

**ORIGINAL APPLICATION NO.316/2019
(Shamlal Bhagure Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.03.2022

ORAL ORDER :

Shri M.K.Bhosale, learned Advocate for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 08-04-2022.

MEMBER (A)

MEMBER (J)

**M.A.NO.194/2021 IN O.A.NO.497/2019
(Ravindra Turukmane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.03.2022

ORAL ORDER :

Shri Hemant Surve, learned Advocate for the applicant is **absent**. Shri S.K.Shirse, learned Presenting Officer for the respondents is present.

2. S.O. to 29-04-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.535/2019
(Nitin Ingale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.03.2022

ORAL ORDER :

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

2. S.O. to 13-04-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.583/2014
(Bhausahab Gaikwad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.03.2022

ORAL ORDER :

Shri A.V.Thombre learned Advocate holding for Shri S.S.Thombre, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents, are present.

Shri A.C.Deshpande learned Advocate for respondent no.5 and 6 is **absent**.

2. S.O. to 29-04-2022.

MEMBER (A)

MEMBER (J)

**O.A.NO.01/2015, 626/2015, 627/2015 & 08/2017
(Dr. Balaji Phalke & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.03.2022

ORAL ORDER :

Shri J.S.Deshmukh, learned Advocate for the applicant in O.A.No.01/2015 and holding for Shri Milind Patil learned Advocate for applicants in O.A.No.626/2015 & 627/2015 and for Shri P.P.Dama learned Advocate for applicant in O.A.No.08/2017 and Shri D.R.Patil, learned Presenting Officer for the respondents, are present.

2. S.O. to 02-05-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.242/2018
(Sayeeda Begum Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.03.2022

ORAL ORDER :

Smt. U.T.Pathan, learned Advocate for the applicant is **absent**. Smt. Sanjivani Ghate, learned Presenting Officer for the respondents is present.

2. S.O. to 04-05-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.854/2018
(Bhima Chakale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.03.2022

ORAL ORDER :

Shri Manish Tripathi, learned Advocate for the applicant is **absent**. Shri S.K.Shirse, learned Presenting Officer for the respondents is present.

2. S.O. to 04-05-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.702/2019
(Ismail @ Raju Tamboli Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **24.03.2022**

ORAL ORDER :

Shri Jitendra V. Patil, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents, are present.

2. S.O. to 26-04-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.187/2020
(Basanti Padavi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.03.2022

ORAL ORDER :

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

2. S.O. to 27-04-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.223/2020
(Divya Nandi & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **24.03.2022**

ORAL ORDER :

Shri S.S.Jadhavar, learned Advocate for the applicant is **absent**. Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents is present.

2. S.O. to 13-04-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.435/2020
(Ratikant Sonwane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.03.2022

ORAL ORDER :

Shri V.G.Pingle, learned Advocate for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents, are present.

2. S.O. to 26-04-2022.

MEMBER (A)

MEMBER (J)

**M.A.NO.126/2022 IN O.A.ST.NO.523/2022
(Swapnil Patil & Ors. Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 24.03.2022

ORAL ORDER :

Heard Shri V.P.Golewar, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents.

2. It is evident from the record that applicants have not exhausted the alternate remedy. This case is dismissed for the reason that alternate remedy has not been exhausted. There shall be no order as to costs.

MEMBER (A)

M.A.NO.127/2022 IN O.A.ST.NO.5211/2022
(Dilip Gavit & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 24.03.2022

ORAL ORDER :

Heard Shri Amol S. Sawant, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents.

2. It is brought to our notice that the learned Advocate for the applicants has referred to documents at Annexure R-4 (page 43, 43-A) dated 05-10-2020, which is a photocopy of a report of visit of NDRF Academy, Nagpur of Shri Sanjay Patil, Commandant, State Reserve Police Force, Dhule recommending extension of period of deputation of members of SDRF. He has also brought to the notice of the Tribunal a number of other documents; most important amongst them is a copy of order passed by the Additional Director General of Police, State Reserve Police Force (SRPF), Maharashtra State, Mumbai dated 18-01-2022 by which 58 members of SDRF are required to be relieved and repatriated back to their parent department and also of a

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M.A.NO.127/2022 IN O.A.ST.NO.5211/2022

copy of Government Resolution dated 23-02-2022 by which upper time limit of deputation of employees/officers of various cadres including the cadre of the applicants has been increased from 5 years to 7 years maximum.

3. Learned Advocate for the applicants has further submitted that the applicants are apprehending that despite Government Resolution of 23-02-2022 increasing the period of deputation to 7 years maximum, the SDRF may relieve the applicants as per the earlier order of 11-01-2022 based on earlier time limit of 5 years. Therefore, this O.A. is filed seeking direction to be issued to the respondent authorities to consider Corrigendum G.R. dated 23-02-2022 and not to act upon the earlier orders dated 11-01-2022 and 18-01-2022 in respect of repatriation of the applicants and not to repatriate the applicants to their original place till completion of 7 years and quash and set aside the orders dated 11-01-2022 and 18-01-2022 passed by the respondent nos.4 and 2, respectively.

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M.A.NO.127/2022 IN O.A.ST.NO.5211/2022

4. It is also evident that applicants have not approached their immediate controlling authority or the Commandant, SDRF or any other competent authority seeking similar relief before coming to the Tribunal. It has also not been clarified as to under which provision of deputation order the applicants have acquired right to continue on the present post in SDRF and relief as prayed for has been sought. Time is granted to the applicants to make submissions on the above points.

5. Learned CPO pointed out that the respondents have not been issued notice, and therefore, he has no occasion to seek instructions from the respondents.

6. Notice be issued to respondent no.3 & 4, i.e. Commandant, SRPF, Unit-6, Tq. & Dist. Dhule & Commandant, SDRF, Dhule, returnable on 31-03-2022.

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

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M.A.NO.127/2022 IN O.A.ST.NO.5211/2022

8. 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.

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

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

11. S.O. to 31-03-2022.

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

MEMBER (A)

**M.A.NO. 125/2022 IN O.A.ST.NO. 120/2022
(Gunaji D. Rathod Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 24.3.2022

ORAL ORDER :

Heard Ms. Sheetal Kabra, learned counsel holding for Shri V.S. Bhale, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notice to the respondents in delay condonation application, returnable on 19.4.2022.

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

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

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

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

7. S.O. to 19.4.2022.

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

MEMBER (A)

MEMBER (J)

T.A.NO. 3/2022 (W.P. NO. 3432/2022)
(Amar V. Kingaonkar Vs. State of Maha. & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **24.3.2022**

ORAL ORDER :

Shri A.A. Yadkikar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 7.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 24.3.2022-HDD

**ORIGINAL APPLICATION NO. 189 OF 2022
(Sangita D. Mundage Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Shri R.S. Patil, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. Since nobody appears for the applicant, S.O. to 12.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 68 OF 2020
(Shivaji S. Chemte Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Shri M.P. Gandle, learned counsel for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.

2. Since nobody appears for the applicant, S.O. to 12.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 37 OF 2017
(Balasaheb N. Raut & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Shri S.S. Dambe, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time. Two weeks' time is granted.

3. S.O. to 12.4.2022.

MEMBER (A)

MEMBER (J)

**T.A.NO. 1/2018 (W.P.NO. 15249/2017)
(Chanda R. Hingole Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Shri Sujeet D. Joshi, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 29.3.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 24.3.2022-HDD

**ORIGINAL APPLICATION NO. 737 OF 2018
(Dr. Rangnath B. Sangle Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. No affidavit in rejoinder is to be filed as stated by the learned counsel appearing for the applicant. List the present case for hearing on 29.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 157 OF 2020
(Rohidas T. Shinde Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. No affidavit in rejoinder is to be filed as stated by the learned counsel appearing for the applicant. List the present case for hearing on 29.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 532 OF 2020
(Hemant J. Kinhikar Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. No affidavit in rejoinder is to be filed as stated by the learned counsel appearing for the applicant. List the present case for hearing on 29.4.2022.

MEMBER (A)

MEMBER (J)

**M.A.NO. 343/2021 IN O.A.NO. 692/2017
(Bhanudas R. Watane Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Shri V.G. Pingle, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 2 & 3 and the same is taken on record and copy thereof has been served on the other side.

3. Learned counsel appearing for the applicant has sought time for filing rejoinder affidavit. Time granted.

4. S.O. to 28.4.2022. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

**M.A.NO. 22/2020 IN O.A.ST.NO. 2431/2019
(Bhanudas A. Kalhapure & Ors. Vs. State of Maha. &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Shri Arjun Luke, learned counsel holding for Shri A.S. Shelke, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. Learned counsel appearing for the applicant submits that till date affidavit in reply has not been fled. Learned Presenting Officer submits that time may be granted for filing affidavit in reply as a last chance. Time granted.

3. S.O. to 20.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 58 OF 2020
(Ritesh R. Kaware & Ors. Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 24.3.2022

ORAL ORDER :

Shri R.K. Ashtekar, learned counsel for the applicants, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for respondent No. 4, are present.

2. S.O. to 28.3.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 124 OF 2021
(Kiran B. Kamble Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Smt. Suchita A. Dhongde, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. List the present case for hearing on 2.5.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 125 OF 2021
(Shrikant N. Desale Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Smt. Suchita A. Dhongde, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. List the present case for hearing on 2.5.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 155 OF 2021
(Chhotu S. Choudhari Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Smt. Suchita A. Dhongde, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. List the present case for hearing on 2.5.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 190 OF 2017
(Dattatraya J. Zombade Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Shri Shamsunder B. Patil, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. S.O. to 7.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 518 OF 2021
(Asmita M. Kekan & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Shri A.V. Thombre, learned counsel for the applicants and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 8.4.2022

MEMBER (A)

MEMBER (J)

ORAL ORDERS 24.3.2022-HDD

**ORIGINAL APPLICATION NO. 349 OF 2021
(Anil C. Hugge & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Shri R.K. Ashtekar, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondent No. 2. Time granted.

3. S.O. to 28.3.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 133 OF 2020
(Ms. Alka S. Mundhe Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Shri Sandeep D. Mundhe, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. S.O. to 4.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 24.3.2022-HDD

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

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Shri S.S. Jadhavar, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondents, is present.

2. S.O. to 20.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 24.3.2022-HDD

**ORIGINAL APPLICATION NO. 654 OF 2021
(Madnesh A. Mudiraj Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Ms. P.S. Gondhalekar, learned counsel holding for Shri C.V. Dharurkar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

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

3. S.O. to 5.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

M.A.NO. 122/2022 IN T.A.NO. 1/2022
(Manisha E. Kadu Vs. State of Maharashtra & Ors.)

WITH

M.A.NO. 123/2022 IN T.A.NO. 2/2022
(Arvind A. Borude & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 24.3.2022

ORAL ORDER :

Heard Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicants in both these OAs and S/Shri M.S. Mahajan & M.P. Gude, learned Chief Presenting Officer & learned Presenting Officer for the respective respondents in respective OAs.

2. In T.A. No. 1/2022 it is not clear as to why the applicant who is posted in Aurangabad Medical College has applied through Nanded Government Medical College as appeared from the record.

3. From the record submitted by learned counsel for the applicants it is clear that the two private Nursing Colleges related to these two original applications do not insist on submission of applications through proper channel nor do they ask for "No Objection Certificate" from the sponsoring authorities. It is also not clear as to what selection criteria has been followed by them. Learned counsel for the applicants submitted that these two private

Nursing Colleges have vacancies against sanctioned number of seats for MSc. Nursing Course and, therefore, admission is given to the candidates who appeared before them on “first come first serve basis”.

4. In order to get clarity about the policy of non-insisting on submission of application for admission without routing the same through cadre controlling authorities / sponsoring authorities in cases of in service candidates, assistance of the head of the concerned Nursing Institutes is necessary, who may assist the Tribunal by filing written submissions for which the applicants may get a written submission from them.

5. Learned C.P.O. and P.O. are yet to comply with orders passed by this Tribunal on 23.3.2022 and, therefore, time is granted for making compliance.

6. S.O. to 4.4.2022. During the intervening period the respective private Nursing Colleges / Institutes may not fill up the vacancy to the detriment of interest of applicants.

MEMBER (A)

Date :24.03.2022

**ORIGINAL APPLICATION NO.279 OF 2022
(Indurao Bhaurao Sarode V/s The State of
Maharashtra & Ors.)**

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

1. Smt. Suchita Dhongde, learned Advocate for the applicant and Shri V.R. Bhumkar, Id. P.O. for the respondents, are present
2. Circulation is granted. Issue notices to the respondents, returnable on 20.04.2022. The case be listed for admission hearing on **20.04.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date :24.03.2022

**ORIGINAL APPLICATION NO.281 OF 2022
(Mrs. Kirti Mahadeo Nagargoje V/s The State of
Maharashtra & Ors.)**

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

1. Smt. Suchita Dhongde, learned Advocate for the applicant and Smt. Deepali S. Deshpande, ld. P.O. for the respondents, are present
2. Circulation is granted. Issue notices to the respondents, returnable on 20.04.2022. The case be listed for admission hearing on **20.04.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

**ORIGINAL APPLICATION NO. 657 OF 2021
(Kailash V. Waghmare Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Heard Shri J.J. Patil, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3. Shri Aniket U. Patil, learned counsel for respondent No. 4 (**absent**).

2. The present O.A. can be disposed of in view of the fact that the seniority list, which is questioned in the present O.A. has been set aside by this Tribunal vide order dated 30.11.2021 passed in O.A. Nos. 280 & 281 both of 2021. The respondents are directed that revised (draft) seniority list be published in a manner that the same is available to all concerned employees enabling them to have due opportunity to file their objection/s, if any. Needless to state that the final seniority list will be published only after considering and deciding objection/s, if any raised to the said seniority list.

3. In view of the above, the present O.A. stands disposed of without any order as to costs.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 957 OF 2019
(Ramesh B. Mundhe Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 24.3.2022

ORAL ORDER :

Heard Ms. P.S. Gondhalekar, learned counsel holding for Shri C.V. Dharurkar, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. When the present Original Application is taken up for consideration, learned counsel appearing for the applicant submits that the departmental enquiry initiated against the applicant has been concluded with imposition of minor punishment. In the circumstances, learned counsel appearing for the applicant seeks leave of this Tribunal to withdraw the present Original Application. Hence, the following order: -

ORDER

The Original Application stands disposed of since withdrawn without any order as to costs.

MEMBER (A)

MEMBER (J)