(Mrunalini P. Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)**

DATE : 24.10.2024

ORAL ORDER :

Smt. Jayshri Dongre, learned counsel holding for Smt. Suchita Dhongde, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks leave to place on record the synopsis of events to explain the delay, which is almost 7 years and more. Leave granted. Same is taken on record and copy thereof is given to other side.

3. S.O. to 27.11.2024 for hearing.

MEMBER (A)

MEMBER (J)

**O.A. No. 236/2019 with M.A. No. 224/2019
(Sanjay Bhaskar Udar Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)**

DATE : 24.10.2024

ORAL ORDER :

Heard Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri S.S. Dambe, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that due to passage of time this matter has become infructuous.

3. In view of above submissions, the O.A. and M.A. are disposed of as infructuous. No order as to costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1234 OF 2024
(Laxmi Samadhan Raut Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

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

2. Learned counsel for the applicant informs that the appointment orders are yet to be issued. **If the appointment orders are issued, the same shall be subject to outcome of present Original Application.**

3. Issue notices to the respondents, returnable on 25.11.2024.

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 25.11.2024.

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

MEMBER (A)

MEMBER (J)

M.A. No. 484/2024 in O.A. No. 1067/2024
(Rahul S. Kulkarni & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Heard Shri A.G. Vasmatkar, learned counsel for the applicants and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

4. The M.A. No. 484/2024 is accordingly disposed of. No order as to costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1067 OF 2024
(Rahul S. Kulkarni & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Heard Shri A.G. Vasmatkar, learned counsel for the applicants and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 11.12.2024.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicants are 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. Applicants are directed to file affidavit of compliance and notice.
7. S.O. to 11.12.2024.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

M.A. No. 425/2024 in O.A. No. 1017/2024
(Uday N. Patil Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

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

2. Issue notices to the respondents in M.A., returnable on 10.12.2024.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 10.12.2024.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

M.A. No. 325/2024 in O.A. No. 797/2024
(Ramesh B. Tadvi & Anr. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Shri V.S. Pawar, learned counsel for the applicants (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 06.12.2024. The applicant to remove office objection till then.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDER 24.10.2024

ORIGINAL APPLICATION NO. 384 OF 2019
(Vinayak B. Kapse & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Shri M.B. Kolpe, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicants seeks leave to delete the names of respondent Nos. 8 to 10, 18 & 21 from the array of respondents.

3. Leave granted. Deletion be carried out forthwith.

4. S.O. to 03.12.2024 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 490 OF 2024
(Somnath N. Shermale Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Shri R.O. Awasarmol, learned counsel for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 3. Same is taken on record along with spare copy for the applicant.

3. S.O. to 03.12.2024 for filing rejoinder affidavit, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 78 OF 2024
(Sandu Raghuji Magar Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Shri D.K. Dagadkhair, 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, time is granted as a last chance for filing affidavit in reply on behalf of respondent Nos. 1 to 5.

3. S.O. to 09.12.2024.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 175 OF 2024
(Sangameshwar M. Kadam Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Ms. Preeti Wankhade, learned counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, time is granted for filing rejoinder affidavit.
3. S.O. to 06.12.2024.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 43 OF 2024
(Devesh P. Nawale Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Shri Dhananjay Chinchole, learned counsel holding for Shri Jiwan Patil, 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 submits that the applicant is not willing to file any rejoinder affidavit.

3. List the matter for admission hearing on 05.12.2024.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 966 OF 2024
(Sadashiv S. Shingare Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Shri H.P. Jadhav, learned counsel for the applicant and Shri V.G. Pingle, 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 03.12.2024.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 316 OF 2024

**(Shaskiya Adiwasi Ashramshala Adhikshak Sanghatana Vs.
State of Maharashtra & Ors.)**

**CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)**

DATE : 24.10.2024

ORAL ORDER :

Shri Vinod Patil, 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 Presenting Officer, S.O. to 29.10.2024 for filing affidavit in reply on behalf of respondents.

MEMBER (A)

MEMBER (J)

**O.A. NOS. 907, 908, 909, 1097, 1098, 1099, 1107,
1120, 1136 ALL OF 2024**

(Aditi B. Chame & Ors. Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

S/Shri Vishal P. Bakal & Vinod Patil, learned counsel for the respective applicants in respective matters and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities in all these O.As., are present.

2. In some of the matters interim order is operating.

3. Learned C.P.O. on instructions has made a statement that the respondents are not going to issue appointment orders in terms of the select / merit list to those who have involved in the Original Applications presently pending before this Tribunal. Learned C.P.O. submits that during the course of the day affidavit in reply in all these Original Applications will be filed.

4. List the matters for filing rejoinder affidavit, if any and admission hearing on 21.11.2024. Interim relief granted earlier in O.A. Nos. 907, 908 & 909 all of 2024 to continue till then.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NOS. 1179 & 887 BOTH OF 2024
(Mahesh S. Kakade & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)**

DATE : 24.10.2024

ORAL ORDER :

S/shri S.R. Dheple & A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the respective applicants in respective O.As. and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities in both the O.As., are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 2 & 3 in O.A. No. 1179/2024 and respondent Nos. 3 & 4 in O.A. No. 887/2024. Same are taken on record and copies thereof are given to learned counsel for the applicants.

3. List the matters for filing rejoinder affidavit, if any and admission hearing on 21.11.2024. Interim relief granted earlier in O.A. No. 887/2024 to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 873 OF 2024
(Jiwan B. Aher Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
and
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Shri S.R. Dheple, 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 Presenting Officer, S.O. to 14.11.2024 for filing affidavit in reply on behalf of respondents.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 568/2021
(Bhausahab Sakharam Pansare Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 200/2021
(Sudhir Laxman Borhade Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Shri Avinash S. Khedkar, learned counsel for the applicants, Shri D.M. Hange & Smt. V.P. Choudhary, learned Presenting Officers for the respondent authorities and Shri Shamsunder B. Patil, learned counsel for respondent Nos. 3 to 5, are present.

2. S.O. to 19.11.2024.

MEMBER (A)

ORAL ORDER 24.10.2024-HDD

ORIGINAL APPLICATION NO. 783/2021
(Gulab Sitaram Jondhale Vs. State of Maharashtra & Ors.)

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

DATE : **24.10.2024**

ORAL ORDER :

Shri Avinash S. Khedkar, learned counsel for the applicants, Smt. Resha Deshmukh, learned Presenting Officers for the respondent authorities and Shri Shamsunder B. Patil, learned counsel for respondent Nos. 3 & 4, are present.

2. S.O. to 19.11.2024.

MEMBER (A)

ORAL ORDER 24.10.2024-HDD

ORIGINAL APPLICATION NO. 585/2022
(Chandrasen V. Lahade Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Shri H.P. Jadhav, learned counsel for the applicants and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. S.O. to 13.11.2024.

MEMBER (A)

ORAL ORDER 24.10.2024-HDD

ORIGINAL APPLICATION NO. 1045/2022
(Rajendra Vishnu Desale Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Shri Navin S. Shah, learned counsel for the applicant, V.P. Choudhary, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent No. 4.

2. S.O. to 14.11.2024.

MEMBER (A)

ORAL ORDER 24.10.2024-HDD

ORIGINAL APPLICATION NO. 898/2023
(Madhukar Laxman Dodake Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Shri K.G. Salune, learned counsel for the applicant, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Shri V.S. Kande, learned counsel holding for Shri A.S. Reddy, learned counsel for respondent No. 2.

2. At the request of learned counsel for respondent No. 2, S.O. to 13.11.2024.

MEMBER (A)

ORAL ORDER 24.10.2024-HDD

ORIGINAL APPLICATION NO. 931/2023
(Dasrao Trimbakrao Deshpande Vs. State of Maharashtra & Ors.)

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

DATE : **24.10.2024**

ORAL ORDER :

Shri R.K. Ashtekar, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 29.11.2024.

MEMBER (A)

ORAL ORDER 24.10.2024-HDD

ORIGINAL APPLICATION NO. 1008/2023
(Mohd. Asgar Mohd. Moosa Vs. State of Maharashtra & Ors.)

CORAM : Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Shri Ashish B. Rajkar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 2 & 3 with spare copy. It is taken on record.

3. S.O. to 09.12.2024.

MEMBER (A)

ORAL ORDER 24.10.2024-HDD

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

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

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

2. S.O. to 19.11.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORAL ORDER 24.10.2024-HDD

ORIGINAL APPLICATION NO. 213/2024

(Prashant Ganeshrao Badgajar & Ors. Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

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. 5 & 6, are present.

2. S.O. to 20.11.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORAL ORDER 24.10.2024-HDD

ORIGINAL APPLICATION NO. 774/2024
(Ajit Manikrao Dikle Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Shri A.M. Gaikwad, learned counsel for the applicant, Shri Mahesh B. Bharaswadkar, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned counsel for respondent No. 3, are present.

2. S.O. to 19.11.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORAL ORDER 24.10.2024-HDD

ORIGINAL APPLICATION NO. 930/2022
(Shagir Rustum Pathan Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Shri A.R. Tapse, learned counsel holding for Shri P.D. Suryawanshi, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 18.11.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORAL ORDER 24.10.2024-HDD

ORIGINAL APPLICATION NO. 931/2022
(Jubirruddin H. Shaikh Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 24.10.2024

ORAL ORDER :

Shri A.R. Tapse, learned counsel holding for Shri P.D. Suryawanshi, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 18.11.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORAL ORDER 24.10.2024-HDD

**M.A.NO. 551 OF 2024 IN O.A.NO. 1298 OF 2024
(Chakresh M. Mahajan & Anr. Vs. State of Maharashtra &
Ors.)**

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

DATE : 24.10.2024

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

4. The present M.A. stands disposed of accordingly without any order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 1298 OF 2024
(Chakresh M. Mahajan & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 14.11.2024.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicants are 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.1298/2024

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. Applicants are directed to file affidavit of compliance and notice.

7. S.O. to 14.11.2024.

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

MEMBER (J)

SAS ORAL ORDER 24.10.2024

ORIGINAL APPLICATION NO. 823 OF 2024
(Meera D. Kale Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

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 16.12.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 934 OF 2024
(Gajanan L. Thombre Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Heard Shri R.A. Joshi, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 17.12.2024.
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.934/2024

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 17.12.2024.

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

MEMBER (J)

SAS ORAL ORDER 24.10.2024

ORIGINAL APPLICATION NO. 935 OF 2024
(Sanjay C. Joshi Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Heard Shri R.A. Joshi, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 17.12.2024.
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.935/2024

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 17.12.2024.

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

MEMBER (J)

SAS ORAL ORDER 24.10.2024

ORIGINAL APPLICATION NO. 1101 OF 2024
(Vishwambhar S. Ghumare Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Heard Shri Suhas R. Shirsat, learned counsel for the applicant and Smt. V.P. Choudhari, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 26.11.2024.
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.1101/2024

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 26.11.2024.

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

MEMBER (J)

SAS ORAL ORDER 24.10.2024

ORIGINAL APPLICATION NO. 1197 OF 2024
(Rahul V. Tunge Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Heard Shri R.A. Joshi, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 17.12.2024.
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.1197/2024

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 17.12.2024.

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

MEMBER (J)

SAS ORAL ORDER 24.10.2024

ORIGINAL APPLICATION NO. 1305 OF 2024
(Rajaram R. Bendkoli Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Heard Shri Ajay S. Deshpande, 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. It appears that paragraph No. 2 (1) of the Government Circular dated 05.09.2018 is not followed by the respondents while giving additional charge to respondent No.3 on the post of Deputy Director of Prosecution at Chh. Sambhajinagar.
4. In terms of the said G.R. particularly paragraph No. 2 (1) if the charge is not given to the senior most person of the said station as in the present case because the applicant is senior most person of the said station, the reasons are required to be mentioned as to why he has not been given the additional charge.
5. Learned P.O. is directed to take specific instructions in this regard and place before this Tribunal the relevant communications on the next date, positively.
6. S.O. to 25.10.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 773 OF 2018
(Shivaji B. Satote Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Shri G.R. Bhumkar, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicant, Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent No.2, are present.

2. This is a part heard matter.

3. Learned counsel for the applicant submits the points of arguments. The same is taken on record and copy thereof is given to other side. Learned counsel for respondent No.2 also submits that written notices of arguments on behalf of said respondent. The same is also taken on record and copy thereof is given to learned counsel for the applicant.

4. Learned P.O. seeks time to file written notices of arguments. Time granted.

5. S.O. to 25.11.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 25 OF 2022
(Shailesh V. Gavit Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Shri Swapnil Joshi, 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. Learned P.O. submits that the Xerox copy of the record is received, however the original record will be made available on the next date.

3. In view of above, S.O. to 26.11.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 21 OF 2024
(Rameshwar B. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

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

2. In compliance with the order dated 09.10.2024 learned P.O. submits that Shri Rafique Chandsaheb Shaikh, Dy. Superintendent of Police, (Head Quarter) S.P. office, Jalna is present.

3. Learned P.O. has placed before this Tribunal the details about the pensionary benefits so far released in favour of the applicant. The same is taken on record and marked as document 'X' for the purpose of identification. On perusal of the same it appears that the Group Insurance Scheme amount, provisional pension and arrears of provisional pension have been released.

4. Learned P.O. submits that the other benefits such as G.P.F., leave encashment etc. will be released within 15 days as far as possible.

//2//

5. Learned counsel for the applicant is directed to keep the applicant present on the next date and take specific instructions about releasing of other pensionary benefits. Since the appeal against the acquittal is pending, the applicant shall be paid provisional pension and the same is being paid to the applicant as per the submissions made by learned P.O. on instructions. So far as gratuity and final pension are concerned, the same will be subject to decision of the said appeal pending against the acquittal of the applicant.

6. Learned P.O. is directed to keep the officer present on the next date of hearing.

7. S.O. to 18.11.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 1148 OF 2024
(Shrikant Govind Markad Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Heard Shri V.B. Wagh, 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 has already submitted the representation dated 05.09.2024 (Annexure 'A-5') in connection with his impugned order of transfer and the purpose of filing of this Original Application will be served if the said representation is decided.

3. Learned P.O. submits that there is no endorsement about the receipt of said representation/application.

4. Learned counsel for the applicant submits that in case even if it is misplaced, the applicant would file a fresh application/representation before the concerned respondents and the same shall be considered in a time bound manner.

//2//

O.A. 1148/2024

5. Learned P.O. submits that liberty may be given to the respondents to decide the application/representation filed by the applicant on its own merits.

6. In view of above, the concerned respondents are hereby directed to decide the application/representation dated 05.09.2024 if it is already submitted by the applicant and if it is not already submitted by the applicant, the representation, which would be submitted by the applicant afresh, on its own merits as expeditiously as possible preferably within the period of four weeks from the date of this order. The Original Application is accordingly disposed of. No costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 857 OF 2024
(Arun Bhagwan Thakur Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Shri A.S. Deshmukh, 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 19.11.2024 for hearing. Status quo granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 995 OF 2024
(Gajanan A. Dhangar Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

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

2. Learned Presenting Officer is directed to call the record particularly the minutes of meeting of Civil Services Board in connection with the impugned transfer order of the applicant.

3. S.O. to 20.11.2024 for hearing. The interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 1022 OF 2024
(Dnyaneshwar B. Bhosale Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

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. Learned counsel for the applicant submits that the salary is not being paid to the applicant for the reason that the Original Application is pending before this Tribunal. In fact, this Tribunal has protected the applicant by passing the interim order and it does not mean that the applicant should not be paid the salary.

3. Learned Presenting Officer is directed to take specific instructions in this regard and give understanding to the concerned respondent/s to release the salary of the applicant forthwith.

4. S.O. to 13.11.2024 for hearing. The interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 1213 OF 2024
(Udaysinh V. Salunke Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

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. Learned counsel for the applicant placed before this Tribunal a copy of transfer order dated 21.10.2024 by which one another employee Shri A.L. Bondre is now posted at Hingoli where the applicant is proposed to be posted as per the impugned transfer order and he has already taken charge of the said post. The copy of said order is taken on record and marked 'X' for the purpose of identification.

3. Learned P.O. is directed to take specific instructions in this regard and if the said post where the applicant is proposed to be transferred is filled up, then whether any another order has been passed in connection with the transfer of the applicant.

4. S.O. to 29.10.2024 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 : 24.10.2024

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 18.11.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 298 OF 2024
(Devidas K. Rengade Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Smt. Vijaya Adkine, 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. 348 OF 2024
(Shubham W. Ramasane Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Ms. Vishakha Patil, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant, Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities and Shri Avinash A. Khande, learned counsel for respondent No.4, are present.

2. Learned counsel appearing for respondent No.4 submits affidavit in reply on behalf of said respondent. The same is taken on record and copy thereof is already given to other side.

3. S.O. to 21.11.2024 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 : 24.10.2024

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 25.11.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 24.10.2024

ORIGINAL APPLICATION NO. 819 OF 2024
(Kakasaheb S. Doiphode Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Shri H.P. Jadhav with Shri A.S. Deshmukh, 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 that the subsistence allowance is not paid to the applicant even though the applicant is under suspension since 15.02.2024.
3. Learned P.O. is directed to take specific instructions in this regard.
4. S.O. to 13.11.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 820 OF 2024
(Ajay V. Kasture Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

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

2. S.O. to 13.11.2024 for hearing.

MEMBER (J)

O.A.NOS. 884, 886, 887, 888, 889, 890, 891, 892, 893, 894 & 895 all of 2017
(Prabhakar D. Mali & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Shri M.J. Sharma, learned counsel holding for Shri Mohit Deshmukh, learned counsel for the applicants in O.A.Nos. 884 & 886 to 895 all of 2017 and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these O.As., are present.

Shri Vivek Deshmukh, learned counsel for respondent No.5 in O.A.Nos. 884, 888, 892 & 893 all of 2017, Shri N.K. Tungar, learned counsel for respondent No.5 in O.A.Nos. 886 & 895 both of 2017, Shri Abhijit More, learned counsel for respondent No.5 in O.A.No. 887 of 2017 and Shri B.R. Sontakke Patil, learned counsel for respondent No.5 in O.A.No. 891 of 2017, are **absent**.

2. The present matters are part heard. Learned counsel for applicants has already made his submissions. Learned P.O. has also completed his arguments.

3. On the last date i.e. on 08.10.2024 the learned counsel for respondent No.5 Shri Vivek Deshmukh has sought time.

4. In view of same, place these matters on 21.11.2024 for arguments of Shri Vivek Deshmukh as a last chance.

MEMBER (J)

ORIGINAL APPLICATION NO. 200 OF 2018
(Dinkar G. Shahane Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Shri S.T. Deshmukh, 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. S.O. to 22.11.2024 as requested by leaned counsel for the applicant for filing written notices of arguments.

MEMBER (J)

ORIGINAL APPLICATION NO. 667 OF 2024
(Jijabai M. Kotkar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Shri D.V. Khillare, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits affidavit in reply on behalf of respondent Nos. 1 to 4. The same is taken on record and copy thereof is given to other side today itself.

3. List the matter for filing affidavit in rejoinder, if any on 27.11.2024.

MEMBER (J)

**ORIGINAL APPLICATION NO. 761 OF 2024
(Bhushan A. Mali Vs. State of Maharashtra & Ors.)**

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

DATE : 24.10.2024

ORAL ORDER :

Shri Gajendara L. Gujar, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. submits affidavit in reply on behalf of respondent No 3 along with spare copy for the other side. The same is taken on record. Learned P.O. submits that the other respondents are going to adopt the affidavit in reply filed by respondent No.3.

3. List the matter for filing affidavit in rejoinder, if any on 11.12.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 894 OF 2024
(Shashikant N. Deulgaonkar Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Shri S.B. Jadhav, learned counsel holding for Shri B.G. Sagade Patil, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

None present for respondent No.4.

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. List the matter for admission hearing on 14.11.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 974 OF 2024
(Bhagyesh S. Marathe Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Smt. Nima R. Suryawanshi, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. submits that during course of the day the affidavit in reply on behalf of respondents will be filed.

3. S.O. to 11.12.2024 for filing affidavit in rejoinder, if any.

MEMBER (J)

M.A.NO. 185/2024 IN O.A.ST.NO. 754/2024
(Kamalkishor S. Jaiswal Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Shri Adesh R. Ban, learned counsel holding for Shri R.V. Gore, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits the affidavit in reply on behalf of respondent No.6. The same is taken on record and copy thereof is given to other side.

3. List the matter for hearing on 04.12.2024.

MEMBER (J)

M.A.NO. 400/2024 IN O.A.NO. 859/2024
(Shaikh Abrar Abdul K. Gani Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Smt. A.S. Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits affidavit in reply on behalf of respondent No.3. The same is taken on record and copy thereof is given to other side.

3. List the matter for filing affidavit in rejoinder, if any and for hearing on 06.12.2024.

MEMBER (J)

**ORIGINAL APPLICATION NO. 345 OF 2024
(Harshal S. Desale Vs. State of Maharashtra & Ors.)**

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

DATE : 24.10.2024

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 13.12.2024 for filing affidavit in rejoinder, if any and for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 427 OF 2024
(Idris H. Bagwan Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

Shri Vinod D. Godbharle, 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 09.12.2024 for filing affidavit in rejoinder, if any and for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 428 OF 2024
(Dhananjay D. Gunale Vs. State of Maharashtra & Ors.)

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

DATE : 24.10.2024

ORAL ORDER :

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

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

3. S.O. to 09.12.2024 for hearing.

MEMBER (J)