

**ORIGINAL APPLICATION NO.1012/2019
(Satish Badade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(Matter is placed before Single Bench due to
non-availability of Division Bench)**

DATE : 24.01.2022

ORAL ORDER :

Heard Shri A.D.Sugdare, learned Advocate for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondents.

2. It has been submitted by the learned Advocate for the applicant that the provisional pension has been started as per the order passed on 9th December, 2021. However, it was noticed that the learned P.O. was required by the same order dated 09-12-2021 to present a copy of the recruitment rules for the post of Senior Pharmacist in view of the state of affairs explained in paragraph 4 of the said order, which has not been complied with as on today.

3. Learned P.O. assures to submit it on or before the next date of hearing and provide copy of the same to the learned Advocate for the applicant.

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O.A.NO.1012/2019

4. Learned Counsel for the applicant further submits that even if copy of the recruitment rules for the post of Senior Pharmacist is submitted by the learned P.O. and if any new fact comes to notice, he will prefer not to file his rejoinder and will prefer final hearing at the stage of admission.

5. S.O. to 08-03-2022 for final hearing at the stage of admission.

MEMBER (A)

ORIGINAL APPLICATION NO.1025/2019
(Dr. Sangeeta S. Patil Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(Matter is placed before Single Bench due to
non-availability of Division Bench)

DATE : **24.01.2022**

ORAL ORDER :

Shri Shamsundar B. Patil, learned Advocate for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents, are present.

2. At the request of the parties, S.O. to 02-03-2022.

MEMBER (A)

**ORIGINAL APPLICATION NO.152/2020
(Avinash Londhe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(Matter is placed before Single Bench due to
non-availability of Division Bench)**

DATE : 24.01.2022

ORAL ORDER :

Heard Ms. Poonam Bodke Patil, learned Advocate for the applicant and Mr. I.S.Thorat, learned Presenting Officer for the respondents.

2. Matter was fixed for hearing today, however, Division Bench is not available. Hearing is being adjourned till next date.

3. In the meantime, learned P.O. has prayed for time for filing sur-rejoinder. Sur-rejoinder be filed before the next date and if it is filed it may be taken into account at the time of hearing.

4. S.O. to 10-02-2022.

MEMBER (A)

**ORIGINAL APPLICATION NO.183/2021
(Satyajeeet Ambhore Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(Matter is placed before Single Bench due to
non-availability of Division Bench)**

DATE : 24.01.2022

ORAL ORDER :

Shri Vikram Sarse, learned Advocate holding for
Shri Vishal P. Bakal, learned Advocate for the applicant
and Shri M.P.Gude, learned Presenting Officer for the
respondents, are present.

2. At the request of both the sides, S.O. to 02-03-2022.

MEMBER (A)

**ORIGINAL APPLICATION NO.265/2021
(Vasant Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(Matter is placed before Single Bench due to
non-availability of Division Bench)**

DATE : 24.01.2022

ORAL ORDER :

Shri S.D.Dhongde, learned Advocate for the applicant
and Shri M.P.Gude, learned Presenting Officer for the
respondents, are present.

2. S.O. to 22-02-2022 **High On Board.**

MEMBER (A)

M.A.NO.21/2022 IN O.A.NO.337/2019
(Namdev Londhe Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(Matter is placed before Single Bench due to
non-availability of Division Bench)

DATE : **24.01.2022**

ORAL ORDER :

Heard Shri R.S.Adate learned Advocate holding for Shri O.Y.Kashid, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents.

2. Applicant has prayed for amendment in prayer clause (2) at paper book page 18-19 of the O.A.No.337/2019 by inserting paragraph 6 mentioned in M.A.No.21/2022 and also inserting ground no.**K-1** to the original ground **K** at page no.17.

3. Learned P.O. has no objection to allow this amendment.

4. It is observed that earlier prayer was for quashing and setting aside the order of Special Inspector General of Police in the matter, however, during the intervening period the matter has been finally decided by the Director General of Police i.e. respondent no.2 vide order dated 14-06-2019. Reason for delay in proposing the amendment based on the order passed by the DGP vide order dated 14-06-2019 is

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M.A.NO.21/2022 IN O.A.NO.337/2019

not well explained, however, granting leave to effect amendment as proposed does not change the nature of the O.A. and nor does it cause any prejudice to other side. Hence, amendment is allowed. Amendment be carried out within a week. M.A. stands disposed of accordingly with no order as to costs.

MEMBER (A)

YUK ORAL ORDERS 24.01.2022

**ORIGINAL APPLICATION NO.337/2019
(Namdev Londhe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(Matter is placed before Single Bench due to
non-availability of Division Bench)**

DATE : 24.01.2022

ORAL ORDER :

Heard Shri R.S.Adate learned Advocate holding for Shri O.Y.Kashid, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents.

2. At the request of both the sides, S.O. to 18-02-2022.

MEMBER (A)

ORIGINAL APPLICATION NO.439/2013
(Sakharam Choughule Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(Matter is placed before Single Bench due to
non-availability of Division Bench)

DATE : 24.01.2022

ORAL ORDER :

Shri R.D.Khadap, learned Advocate for the applicant
and Smt. Sanjivani Ghate, learned Presenting Officer for
the respondents, are present.

2. S.O. to 23-02-2022.

MEMBER (A)

**ORIGINAL APPLICATION NO.245/2015
(Jagannath Mhaske Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(Matter is placed before Single Bench due to
non-availability of Division Bench)

DATE : 24.01.2022

ORAL ORDER :

Ku. Anagha Pandit, learned Advocate holding for
Shri S.B.Talekar, learned Advocate for the applicant and
Smt. M.S.Patni, learned Presenting Officer for the
respondents, are present.

2. S.O. to 24-02-2022.

MEMBER (A)

ORIGINAL APPLICATION NO.689/2015
(Dr. Shrikant Tambe Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(Matter is placed before Single Bench due to
non-availability of Division Bench)

DATE : 24.01.2022

ORAL ORDER :

Ku. Anagha Pandit, learned Advocate holding for
Shri S.B.Talekar, learned Advocate for the applicant and
Shri D.R.Patil, learned Presenting Officer for the
respondents, are present.

2. S.O. to 25-02-2022.

MEMBER (A)

**ORIGINAL APPLICATION NO.190/2017
(Dattatray Zombade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(Matter is placed before Single Bench due to
non-availability of Division Bench)**

DATE : 24.01.2022

ORAL ORDER :

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

2. Learned P.O. has filed affidavit in reply on behalf of respondent nos.2 and 3. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 18-02-2022.

MEMBER (A)

**O.A.NO.603/2017, 604/2017, 605/2017, 606/2017,
607/2017, 608/2017, 609/2017 & 780/2017
(Jaideep Limbale & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(Matter is placed before Single Bench due to
non-availability of Division Bench)**

DATE : 24.01.2022

ORAL ORDER :

Shri A.S.Deshmukh, learned Advocate for the applicants in all the O.As. (except O.A.No.780/2017), Ku. Preeti Wankhade learned Advocate for the applicant in O.A.No.780/2017 and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. S.O. to 07-03-2022.

MEMBER (A)

**ORIGINAL APPLICATION NO.141/2018
(Nanda Bankar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(Matter is placed before Single Bench due to
non-availability of Division Bench)**

DATE : 24.01.2022

ORAL ORDER :

Shri V.B.Wagh, learned Advocate for the applicant,
Shri M.P.Gude, learned Presenting Officer for the
respondents and Shri A.S.Deshmukh learned Advocate for
respondent no.2, are present.

2. S.O. to 25-02-2022.

MEMBER (A)

ORIGINAL APPLICATION NO.330/2018
(Pawangir Kashid Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(Matter is placed before Single Bench due to
non-availability of Division Bench)

DATE : 24.01.2022

ORAL ORDER :

Heard Shri R.S.Adate learned Advocate holding for
Shri O.Y.Kashid, learned Advocate for the applicant and
Shri V.R.Bhumkar, learned Presenting Officer for the
respondents.

2. S.O. to 18-02-2022.

MEMBER (A)

**ORIGINAL APPLICATION NO.690/2018
(Pramod Kulkarni Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(Matter is placed before Single Bench due to
non-availability of Division Bench)**

DATE : 24.01.2022

ORAL ORDER :

Shri Ajay Deshpande, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. S.O. to 25-02-2022.

MEMBER (A)

Date :24.01.2022

ORIGINAL APPLICATION NO.62 OF 2022

(Sanjay Narayan Hange V/s The State of Maharashtra & Ors.)

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

1. Shri Avinash S. Khedkar, learned Advocate for the applicant and Shri M.S. Mahajan, Id. C.P.O. for the respondents, are present
2. Circulation is granted. Issue notices to the respondents, returnable on 25.02.2022. The case be listed for admission hearing on **25.02.2022**.
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.

I/C REGISTRAR

Date :24.01.2022

**ORIGINAL APPLICATION NO.60 OF 2022
(Abhaykumar S. Salve V/s The State of
Maharashtra & Ors.)**

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

1. Shri S.A. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, ld. C.P.O. for the respondents, are present
2. Circulation is granted. Issue notices to the respondents, returnable on 24.02.2022. The case be listed for admission hearing on **24.02.2022**.
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.

I/C REGISTRAR

Date :24.01.2022

ORIGINAL APPLICATION NO.61 OF 2022

(Sangmeshwar S. Konale V/s The State of Maharashtra & Ors.)

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

1. Shri S.A. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, ld. C.P.O. for the respondents, are present
2. Circulation is granted. Issue notices to the respondents, returnable on 24.02.2022. The case be listed for admission hearing on **24.02.2022**.
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.

I/C REGISTRAR

DATE : 24.01.2022

ORIGINAL APPLICATION NO. 59 OF 2022

(Ramesh D. Narwade Vs. The State of Maharashtra & Ors.)

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

1. Shri Ashish Rajkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 01.03.2022. The case be listed for admission hearing on **01.03.2022**.
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.

I/c REGISTRAR

DATE : 24.01.2022

ORIGINAL APPLICATION NO. 57 OF 2022

(Abdul Rajjak Abdul Rahim Vs. The State of Maharashtra & Ors.)

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

1. Shri Ashish Rajkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 01.03.2022. The case be listed for admission hearing on **01.03.2022**.
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.

I/c REGISTRAR

**ORIGINAL APPLICATION NO. 256 OF 2018
(Avinash P. Chandra & Ors. Vs. State of Maharashtra &
Ors.)**

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
[The present case is placed before the Single
Bench due to non-availability of Division
Bench.]

DATE : 24.01.2022

ORAL ORDER :

Shri S.G. Chapalgaonkar, learned counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicants sought time for filing rejoinder affidavit. Time granted.

3. S.O. to 2.3.2022.

MEMBER (A)

ORAL ORDERS 24.01.2022-HDD

**ORIGINAL APPLICATION NO. 667 OF 2018
(Gajanan P. Khot & Ors. Vs. State of Maharashtra &
Ors.)**

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
[The present case is placed before the Single
Bench due to non-availability of Division
Bench.]

DATE : 24.01.2022

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Affidavit in reply has not filed by the respondents though on the last occasion i.e. on 20.12.2021 time was granted as a last chance for filing affidavit in reply.

3. In the circumstances, the present case be listed for hearing on 2.3.2022.

MEMBER (A)

ORAL ORDERS 24.01.2022-HDD

**ORIGINAL APPLICATION NO. 669 OF 2019
(Raju Bansilal Rasede Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
[The present case is placed before the Single
Bench due to non-availability of Division
Bench.]**

DATE : 24.01.2022

ORAL ORDER :

Ms. Archana Bhange, learned counsel holding for Shri A.S. Bayas, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 2.3.2022 for filing rejoinder affidavit, if any.

MEMBER (A)

ORAL ORDERS 24.01.2022-HDD

**ORIGINAL APPLICATION NO. 792 OF 2019
(Dattaprasad H. Galphade Vs. State of Maharashtra &
Ors.)**

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
[The present case is placed before the Single
Bench due to non-availability of Division
Bench.]

DATE : 24.01.2022

ORAL ORDER :

Shri P.D. Suryawanshi, learned counsel for the applicant, Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri V.B. Wagh, learned counsel for respondent No. 3, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply on behalf of respondent Nos. 1 & 2. Time granted.

3. S.O. to 2.3.2022.

MEMBER (A)

ORAL ORDERS 24.01.2022-HDD

**ORIGINAL APPLICATION NO. 815 OF 2019
(Rajendrakumar P. Barhate Vs. State of Maharashtra &
Ors.)**

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
[The present case is placed before the Single
Bench due to non-availability of Division
Bench.]

DATE : 24.01.2022

ORAL ORDER :

Shri Sachin S. Deshmukh, learned counsel for the applicant and Shri S.G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned Special Counsel for respondent Nos. 1 & 2.

2. At the request and by consent of both the parties, S.O. to 3.3.2022.

MEMBER (A)

ORAL ORDERS 24.01.2022-HDD

**ORIGINAL APPLICATION NO. 1094 OF 2019
(Tushar C. Musale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
[The present case is placed before the Single
Bench due to non-availability of Division
Bench.]**

DATE : 24.01.2022

ORAL ORDER :

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

2. Learned Chief Presenting Officer sought time for filing affidavit in reply. Time granted.
3. S.O. to 3.3.2022.

MEMBER (A)

ORAL ORDERS 24.01.2022-HDD

**ORIGINAL APPLICATION NO. 120 OF 2020
(Vinit Suresh Pawar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
[The present case is placed before the Single
Bench due to non-availability of Division
Bench.]

DATE : 24.01.2022

ORAL ORDER :

Shri Anant D. Sugdare, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. Affidavit in reply has already been filed on behalf of respondent Nos. 1 & 2.
3. At the request of learned counsel for the applicant, S.O. to 3.3.2022 for filing rejoinder affidavit, if any.

MEMBER (A)

ORAL ORDERS 24.01.2022-HDD

**ORIGINAL APPLICATION NO. 145 OF 2021
(Jagdish N. Saindane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
[The present case is placed before the Single
Bench due to non-availability of Division
Bench.]**

DATE : 24.01.2022

ORAL ORDER :

Ms. Archana Bhange, learned counsel holding for Shri A.S. Bayas, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply. Time granted.
3. S.O. to 2.3.2022.

MEMBER (A)

ORAL ORDERS 24.01.2022-HDD

**ORIGINAL APPLICATION NO. 208 OF 2021
(Dnyaneshwar B. Biradar & Ors. Vs. State of Maha. &
Ors.)**

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
[The present case is placed before the Single
Bench due to non-availability of Division
Bench.]

DATE : 24.01.2022

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicants and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 4.3.2022.

MEMBER (A)

ORAL ORDERS 24.01.2022-HDD

**ORIGINAL APPLICATION NO. 324 OF 2021
(Sharad D. Kkothawale Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
[The present case is placed before the Single
Bench due to non-availability of Division
Bench.]

DATE : 24.01.2022

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. By consent of both the parties, S.O. to 4.3.2022.

MEMBER (A)

ORAL ORDERS 24.01.2022-HDD

**ORIGINAL APPLICATION NO. 405 OF 2021
(Dinesh N. Karande Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
[The present case is placed before the Single
Bench due to non-availability of Division
Bench.]**

DATE : 24.01.2022

ORAL ORDER :

Shri Suvidh S. Kulkarni / Vishal S. Kadam, learned counsel for the applicant (absent). Shri D.R. Patil, learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 4 and the same is taken on record. He undertook to serve the copy of the same on the learned counsel for the applicant.

3. Since nobody appears for the applicant, S.O. to 4.3.2022.

MEMBER (A)

ORAL ORDERS 24.01.2022-HDD

**ORIGINAL APPLICATION NO. 653 OF 2021
(Soni Ashok Mulange Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
[The present case is placed before the Single
Bench due to non-availability of Division
Bench.]

DATE : 24.01.2022

ORAL ORDER :

Shri Bhargav B. Kulkarni, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. Await service.
3. S.O. to 7.3.2022.

MEMBER (A)

ORAL ORDERS 24.01.2022-HDD

**ORIGINAL APPLICATION NO. 684 OF 2021
(Dr. Rekha G. Gaikwad Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
**[The present case is placed before the Single
Bench due to non-availability of Division
Bench.]**

DATE : **24.01.2022**

ORAL ORDER :

Ms. Sapna D. Tangde, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Await service.
3. S.O. to 7.3.2022.

MEMBER (A)

ORAL ORDERS 24.01.2022-HDD

**ORIGINAL APPLICATION NO. 779 OF 2021
(Datta A. Tumram Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
[The present case is placed before the Single Bench due to non-availability of Division Bench.]

DATE : **24.01.2022**

ORAL ORDER :

Shri Kiran Swapnil Joshi, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. Await service.
3. S.O. to 7.3.2022.

MEMBER (A)

ORAL ORDERS 24.01.2022-HDD

**ORIGINAL APPLICATION NO. 13 OF 2022
(Swapnil V. Sable Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
[The present case is placed before the Single
Bench due to non-availability of Division
Bench.]**

DATE : 24.01.2022

ORAL ORDER :

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. Await service.
3. S.O. to 28.1.2022.

MEMBER (A)

ORAL ORDERS 24.01.2022-HDD

**M.A.NO. 93/2017 IN O.A.ST.NO. 1452/2014
(Manjushree B. Deshpande Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
[The present case is placed before the Single
Bench due to non-availability of Division
Bench.]**

DATE : 24.01.2022

ORAL ORDER :

Shri H.A. Joshi, learned counsel for the applicant and
Smt. M.S. Patni, learned Presenting Officer for the
respondents, are present.

2. At the request of learned counsel for the applicant,
S.O. to 28.2.2022.

MEMBER (A)

ORAL ORDERS 24.01.2022-HDD

M.A. 109/2020 IN O.A. 927/2019
(Sunil S. Kuvar Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **24.01.2022**

ORAL ORDER :

Shri Sandeep G. Kulkarni, learned Counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. The Division Bench is not available today and therefore the present matter is adjourned to the next date.

3. In the meantime, the applicant may submit the details of adverse effect on the Officers / employees mentioned in the G.R. dated 16.7.2013 (Annex. A-4 pages 24 & 25 of paper book) to establish that they are proper and necessary party respondents to the present matter. He may also throw light on the Annex. A-5 pages 26 to 29 of paper book and his contentions in respect of the employees at sr. nos. 22, 23, 24, 27 & 35 in the final seniority list of the employees working on the post of Jailor Grade-I as on 2017 to facilitate the Tribunal for appreciating the ground of cause of action.

3. S.O. to 2.3.2022.

MEMBER (A)

M.A. 363/2021 IN O.A. ST. 1149/2021
(Ramling M Bansode Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 24.01.2022

ORAL ORDER :

Shri Kiran Nagarkar, learned Counsel for the applicant (**absent**). Shri B.S. Deokar, learned Presenting Officer for the respondents, is present.

2. The applicant and his learned Counsel are absent. The Division Bench is also not available today.

3. In the above circumstances, S.O. to 28.2.2022.

MEMBER (A)

M.A. 395/2021 IN O.A. ST. 1723/2021
(Annasaheb M. Shinde & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : **24.01.2022**

ORAL ORDER :

Shri Jiwan J. Patil, learned Counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. The learned Counsel for the applicant has filed rejoinder affidavit in O.A. It is taken on record and copy thereof has been supplied to the learned C.P.O. for the respondents.

3. The Division Bench is not available today and, therefore, the matter is adjourned to 22.2.2022.

4. In the meantime the applicant may throw light of filing the present M.A. & O.A. under the provisions of rule 6 of M.A.T. Rules, 1988.

5. S.O. to 22.2.2022.

MEMBER (A)

C.P. 23/2020 IN O.A. 769/2018
(Pralhad C. Shelke Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **24.01.2022**

ORAL ORDER :

Shri K.G. Salunke, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. The present C.P. has been initiated by the applicant with a allegation of willful disobedience on the part of the respondents in complying with the order of the Tribunal dated 10.12.2019 passed in O.A. no. 769/2018. The operative part of the order of the Tribunal in O.A. reads as follows :-

“3. Learned Advocate for the Applicant has produced the copy of representation dated 04.07.2019 along with some other documents. He has also filed written pursis of the Applicant stating that the Applicant does not want to proceed with the O.A., if the Respondent No.5 is directed to take appropriate decision on the representation dated 4.07.2019 as per Rules on merit within reasonable time and prayed to dispose of the Original Application by giving direction to the Respondent No.5.

4. Learned C.P.O. for the Respondents has submitted that the Original Application may be

disposed of with the direction to the Respondent No.5 to decide the representation dated 04.07.2019 within three months.

5. In view of the submission made by learned Advocate and learned C.P.O., the Original Application is disposed of with the direction to the Respondent No.5 to take appropriate decision on the representation of the Application dated 04.07.2019 within three months from today on merit as per Rules and communicate the decision to the Applicant. There shall be no order as to costs.”

3. It is evident that the applicant had decided not to pursue with the O.A. if the respondent no. 5 decides the representation of the applicant dated 4.7.2019 on merit as per the rules within the prescribed time and prayed to dispose of O.A. by giving such directions to the respondent no. 5. Accordingly the O.A. was disposed of on 10.12.2019 by giving directions to the respondent no. 5 to decide the representation of the applicant dated 4.7.2019 within three months from that date on merit as per rules and communicate the decision to the applicant.

4. The learned C.P.O. clarifies that he had mentioned this 3 months time for deciding the representation of the applicant based on the instructions received from / on behalf of the respondents. He further submits that as per contentions in para 9 of the reply of the respondents (page 41 of paper book) the representation of the applicant has

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C.P. 23/2020 IN O.A. 769/2018

been decided by the res. no. 5 within the time prescribed by the Tribunal in its order passed in O.A. and the said decision has been communicated to the applicant through the Commissioner of Police, Aurangabad vide letter dtd. 5.3.2020.

5. As the Division Bench is not available today, the matter is adjourned to the next date. In the meantime the learned Counsel for the applicant may throw light on the following points :-

- (i) Will it be appropriate to adjudicate on the cause of action stated in the O.A., which was not proceed with as per proposal of the applicant himself and which was agreed to by the respondents.
- (ii) Why in the fitness of things, the matter be not taken up by fresh O.A.

5. S.O. to 15.2.2022.

MEMBER (A)

C.P. 16/2021 IN O.A. 211/2018
(Dilip K. Mankeshwar Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **24.01.2022**

ORAL ORDER :

Smt. Suchita A. Dhongde, learned Counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 & 3 and Shri Shamsunder B. Patil, learned Counsel for respondent nos. 2-a & 2-b, are present.

2. The learned Counsel for the applicant submits that she has not received copy of reply of res. no. 3 till today. It has been brought to our notice by the learned C.P.O. that the copy of affidavit in reply of res. no. 3 was not supplied to the learned Counsel for the applicant on the ground that there were some typographical errors therein and leave was granted by the Tribunal to submit the same after rectification of said errors. The learned C.P.O. undertakes to supply copy of reply of res. no. 3 to the learned Counsel for the applicant during the course of the day.

3. S.O. to 1.3.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 863/2018
(Ajay I. Jarwal Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **24.01.2022**

ORAL ORDER :

Shri A.D. Gadekar, learned Counsel for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. The contention of the applicants appears to be that one post of Blind (Low Vision) has been shown under the social reservation category Open in the advertisement dated 18.8.2014 (Annex. A-2 page 15 of paper book), however, the applicant has been given appointment under the vertical reservation category of S.T. and in view of the clause no. 17 of the appointment order dtd. 25/26.4.2017 (Annex. A-8 page 42 of the paper book) the respondents are insisting for submission of his caste verification certificate by the applicant.

3. The present matter may require scrutiny of the manner of applying horizontal reservation for physically handicapped category candidates and allocating them to appropriate social reservation category in the light of settled law laid down by the Hon'ble Apex Court in the case of **Saurav Yadav & Ors. Vs. State of Uttar Pradesh & Ors.** in **Misc. Application No. 2641/2019 in Special Leave Petition (Civil) No. 23223/2018 dated 18.12.2020.**

3. As the Division Bench is not available today, S.O. to 3.3.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 891/2018
(Dr. Uddhav S. Khaire Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **24.01.2022**

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, are present.

2. In the prayer clause (C) of the O.A. the applicant has prayed for quashing and setting aside the condition no. 7 of the G.R. dated 4.5.2009 by declaring it as ultra-virus of the Constitution of India, which may require further elaboration.

3. As the Division Bench is not available today, S.O. to 8.3.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 633/2019
(Meena C. Shivagunde Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **24.01.2022**

ORAL ORDER :

Shri A.S. Deshmukh, learned Counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 to 3 and Shri K.U. More, learned Counsel for respondent no. 4, are present.

2. As the Division Bench is not available today, with the consent of both the sides, S.O. to 8.3.2022 for further hearing.

MEMBER (A)