

ORIGINAL APPLICATION NO. 1006 OF 2022
(Pravin Bhaskar Pote Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORDER

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

2. The background facts are admittedly that the Maharashtra Public Service Commission (in short, 'MPSC') had issued advertisement No. 45/2022 on 11.05.2022 thereby invited applications from eligible candidates for filling up 161 posts of Gazetted Group-A and Group- B posts under various Departments of the State of Maharashtra. By issuing corrigendum dated 31.10.2022, the number of posts were increased to 623. The present applicant was also a candidate in this examination from NT-D (General) category.

3. It is also an admitted fact that MPSC conducted the State Service (Preliminary) Examination, 2022 on 21.08.2022. Result for the said examination was declared on 04.11.2022. MPSC has declared category wise cut-off marks for the said examination for short-

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listing candidates eligible to appear in the Main Examination.

4. It is also admitted that the MPSC had published first answer key for the questions for the preliminary examination as prepared by a committee of experts on 25.08.2022 inviting objections to the same, if any, up to 30.08.2022 till 23.59 hours. The objections received within prescribed time limit were got vetted by second committee of experts and revised answer key was published on 02.11.2022.

5. The Applicant has claimed that the original answer to question No. 93 of the Set-D was correct and revised answer thereto is wrong. The applicant asserts that he could secure only 105.5 marks as per revised answer key and could have secured more than cut-off marks as per original answer key. As the cut-off marks for NT-D (General) & Open (General) category of candidates has been declared to be 106.5, the applicant claims that he is suffering a huge loss by MPSC going by revised answer key. In this regard, the applicant also stated that the question No. 50 of Set-D in this examination was the question No. 105 of Set-A in previous year 'State Services (Main) Examination-2021'. At that time, correct answer of the said question was given as option No. 3 being

“Friedrich Ratzell”, who was stated to be the father of Human Geography. However, the answer in options to very same question to question No. 50 in Set-D of the State Service (Preliminary) Examination-2022 the said options “Friedrich Ratzel” is not one of the options and as per answer key, option No. 3 i.e. Vidal-de-la-Blache is stated to be the correct answer, which was not mentioned as one of the options in the previous year. In view of the same, the applicant opted for not to answer the said question No. 50 and thereby loss has been caused to the applicant not securing the requisite marks for the said question, which the applicant could have answered correctly, if the correct options were placed on record. In the circumstances, in second answer key the said question No. 50 of Set-D ought to have been canceled. Not being done so, the applicant is adversely affected. If these circumstances are taken into consideration, the applicant would have secured 108 marks, which would have been well above the cut-off of marks of 106.5 for NT-D (General), as well as, Open (General) category. In these circumstances, the applicant has filed this O.A. No. 1006/22 seeking following reliefs:-

“A) This Original Application may kindly be allowed thereby holding & declaring that the impugned action of Respondent No. 2 of assessing the Question paper of the ‘State Services Pre

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Examination-2022' without cancelling Q. No. 50 in Set-D and further assessing the answer to Q. No. 93 in Set-D on the basis of a wrong & incorrect answer was unsustainable & untenable in law.

B) This Original Application may kindly be allowed thereby directing the Resp. No. 2 to reassess performance of the candidates who had appeared in the 'State Service Pre-Examination-2022' and re-adjust the cut-off level of marks not only by cancelling Q. No. 50 in Set-D, but also by assessing the answer to Q. No. 93 in Set-D on the basis of the answer given in option (1) thereto.

C) This Original Application may kindly be allowed thereby further directing the Resp. No. 2 to take all the consequential steps as would be required in view of grant to Prayer Clauses "A" and "B" mentioned hereinabove including the action of holding the applicant to be eligible to appear in the 'State Service Main Examination-2022'.

D) Costs of this Original Application may kindly be awarded to the applicant.

E) Any other appropriate relief as may be deemed fit by this Hon'ble Tribunal may kindly be granted.

INTERIM RELIEF

F) Pending the admission, hearing and final disposal of this Original Application the respondent no. 2 may kindly be directed to permit the application to participate in the 'State Service Main Examination 2022' to be held between 21st to 23rd January 2023 subject to the final outcome of this Original Application."

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6. The present O.A. was heard on 22.11.2022. The learned CPO had submitted a copy of written communication dated 22.11.2022 written on behalf of MPSC and signed by Under Secretary to MPSC; which was addressed to the learned CPO by which MPSC had communicated rationale / basis of action taken by it; Copy of which was provided to the other side too. In the said communication the factual position as regards question Nos. 50 and 93 of Set-D in respect of O.A. No. 1006/2022 is placed on record. As per the said factual position, in first answer key, the option Nos. 3 and 1 respectively were given as correct answers to said question Nos. 50 and 93 respectively. After considering objections thereof which were called online by 30.08.2022, the expert committee was appointed. As per the said second expert committee opinion, the answer to question No. 50 was retained as option No. 3 and answer to question No. 93 was changed from option No. 1 to option No. 2. The question No. 93 of Set-D was question No. 3 in Set-C. The said question No. 3 of Set-C is subject matter of this O.A. No. 1023/2022. In view of that the learned C.P.O. was allowed to adopt this copy of communication dated 22.11.2022 which was produced in O.A. No. 1006/2022 also in this O.A. No. 1023/2022. In view of this contentions raised in this communication dated 22.11.2022 sent by MPSC, learned C.P.O.

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strenuously urged before us that the similarly situated matters were dealt with by the Hon'ble Bombay High Court. He placed on record the following three citations of the Hon'ble Bombay High Court, which are as follows:-

- a) W.P. No. 7883 of 2012 in the matter of The State Public Service Commission Vs. Tejrao Bhagaji Gadekar & Anr., dated 03.12.2012.
- b) Group of W.P. Nos. 8575 of 2022 & Ors. in the matter of Somnath Jotiram Chavan & Ors. Vs. The State of Maharashtra and Ors. dated 06.09.2022.
- c) W.P. No. 9021 of 2022 in the matter of Shrikrishna Nandevrao Wankhede Vs State of Maharashtra & Anr., dated 27.07.2022

In all these above-said citations, the similar facts about change in answer key of certain questions were involved. The MPSC in these matters addressed the issue with the help of expert committee for settling the objections after exhibition of first answer key. In such circumstances, it is held that the MPSC has taken due care of settling the objections by taking the help of the expert committee. In view of that, it would not be proper to interfere into the expert's opinion about answers to the questions. More particularly in W.P. No. 8575/2022 & Ors. in the order dated 06.09.2022 (cited supra), it is observed in para Nos. 17, 18, 19 & 20 as follows :-

“17. The MAT considered the factual background and as the rival submissions, including a great deal of learning that was cited before it. In paragraph 19, MAT noted that the MPSC had deleted the question 27 and this could not be faulted. The observation of the MAT in paragraph 22 are indeed interesting. (Pages 80, 81 of the Writ Petition No. 8575 of 2022). The MAT said this:

“22. It is to be noted that unequal treatment given to the candidates appearing for the examination and unequal treatment given to the Questions are two different things. The M.P.S.C. has corrected the answer key of Question No. 87 after considering experts opinion that the correct answer was available. This decision was taken by the M.P.S.C. because there was no dispute in the opinion expressed in respect of Question No. 87. However, in respect of Question No. 27 the opinion given by the experts were conflicting. Therefore, the treatment given to Question No. 87 and Question No. 27 and their Answer Keys is different. But this will not in any case lead to discrimination or violation of Article 14 or Article 16 of the Constitution so far as Applicants are concerned. The Applicants cannot claim legal right against the decision of the M.P.S.C. because the decision taken is applicable uniformly to all the candidates who appeared for the examination. We understand the plight of the Applicants that they have lost the marks, however, in examinations chance is often a determinant.”

(Emphasis added)

18. We believe this approach is completely correct. What is being canvassed before us is precisely the opposite: viz., that the Petitioners should be given preferential treatment and the uniform applicability of the MPSC deletion decision should not made applicable

to the Petitioners. That is a submission that only needs to be stated to be rejected.

19. Finally, the MAT considered the question of the power of the MPSC and again held on the basis of cogent material that the MPSC had the power to take an appropriate decision.

20. It is impossible to render a decision in favour of these Petitioners, whether interim or final, without adversely affecting the very many of candidates who have been able to meet the qualifying criteria and are eligible to sit for the main examination on 11th September 2022. There is no principle under which an exception can be carved out for these Petitioners. Even basic notions of equity and justice would not permit such a preferential treatment.”

7. While responding, learned Advocate for the Applicant has submitted that the case laws may be referred to at the time of deciding the present O.A. on merit. At present interim relief may be granted in the interest of justice, as the last date for filing online application for the main examination is 28.11.2022. Learned CPO opposed for grant of interim relief stating that in view of case laws cited, it is amply clear that this Tribunal is not expected to step into shoes of MPSC for evaluation of answer sheets for the preliminary examination.

8. After having considered the facts and submissions on record, it is evident that the applicant said to have been affected because of corrected answer key in respect of question No. 93 of Set -D and failure to delete the

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question No. 50 in Set-D in the present Original Application. Admittedly the second answer key is published after having considered the objections raised in respect of first answer key by 30.08.2022 through second expert committee. It is pertinent to note here that there is no mention in this Original Application that the applicant raised objection which is raised in this O.A. as regards question No. 50 of Set-D before the MPSC and which said to have caused loss to him. Learned Advocate for the applicant, however, submitted that some other candidates raised such objection, but the applicant is not having any proof regarding that. In such circumstances, it would be exercise in futility to go into the aspect of question No. 50 of Set-D, which cannot be said to be the matter of dispute being raised by the applicant himself. In the facts and circumstances, the MPSC has done exercise of getting correct answer key through another committee of expert. No doubt, the MPSC in its communication addressed to learned C.P.O. has stated that whatever is done is done by the expert committee and not by the MPSC. But that has to be appreciated in proper perspective. The wording in the said communication will not change the facts on record. Accordingly, we have to appreciate the facts of the present case in the background of the ratio laid down in the citations relied upon by the learned C.P.O., which we have already reproduced.

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9. On perusal of citations made by the learned CPO, and upon considering submissions made by the learned Advocate for the Applicant, in our considered opinion, this Tribunal is not expected to interfere with the process of evaluation of answer sheets after MPSC has decided all the objections received within prescribed time with the help of second committee of experts.

10. In view of above, in our considered opinion the case laws cited by the learned CPO are aptly applicable in the present matter. In view of the ratio laid down in the above-said citations, no prima-facie case is made out by the applicant for seeking relief of allowing him to appear for main examination, which is scheduled on 28.11.2022. Not only this but as per the ratio laid in the above-said citations, it has amply clear that it would not be permissible for the Tribunal to go into the area of evaluation of answer sheets for the preliminary examination by entering into shoes of MPSC. In view of this, in our considered opinion, there is no merit in O.A. itself and therefore, it is liable to be dismissed summarily. We, therefore, proceed to pass following order:-

ORDER

A] Original Application No. 1006 of 2022 is dismissed.

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- B] The interim relief as prayed for by the applicant in terms of prayer clause 12 (F) is hereby rejected.
- C] No order as to costs.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 24.11.2022

ORIGINAL APPLICATION NO. 1023 OF 2022
(Suraj R. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORDER

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

2. The background facts are admittedly that the Maharashtra Public Service Commission (in short, 'MPSC') had issued advertisement No. 45/2022 on 11.05.2022 thereby invited applications from eligible candidates for filling up 161 posts of Gazetted Group-A and Group- B posts under various Departments of the State of Maharashtra. By issuing corrigendum dated 31.10.2022, the number of posts were increased to 623. The present applicant was also a candidate in this examination from DT-A category.

3. It is also an admitted fact that MPSC conducted the State Service (Preliminary) Examination, 2022 on 21.08.2022. Result for the said examination was declared on 04.11.2022. MPSC has declared category wise cut-off marks for the said examination for short-

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listing candidates eligible to appear in the Main Examination.

4. It is also admitted that the MPSC had published first answer key for the questions for the preliminary examination as prepared by a committee of experts on 25.08.2022 inviting objections to the same, if any, up to 30.08.2022 till 23.59 hours. The objections received within prescribed time limit were got vetted by second committee of experts and revised answer key was published on 02.11.2022.

5. The Applicant has claimed that the original answer to question No. 3 of the Set-C was correct and revised answer thereto is wrong. The applicant asserts that he could secure only 104.5 marks as per revised answer key and could have secured more than cut-off marks as per original answer key. As the cut-off marks for DT-A category of candidates has been declared to be 106.5, the applicant claims that he is suffering a huge loss by MPSC going by revised answer key. The applicant has further submitted that he had made a representation to the Chairman, MPSC on 07.11.2022. As there was no response from the MPSC and the last date for submitting online application for the main examination is scheduled

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to be 28.11.2022, the applicant has filed this O.A. No. 1023 of 2022 on 18.11.2022 seeking following reliefs:-

“a) The original application may kindly be allowed.

b) Hold and declare that action of MPSC of assessing answer of question no. 3 in SET-C of question paper of State Service (preliminary) Exam-22, on the basis of wrong and incorrect answer was unsustainable and illegal.

c) Respondent no. 2 i.e. MPSC may kindly be directed to take corrective steps to given marks for question no. 3 in SET-C as option -1 as right answer and accordingly re-adjust cut off level and allow eligible candidates for main examination.

d). Hold and declare that the applicant is eligible to appear for State Service Main Examination-22 on the basis of corrective steps of granting marks for question no. 3 in SET-A as option -1 as right answer.

e). Pending hearing and final disposal of this Original Application the respondent no. 2 i.e. MPSC may kindly be directed to permit application to participate in the state service Main Examination 2022 held between 21st to 23rd January 2023 subject to the final decision of this Hon'ble Tribunal.

f). Any other relief for which the applicant is entitled may kindly be granted in the interest of justice.”

6. Another similar matter bearing O.A. No. 1006/2022 matter was mentioned before the present O.A. on 18.11.2022 and therefore, learned C.P.O. was

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directed to get say of MPSC on or before 22.11.2022. Later on, when the present O.A. was mentioned, it was noticed that the two OA's pertaining to the same examination and the original applicants in the two had similar grievance regarding correctness of second answer-key. Therefore, the present O.A. was also fixed for hearing on 22.11.2022.

7. The present O.A. was heard on 22.11.2022. The learned CPO had submitted a copy of written communication, dated 22.11.2022 written on behalf of MPSC and signed by Under Secretary to MPSC; which was addressed to the learned CPO by which MPSC had communicated rationale / basis of action taken by it; Copy of which was provided to the other side too. In the said communication the factual position as regards question Nos. 50 and 93 of Set-D in respect of O.A. No. 1006/2022 is placed on record. As per the said factual position, in first answer key, the option Nos. 3 and 1 respectively were given as correct answers to said question Nos. 50 and 93 respectively. After considering objections thereof which were called online by 30.08.2022, the expert committee was appointed. As per the said second expert committee opinion, the answer to question No. 50 was retained as option No. 3 and answer to question No. 93 was changed from option No. 1 to

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O.A. No. 1023/2022

option No. 2. The question No. 93 of Set-D was question No. 3 in Set-C. The said question No. 3 of Set-C is subject matter of this O.A. No. 1023/2022. In view of that the learned C.P.O. was allowed to adopt this copy of communication dated 22.11.2022, which was produced in O.A. No. 1006/2022 also in this O.A. No. 1023/2022. In view of this contentions raised in this communication dated 22.11.2022 sent by MPSC, learned C.P.O. strenuously urged before us that the similarly situated matters were dealt with by the Hon'ble Bombay High Court. He placed on record the following three citations of the Hon'ble Bombay High Court, which are as follows:-

- a) W.P. No. 7883 of 2012 in the matter of The State Public Service Commission Vs. Tejrao Bhagaji Gadekar & Anr., dated 03.12.2012.
- b) Group of W.P. Nos. 8575 of 2022 & Ors. in the matter of Somnath Jotiram Chavan & Ors. Vs. The State of Maharashtra and Ors. dated 06.09.2022.
- c) W.P. No. 9021 of 2022 in the matter of Shrikrishna Nandevrao Wankhede Vs State of Maharashtra & Anr., dated 27.07.2022

In all these above-said citations, the similar facts about change in answer key of certain questions were involved. The MPSC in these matters addressed the issue with the help of expert committee for settling the

objections after exhibition of first answer key. In such circumstances, it is held that the MPSC has taken due care of settling the objections by taking the help of the expert committee. In view of that, it would not be proper to interfere into the expert's opinion about answers to the questions. More particularly in W.P. No. 8575/2022 & Ors. in the order dated 06.09.2022 (cited supra), it is observed in para Nos. 17, 18, 19 & 20 as follows :-

“17. The MAT considered the factual background and as the rival submissions, including a great deal of learning that was cited before it. In paragraph 19, MAT noted that the MPSC had deleted the question 27 and this could not be faulted. The observation of the MAT in paragraph 22 are indeed interesting. (Pages 80, 81 of the Writ Petition No. 8575 of 2022). The MAT said this:

“22. It is to be noted that unequal treatment given to the candidates appearing for the examination and unequal treatment given to the Questions are two different things. The M.P.S.C. has corrected the answer key of Question No. 87 after considering experts opinion that the correct answer was available. This decision was taken by the M.P.S.C. because there was no dispute in the opinion expressed in respect of Question No. 87. However, in respect of Question No. 27 the opinion given by the experts were conflicting. Therefore, the treatment given to Question No. 87 and Question No. 27 and their Answer Keys is different. But this will not in any case lead to discrimination or violation of Article 14 or Article 16 of the Constitution so far as Applicants are concerned. The Applicants cannot claim legal right against the decision of the M.P.S.C. because the decision taken is applicable uniformly to all the candidates

who appeared for the examination. We understand the plight of the Applicants that they have lost the marks, however, in examinations chance is often a determinant.”

(Emphasis added)

18. *We believe this approach is completely correct. What is being canvassed before us is precisely the opposite: viz., that the Petitioners should be given preferential treatment and the uniform applicability of the MPSC deletion decision should not made applicable to the Petitioners. That is a submission that only needs to be stated to be rejected.*

19. *Finally, the MAT considered the question of the power of the MPSC and again held on the basis of cogent material that the MPSC had the power to take an appropriate decision.*

20. *It is impossible to render a decision in favour of these Petitioners, whether interim or final, without adversely affecting the very many of candidates who have been able to meet the qualifying criteria and are eligible to sit for the main examination on 11th September 2022. There is no principle under which an exception can be carved out for these Petitioners. Even basic notions of equity and justice would not permit such a preferential treatment.”*

8. While responding, learned Advocate for the Applicant has submitted that the case laws may be referred to at the time of deciding the present O.A. on merit. At present interim relief may be granted in the interest of justice, as the last date for filing online application for the main examination is 28.11.2022. Learned CPO opposed for grant of interim relief stating that in view of case laws cited, it is amply clear that this

Tribunal is not expected to step into shoes of MPSC for evaluation of answer sheets for the preliminary examination.

9. After having considered the facts and submissions on record, it is evident that the applicant said to have been affected because of corrected answer key in respect of question No. 3 of Set-C. Admittedly the second answer key is published after having considered the objections raised in respect of first answer key by 30.08.2022 through second expert committee. In the facts and circumstances, the MPSC has done exercise of getting correct answer key through another committee of expert. No doubt, the MPSC in its communication addressed to learned C.P.O. has stated that whatever is done is done by the expert committee and not by the MPSC. But that has to be appreciated in proper perspective. The wording in the said communication will not change the facts on record. Accordingly, we have to appreciate the facts of the present case in the background of the ratio laid down in the citations relied upon by the learned C.P.O., which we have already reproduced.

10. On perusal of citations made by the learned CPO, and upon considering submissions made by the learned Advocate for the Applicant, in our considered opinion, this Tribunal is not expected to interfere with the process

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of evaluation of answer sheets after MPSC has decided all the objections received within prescribed time with the help of second committee of experts.

11. In view of above, in our considered opinion the case laws cited by the learned CPO are aptly applicable in the present matter. In view of the ratio laid down in the above-said citations, no prima-facie case is made out by the applicant for seeking relief of allowing him to appear for main examination, which is scheduled on 28.11.2022. Not only this but as per the ratio laid in the above-said citations, it has amply clear that it would not be permissible for the Tribunal to go into the area of evaluation of answer sheets for the preliminary examination by entering into shoes of MPSC. In view of this, in our considered opinion, there is no merit in O.A. itself and therefore, it is liable to be dismissed summarily. We, therefore, proceed to pass following order:-

ORDER

- A] Original Application No. 1023 of 2022 is dismissed.
- B] The interim relief as prayed for by the applicant in terms of prayer clause 21 (e) is hereby rejected.
- C] No order as to costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 387 OF 2018
(Pramod V. Gite Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri Shritej Surve, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri A.V. Thombre, learned Advocate holding for Shri R.D. Khadap, learned Advocat for respondent No. 5.

2. At the request of learned Advocate for respondent No. 5, time is granted for filing affidavit in reply.

3. S.O. to 22.12.2022 for hearing.

MEMBER (A)

MEMBER (J)

M.A. No. 498/2022 in O.A. St. No. 1790/2022
(Ganesh D. Nagargoje & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicants, S.O. to 01.12.2022.

MEMBER (A)

KPB ORAL ORDERS 24.11.2022

MEMBER (J)

M.A. No. 499 /2022 in O.A. St. No. 1792/2022
(Vikas N. Khedkar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicants, S.O. to 01.12.2022.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 24.11.2022

ORIGINAL APPLICATION NO. 703 OF 2022
(Shivaji V. Galande Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri G.R. Jadhav, learned Advocate holding for Shri O.B. Boinwad, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. At the request of learned Advocate for the applicant, S.O. to 21.12.2022.

MEMBER (A)

KPB ORAL ORDERS 24.11.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 1008 OF 2022
(Suresh R. More Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri A.M. Hajare, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 03.01.2023.

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

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

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

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

7. S.O. to 03.01.2023.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 868 OF 2022
(Ramdas G. Gangadhare Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri R.P. Bhumkar, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 03.01.2023.

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

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

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

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

7. S.O. to 03.01.2023.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1037 OF 2022
(Vijaysing K. Wagh Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri A.M. Hajare, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 03.01.2023.

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

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

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

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

7. S.O. to 03.01.2023.

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

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 985 OF 2022
(Vitthal H. Wanve Vs. State of Maharashtra & Ors.)**

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

DATE : 24.11.2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 01.12.2022.

MEMBER (A)

KPB ORAL ORDERS 24.11.2022

MEMBER (J)

**ORIGINAL APPLICATION NO. 398 OF 2021
(Vasant R. Medhe Vs. State of Maharashtra & Ors.)**

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities. Shri S.D. Dhongde, learned Advocate for respondent No. 2, **leave note**.

2. In view of leave note filed by the learned Advocate for respondent No. 2, S.O. to 06.12.2022 for re-hearing.

MEMBER (A)

KPB ORAL ORDERS 24.11.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 271 OF 2019
(Avinash R. Kamble & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri R.A. Joshi, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. The present Original Application is filed seeking declaration of eligibility for the post of Assistant Conservator of Forest and Range Forest Officer. By the interim order dated 22.03.2019, the applicants were allowed to appear in screening test. However, the applicants failed in that examination. In view of the same, the present O.A. has become infructuous.

3. In view of above, the Original Application stands disposed of as infructuous with no order as to costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 171 OF 2019
(Dr. Vaishali R. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri B.N. Gadegaonkar, learned Advocate for respondent No. 4.

2. During the course of arguments, it transpires that the experience certificate of the respondent No. 4 under Clause 4.8 of the Advertisement dated 17.05.2017 (Annexure A-5) would be necessary to adjudicate this matter. Such certificate is not produced on record.

3. In view of the same, the respondents are directed to produce on record such document/s by the next date of hearing, which was considered for giving appointment to the respondent No. 4.

4. S.O. to 05.12.2022.

5. The present matter is to be treated as part heard.

MEMBER (A)

MEMBER (J)

**Review 04/2022 in O.A. No. 108/2019
(Krushna R. Rathod Vs. State of Maharashtra & Ors.)**

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

DATE : 24.11.2022

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. The present Review Petition is being filed against the order dated 30.03.2022 passed in O.A. 108/2019. The said order under review is passed by the Division Bench of Hon'ble Justice P.R. Bora, Vice Chairman and one of us i.e. Hon'ble Shri Bijay Kumar, Member (A).

3. In view of the same, the present matter may be placed before the Division Bench consisting of Hon'ble Justice P.R. Bora, Vice Chairman and Hon'ble Shri Bijay Kumar, Member (A).

4. S.O. to 07.12.2022.

MEMBER (A)

KPB ORAL ORDERS 24.11.2022

MEMBER (J)

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

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri Avinash Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant submits that during pendency of the present Original Application the applicant has been promoted to the post of Deputy Superintendent of Land Records vide order dated 27.05.2022. In view of the same, he submits that the matter will proceed further only in respect of deemed date for the applicant in respect of the said post.

3. Learned Presenting Officer submitted that the respondents are considering the case of the applicant for granting deemed date.

4. S.O. to 09.01.2023.

MEMBER (A)

MEMBER (J)

**M.A. No. 141/2021 in O.A. No. 295/2019 with
C.P. 03/2021**

**(State of Maharashtra & Ors. Vs. Maharashtra Rajya
Hangami Hivtap Prayogshala Karmachari Sanghatana)**

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

DATE : 24.11.2022

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicants in O.A., Shri Vinod Bhumkar, learned Presenting Officer for the respondent authorities (applicants in M.A.) and Shri V.P. Patil, learned Advocate for respondents (intervenors).

2. The M.A. No. 121/2021 was allowed by this Tribunal by the order dated 03.08.2022. By the said order, the intervenors were allowed to be joined as party respondents in O.A.

3. Learned Advocate for the applicants in O.A. admits that the formal amendment for joining the intervenors as party respondents is not carried out in the O.A. and therefore, she seeks permission of this Tribunal to carry out the necessary amendment in the O.A.

4. In the interest of justice, the amendment is allowed to be carried out forthwith.

//2// M.A. 141/2021 in O.A.
295/19 with CP 03/21

5. Learned Advocate for the private respondents / intervenors submits that the grievance of the intervenors would be only to consider their claim in accordance with law in the O.A. In the facts and circumstances, he adopts the contentions raised by the applicants in M.A. No. 121/2021 as their affidavit in reply in O.A. No. 295/2019.

6. At the request of learned Presenting Officer, S.O. to 28.11.2022 for re-hearing.

MEMBER (A)

KPB ORAL ORDERS 24.11.2022

MEMBER (J)

ORIGINAL APPLICATIO NO.93 OF 2019
(Priyanka J. Janephalkar Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri A.R. Jadhav, learned Advocate holding for Shri J.M. Murkute, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. S.O. to 07.12.2022 for hearing. **High On Board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

**M.A.NO.185 OF 2021 IN O.A.NO.257 OF 2021
(Nansahb L. Gaikwad Vs. State of Maharashtra & Ors.)**

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. S.O. to 05.12.2022 for hearing. **High On Board.**

3. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

**M.A.NO.192 OF 2021 IN O.A.NO.258 OF 2021
(Laxman N. Sormar Vs. State of Maharashtra & Ors.)**

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. S.O. to 05.12.2022 for hearing. **High On Board.**

3. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATIO NO.149 OF 2018
(Dhananjay L. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Shri M.B. Kolpe, learned Advocate for the applicant (**absent**). Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. S.O. to 02.01.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

ORIGINAL APPLICATIO NO.349 OF 2019
(Dadasaheb M. Kewat Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities. Shri S.D. Dhongde, learned Advocate for the respondent No.4 has filed a **leave note**.

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

3. S.O. to 15.12.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.734 OF 2019
(Shamsundar R. Pande Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

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

2. S.O. to 15.12.2022 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

ORIGINAL APPLICATIO NO.09 OF 2021
(Ulhas Y. Kawade Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Shri Hemant U. Dhage, learned Advocate for the applicant (**absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. S.O. to 02.01.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

ORIGINAL APPLICATIO NO.195 OF 2021
(Gopal S. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. S.O. to 09.12.2022 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

**O.A.NO. 212 OF 2021 WITH O.A.NO.213 OF 2021
(Dr. Rahul P. Waghmare & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicants in both the O.As. and Shri S.K. Shirse, learned Presenting Officer for the respondents in both the O.As.

2. S.O. to 07.12.2022 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

**ORIGINAL APPLICATION NO.279 OF 2021
(Pratap A. Garje Vs. State of Maharashtra & Ors.)**

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri S.B. Solanke, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. S.O. to 03.01.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

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

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri A.B. Rajkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. S.O. to 23.12.2022 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

ORIGINAL APPLICATIO NO.644 OF 2021
(Dilip B. Wani Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Smt. Suchita A. Dhongde, learned Advocate for the applicant has filed a **leave note**. Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. In view of leave note of learned Advocate for the applicant, S.O. to 05.01.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

ORIGINAL APPLICATIO NO.368 OF 2022
(Ankita D. Chunga Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri Sandeep Kulkarni, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. S.O. to 04.01.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

ORIGINAL APPLICATION NO.426 OF 2022
(Urmila S. Phule @ Urmila P. Narwade Vs. State of
Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri B.G. Deshmukh, learned Advocate
for the applicant and Shri M.P. Gude, learned
Presenting Officer for the respondents.

2. S.O. to 09.01.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATIO NO.581 OF 2022
(Vijay B. Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Shri Avinash V. Choudhari, learned Advocate for the applicant (**absent**). Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. S.O. to 05.01.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

ORIGINAL APPLICATION NO.851 OF 2022
(Prashant B. Kachhawa Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. S.O. to 05.12.2022 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

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

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. S.O. to 23.12.2022 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

**M.A.NO.170 OF 2022 IN O.A.ST.NO.404 OF 2022
(Raosaheb S. Deshmukh Vs. State of Maharashtra & Ors.)**

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned P.O. for the respondents submits that she would file affidavit in reply during the course of the day.

3. Learned Advocate for the applicant submits that the applicant does not wish to file affidavit in rejoinder.

4. S.O. to 08.12.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.680 OF 2013
(Vilas R. Gandhane & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri P.V. Suryawanshi, learned Advocate for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. S.O. to 12.12.2022 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

ORIGINAL APPLICATIO NO.499 OF 2015
(Dr. Maroti D. Dake Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. S.O. to 13.12.2022 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

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

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

DATE : 24.11.2022

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. S.O. to 23.12.2022 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

ORIGINAL APPLICATIO NO.244 OF 2016
(Vijaykumar P. Narwade Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. S.O. to 23.12.2022 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

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

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri Anudip D. Sonar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. S.O. to 23.12.2022 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

ORIGINAL APPLICATIO NO.408 OF 2017
(Shivam S. Kamble Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri R.B. Wankhede, learned Advocate holding for Shri S.P. Urgunde, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. S.O. to 05.01.2023 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

ORIGINAL APPLICATIO NO.804 OF 2017
(Prakash D. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

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

2. S.O. to 16.12.2022 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

ORIGINAL APPLICATION NO.939 OF 2017
(Dattatraya S. Bargaje Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. S.O. to 16.12.2022 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

ORIGINAL APPLICATIO NO.213 OF 2018
(Balaji N. Sontakke Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. S.O. to 06.12.2022 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATIO NO.399 OF 2018
(Kantilal K. Golwal Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri R.B. Wankhede, learned Advocate holding for Shri S.S. Dhambe, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. S.O. to 05.01.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATIO NO.887 OF 2018
(Dr. Sumant N. Wagh Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. S.O. to 22.12.2022 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

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

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri R.P. Bhumkar, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities. Shri S.D. Dhongde, learned Advocate for the applicant has filed a **leave note**.

2. S.O. to 23.12.2022 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

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

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

DATE : 24.11.2022

ORAL ORDER :

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

2. S.O. to 23.12.2022 for final hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

ORIGINAL APPLICATION NO.240 OF 2022
(Ankij P. Sawai Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Issue fresh notice to the respondent No.4, returnable on 28.11.2022.

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.

//2//

O.A.240/2022

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

8. S.O. to 28.11.2022 for urgent admission.

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

MEMBER (A)

MEMBER (J)

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

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri R.B. Ade, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., last chance is granted for filing affidavit in reply on behalf of the respondents.

3. S.O. to 23.12.2022.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

ORIGINAL APPLICATION NO.387 OF 2020
(Ajay R. More Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Shri Nilesh J. Patil, learned Advocate for the applicant (**absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Record shows that affidavit in reply is only filed on behalf of the respondent No.2.
3. At the request of the learned P.O., last chance is granted for filing affidavit in reply on behalf of the respondent Nos.1 & 3.
4. S.O. to 02.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATIO NO.274 OF 2019
(Prashant S. Sapkale Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri N.V. Borse, learned Advocate holding for Shri M.R. Wagh, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Await service.

3. At the request of the learned Advocate for the applicant, S.O. to 23.12.2022 for taking necessary steps.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATIO NO.311 OF 2019
(Rekha I. Manikhedkar Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit in sur rejoinder.

3. S.O. to 23.12.2022.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

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

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Record shows that the affidavit in reply is only filed on behalf of the respondent No.1.
3. At the request of the learned P.O., last chance is granted for filing affidavit in reply on behalf of the respondent No.2.
4. S.O. to 23.12.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.115 OF 2020
(Pravin S. Thakre Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., last chance is granted for filing affidavit in reply on behalf of the respondents.

3. S.O. to 02.01.2023.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.454 OF 2021
(Dipak L. Pendkar Vs. State of Maharashtra & Ors.)**

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

DATE : 24.11.2022

ORAL ORDER :

Heard Ms. Megha Mali, learned Advocate holding for Shri S.K. Mathpati, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., last chance is granted for filing affidavit in reply on behalf of the respondents.

3. S.O. to 02.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.640 OF 2021
(Maharashtra Rajya Nagar Parishad, Nagar Panchayat,
Karmachari Sanwarg Karmachari Sanghtana Through it's
Authorized member Shri Haridas K. Wagh (Patil) Vs. State
of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Shri R.K. Ashtekar, learned Advocate for the applicant (**absent**). Heard Smt. M.P. Gude, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 03.01.2023 for filing affidavit in rejoinder.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.75 OF 2022
(Pankaj N. Kahirkar Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Smt. Suchita Dhongde, learned Advocate for the applicant has filed a **leave note**. Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., last chance is granted for filing affidavit in reply on behalf of the respondents.

3. S.O. to 03.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.93 OF 2022
(Vidya S. Sudane Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

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

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

3. S.O. to 03.01.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.111 OF 2022
(Pandurang V. Hande Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Ms. Megha Mali, learned Advocate holding for Shri S.K. Mathpati, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. S.O. to 04.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.151 OF 2022
(Chhaban V. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Ms. Megha Mali, learned Advocate holding for Shri S.K. Mathpati, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, time is granted for filing affidavit in rejoinder.
3. S.O. to 04.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.152 OF 2022
(Duryodhan S. Wankhede Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Ms. Megha Mali, learned Advocate holding for Shri S.K. Mathpati, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 04.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.137 OF 2022
(Abhijit V. Bhapkar Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri A.B. Rajkar, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

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

3. S.O. to 05.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.235 OF 2022
(Dilip A. Patotle Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri P.B. Bodhade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Affidavit in rejoinder filed by the applicant is taken on record and copy thereof has been served on the other side.

3. S.O. to 05.12.2022 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.236 OF 2022
(Bhagyashri T. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri P.B. Bodhade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Affidavit in rejoinder filed by the applicant is taken on record and copy thereof has been served on the other side.

3. S.O. to 05.12.2022 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.265 OF 2022
(Ranjana B. More Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri P.B. Bodhade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Affidavit in rejoinder filed by the applicant is taken on record and copy thereof has been served on the other side.

3. S.O. to 05.12.2022 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.270 OF 2022
(Suresh M. Kadam Alia Suresh B. Sharma Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Shri Shreyas Deshpande, learned Advocate for the applicant (**absent**). Heard Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri Jiwan J. Patil, learned Advocate for the respondent No.4.

2. Await service for respondent No.1.

3. S.O. to 05.01.2023.

MEMBER (A)

MEMBER (J)

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

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri R.P. Bhumkar learned Advocate for the applicant and Shri I.S. Thorat learned Presenting Officer for the respondents.

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

3. S.O. to 23.12.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.376 OF 2022
(Priyanka S. Bansode Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri S.D. Joshi learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate learned Presenting Officer for the respondents.

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

3. S.O. to 05.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.413 OF 2022
(Dr. Rajesh D. Subhedar Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri J.S. Deshmukh learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

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

3. S.O. to 05.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.479 OF 2022
(Dr. Parvez Abdul Jabbar Mujawar Vs. State of Maharashtra
& Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Await service.
3. At the request of the learned Advocate for the applicant, time is granted for taking necessary steps.
4. S.O. to 05.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.544 OF 2022
(Jagdish N. Yengupatla Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri Sanjay N. Pagare, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri Jiwan J. Patil, learned Advocate for the respondent No.4.

2. Affidavit in reply filed on behalf of the respondent Nos.2 and 3 is taken on record and copy thereof has been served on the other side.

3. Record shows that the affidavit in reply is already filed on behalf of the respondent No.4.

4. S.O. to 04.01.2023 for filing affidavit in rejoinder, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.578 OF 2022
(Shailesh U. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

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

2. At the request of the learned C.P.O., time is granted for filing affidavit in reply on behalf of the respondents.

3. S.O. to 04.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.602 OF 2022
(Balasaheb A. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri Shritej Surve, learned Advocate holding for Shri Hemant Surve, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

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

3. S.O. to 04.01.2023.

MEMBER (A)

MEMBER (J)

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

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, Shri A.S. Deshmukh, learned Advocate for the respondent Nos.8, 15, 17, 22, 24 & 26 to 28 and Shri A.D. Sugdare, learned Advocate for the respondent No.29.

2. Learned Advocate for the applicant submits that he would file service affidavit during the course of the day.

3. S.O. to 23.12.2022 for filing affidavit in reply on behalf of the respondents.

MEMBER (A)

MEMBER (J)

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

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

DATE : 24.11.2022

ORAL ORDER :

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

2. Learned C.P.O. for the respondents submits that he would file affidavit in reply during the course of the day along with extra copy for the applicant.

3. S.O. to 23.12.2022 for filing affidavit in rejoinder, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 629 OF 2022
(Santosh V. Deshmukh & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Shri Ujjwal Patil, learned Advocate for the applicants (**absent**). Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. S.O. to 03.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 633 OF 2022
(Dr. Sanjay B. Dhage Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of the learned P.O. for the respondents, time is granted for filing affidavit in reply.

3. S.O. to 04.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 641 OF 2022
(Amarsing S. Kamthekar Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Shri H.V. Tungar, learned Advocate for the applicant (**absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of the learned P.O. for the respondents, time is granted for filing affidavit in reply.

3. S.O. to 05.01.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

ORIGINAL APPLICATION NO. 659 OF 2022
(Navnath C. Ugalmugale Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Affidavit in reply filed on behalf of the respondent Nos. 1 to 4 is taken on record and copy thereof has been served on the other side.

3. S.O. to 04.01.2023 for filing affidavit in rejoinder, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 681 OF 2022
(Nashaboina S. Yadgiri Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri Yogesh P. Deshmukh, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities and Shri S.B. Patil, learned Advocate for the respondent Nos.2 & 3.

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

3. S.O. to 03.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 702 OF 2022
(Nitin S. Hagare Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri S.B. Solanke, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Await service of notice for the respondent No.1.
3. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of the respondent Nos.2 to 4.
4. S.O. to 09.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 878 OF 2022
(Dattatray A. Galgate Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

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

2. Await service.
3. S.O. to 02.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 907 OF 2022
(Ajay S. Rathod & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Await service.
3. S.O. to 02.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 908 OF 2022
(Chandrakant K. Sanap & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Await service.
3. S.O. to 02.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 909 OF 2022
(Rahul Y. Pawal & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Await service.
3. S.O. to 02.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 910 OF 2022
(Pankaj R. Rathod & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Await service.
3. S.O. to 02.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 911 OF 2022
(Dipak D. Sanap & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Await service.
3. S.O. to 02.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 912 OF 2022
(Yuvraj N. Rakh Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Await service.
3. S.O. to 02.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1005 OF 2022
(Ganpat H. Darade Vs. State of Maharashtra & Ors.)

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

DATE : 24.11.2022

ORAL ORDER :

Shri S.K. Chavan, learned Advocate for the applicant (**absent**). Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned C.P.O. for the respondents placed on record the copy of letter dated 24.11.2022 addressed by Under Secretary to Government of Maharashtra, Home Department, Mumbai to his office. It is taken on record and marked as document 'X' for the purpose of identification.

3. At the request of the learned C.P.O., time is granted for filing affidavit in reply on behalf of the respondents.

4. S.O. to 28.11.2022.

MEMBER (A)

MEMBER (J)

**M.A.NO.140 OF 2022 IN O.A.ST.NO.494 OF 2022
(Vinod V. Bandale Vs. State of Maharashtra & Ors.)**

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

DATE : 24.11.2022

ORAL ORDER :

Heard Shri S.B. Jadhav, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

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

3. S.O. to 12.12.2022.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 24.11.2022

ORIGINAL APPLICATION NO. 921 OF 2016
(Sanjay T. Mali Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 24.11.2022

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The present matter has already been treated as part heard.
3. By consent of both the sides, S.O. to 02.12.2022 final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 255 OF 2019
(Subhash D. Thale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 24.11.2022

ORAL ORDER :

Shri V.G. Salgare, learned Advocate for the applicant (**absent**). Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The present matter has already been treated as part heard.

3. In view of absence of learned Advocate for the applicant, S.O. to 05.12.2022 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 405 OF 2019
(Shishupal S. Raut Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 24.11.2022

ORAL ORDER :

Shri V.G. Salgare, learned Advocate for the applicant (**absent**). Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. The present matter has already been treated as part heard.

3. In view of absence of learned Advocate for the applicant, S.O. to 05.12.2022 for final hearing.

MEMBER (J)

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

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 24.11.2022

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The matter was made nominally part heard.
3. In view of the same, it is made de-part heard and it be placed before the regular Single Bench.
4. S.O. to 29.11.2022.

MEMBER (J)

**R.A.NO.6/2022 IN M.A.NO.469/2022 IN O.A.NO.536/2021
(The Charity Commissioner, Maharashtra State, Mumbai
Dharmaday Ayukt Bhavan Through The Deputy Charity
Commissioner, Maharashtra State, Mumbai Vs. State of
Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 24.11.2022

ORAL ORDER :

Heard Shri I.S. Thorat, learned P.O. for the applicant in Review Application/respondents in O.A.

Shri R.A. Joshi, learned Advocate for the respondent in Review Application/applicant in O.A., is **absent**.

2. S.O. to 30.11.2022. Till then the earlier arrangement to continue.

MEMBER (J)