

ORIGINAL APPLICATION NO. 256 OF 2020
(Shri Balraje D. Mulik V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 24.08.2020.

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri Y.V. Dhoble, learned Advocate for respondent No. 3.

2. Learned Presenting Officer has submitted that the case of the applicant has been placed before the concerned Minister for reconsideration and he has not received any instruction from the concerned officer and therefore, he seeks time.

3. Learned Advocate for the applicant has submitted that the applicant has been transferred before completion of his normal tenure of posting. He has submitted that the respondent No. 3 has never joined the posting at Khultabad. He has submitted that the applicant has not been yet relieved and therefore, he has prayed to stay the operation and execution of the impugned order of transfer.

4. Learned Advocate for respondent No. 3 has submitted that the respondent No. 3 has been relieved from Bhokardan and he has to join the post at Kannad

and therefore, he has prayed to reject the interim relief as prayed for by the applicant.

5. On perusal of the documents on record, it reveals that the applicant has been appointed as Taluka Agriculture Officer, Khultabad by the order dated 18.02.2020. Therefore, he has joined the said post on 25.02.2020. He has hardly completed 5 months tenure on the said post, but he has been transferred by the impugned order of transfer. Prima-facie, it seems that the impugned order of transfer has been issued in violation of the provisions of Transfer Act, 2005. Therefore, the operation and execution of the impugned order of transfer requires to be stayed. In view of this, the impugned order of transfer is stayed till filing of the affidavit in reply by the respondents.

6. Issue notices to the respondent Nos. 1 & 2, returnable on 24.09.2020.

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

8. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly

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authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

11. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

12. S.O. to 24.09.2020.

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

VICE CHAIRMAN

M.A. St. No. 568/2020 in O.A. St. No. 105/2020

(Shri Vasant S. Patil V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 24.08.2020.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 10.09.2020.

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2020

M.A. No. 57/2019 in O.A. No. 667/2018
(Shri Sanchit S. Deshpande & Ors. V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 24.08.2020.

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate holding for Smt. Punam Mahajan, learned Advocate for the applicant in M.A., Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 15 & 16 and Shri S.D. Joshi, learned Advocate for respondent Nos. 1 to 14 (Original applicants).

2. At the request of learned Chief Presenting Officer, S.O. to 07.09.2020.

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2020

ORIGINAL APPLICATION NO. 233 OF 2020
(Shri Arun A. Ghate V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 24.08.2020.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 28.09.2020.

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.

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O.A. No. 233/2020

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.
8. S.O. to 28.09.2020.
9. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

KPB/ORAL ORDERS 24.08.2020

M.A. No. 203/2020 in O.A. St. No. 572/2020
(Shri Ashok S. Gade V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 24.08.2020.

ORAL ORDER :

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

2. Issue notices to the respondents in M.A., returnable on 28.09.2020.

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.

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M.A. 203/2020 in
O.A. St. 572/2020

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 28.09.2020.

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

VICE CHAIRMAN

KPB/ORAL ORDERS 24.08.2020

ORIGINAL APPLICATION ST. NO. 321 OF 2020
(Shri Bismilla D. Tadvi V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 24.08.2020.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the applicant intends to file application for condonation of delay and therefore, he seeks time. Time granted.

3. S.O. to 24.09.2020.

VICE CHAIRMAN

KPB/ORAL ORDERS 24.08.2020

ORIGINAL APPLICATION ST. NO. 671 OF 2020
(Shri Chandrakant Y. Bansode V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 24.08.2020.

ORAL ORDER :

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

2. The applicant is directed to remove the office objection/s first and then ask for circulation.

3. In the circumstances, the present O.A. is removed from the board with liberty to the applicant to circulate the same as and when occasion arises.

VICE CHAIRMAN

KPB/ORAL ORDERS 24.08.2020

ORIGINAL APPLICATION NO. 137 OF 2020
(Shri Lalit G. Pandule V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 24.08.2020.

ORAL ORDER :

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 2. Same is taken on record and copy thereof has been served on the other side.

3. Learned Advocate for the applicant seeks time to file service affidavit of respondent Nos. 1 & 3. Time granted.

4. S.O. to 31.08.2020.

VICE CHAIRMAN

KPB/ORAL ORDERS 24.08.2020

ORIGINAL APPLICATION ST. NO. 620 OF 2020
(Shri Shrikant V. Mundhe V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 24.08.2020.

ORAL ORDER :

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

2. The applicant has challenged the order dated 16.07.2020 by which he has been suspended by the Collector, Hingoli cum Deputy Director of Land Records, Hingoli.

3. Learned Advocate for the applicant has submitted that the order by the Collector, Hingoli cum Deputy Director of Land Records, Hingoli, is without jurisdiction and without authority and therefore, the applicant has approached this Tribunal. He has submitted that the impugned order is *void-ab-initio* and therefore, this Tribunal can entertain the present application in view of the provisions of Section 20 of the Administrative Tribunals Act, 1985. In support of his submissions he has placed reliance on the judgment in case of **M.P. State Agro Industries Development Corpn. Ltd and Another Vs. Jahan Khan** reported in **(2007) 10 Supreme Court Cases 88**, as well as, the decision of the Principal Seat of this

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O.A. St. 620/2020

Tribunal at Mumbai in **O.A. No. 247/2020** in case of **Shri Pramod Bhaurao Godambe Vs. The Chief Executive Officer, Alibag, Dist. Raigad and Ors.** decided on 23.06.2020 and the decision of the Hon'ble High Court of Judicature at Bombay Bench at Aurangabad in **W.P. No. 8137/2014** in case of **Sureshsing Kunusing Taji Vs. The State of Maharashtra and another.** He has submitted that under Section 20 of the Administrative Tribunals Act, 1985, this Tribunal is empowered to entertain the present O.A. Hence, the Tribunal may admit the O.A. in view of the provisions of service law and therefore, he has prayed to admit the same.

4. Learned C.P.O. has submitted that the impugned order of suspension has been passed by the Collector, Hingoli cum Deputy Director of Land Records, Hingoli, as he is the competent authority. He has submitted that the appeal is provided for challenging the suspension order in view of the provisions of Rule 17 of the Maharashtra Civil Services (Discipline and Appeal) Rules, 1979 and the appellate authority is provided under Rule 18 of the said Rule. He has submitted that the applicant has to challenge the appeal before the appropriate appellate authority as

provided under service rules. The applicant has not availed the alternate remedy of appeal available to him and therefore, the O.A. is not maintainable before this Tribunal in view of the provisions of Section 20 of the Administrative Tribunals Act, 1985. Therefore, he has prayed to reject the present O.A. in view of the provisions of Section 20 of the Administrative Tribunals Act, 1985. He has submitted that as the appeal is provided under service rules, the present O.A. is not maintainable and therefore, he has prayed to reject the present O.A.

5. I have perused the impugned order of suspension. The impugned order has been passed by the Collector, Hingoli cum Deputy Director of Land Records, Hingoli, on account of misconduct committed by the applicant while discharging the duties. The impugned order of suspension is appealable order in view of the provisions of Rule 17 of the Maharashtra Civil Services (Discipline and Appeal) Rules, 1979. Under Rule 18 of the Maharashtra Civil Services (Discipline and Appeal) Rules, 1979 the appellate authorities have been provided. The applicant has not challenged the impugned order before the appellate authority, as provided in Maharashtra Civil Services (Discipline and Appeal) Rules, 1979. Without availing

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O.A. St. 620/2020

the alternate remedy available to him, the applicant has approached this Tribunal. Section 20 of the Administrative Tribunals Act, 1985 provides that no application shall be admitted unless the applicant has availed the alternate remedy available to him under the relevant service rules for redressal of grievance. The applicant has not availed the alternate remedy available to him under service rules and approached this Tribunal without availing alternate remedy. Therefore, the present O.A. cannot be admitted in view of the provisions Section 20(1) of the Administrative Tribunals Act, 1985. Hence, the O.A. cannot be admitted as it is not maintainable.

6. I have gone through the decisions referred by the learned Advocate for the applicant. The facts in those cases are different than the facts in the present case and therefore, the principles laid down in those decisions are not attracted in the instant case.

7. In view therefore, the present O.A. stands rejected. There shall be no order as to costs.

VICE CHAIRMAN

**M.A. 208/2020 with M.A. St. 786/2020 in O.A. 260/2020
(Shri Rajendra B. Bakare V/s. State of Maharashtra & Ors.)**

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 24.08.2020.

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicant in M.A., Shri M.P. Gude, learned Presenting Officer for the respondent No. 2 and Shri D.G. Nagode, learned Advocate for respondent No. 1 (Original Applicant).

2. Learned Advocate for respondent No. 1 in the present M.A. i.e. Applicant in O.A., as well as, learned Presenting Officer have no objection to allow the present M.A. to add the present applicant i.e. applicant in M.A. as party respondent to the O.A.

3. In view thereof, the M.A. No. 208/2020 is allowed. The respondent No. 1 i.e. applicant in O.A. is directed to add the applicant in M.A. as respondent No. 2 in the O.A. The applicant shall carryout the necessary amendment in the O.A. forthwith.

4. Accordingly, M.A. stands disposed of with no order as to costs.

VICE CHAIRMAN

KPB/ORAL ORDERS 24.08.2020

M.A. St. 786/2020 in O.A. 260/2020
(Shri Rajendra B. Bakare V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 24.08.2020.

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicant in M.A., Shri M.P. Gude, learned Presenting Officer for the respondent No. 2 and Shri D.G. Nagode, learned Advocate for respondent No. 1 (Original Applicant).

2. Learned Advocate for respondent No. 1 and learned Presenting Officer for respondent No. 2 seeks time for filing affidavit in reply. Time granted.

3. S.O. to 31.08.2020.

VICE CHAIRMAN

KPB/ORAL ORDERS 24.08.2020

ORIGINAL APPLICATION NO. 300 OF 2020
(Dr. Yuvraj H. Kharade Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 24.08.2020

ORAL ORDER :

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

2. The applicant has challenged the impugned order dated 16.08.2020 by which his services have been attached to the Civil Hospital, Ahmednagar until further orders on the ground that complaint has been received against him. The learned Advocate for the applicant has submitted that the applicant is not due for transfer, but he has been illegally transferred by the impugned transfer order dated 16.08.2020. He has submitted that the applicant has not been relieved from the present posting. Therefore, he prayed to grant stay to the execution and operation of the impugned transfer order dated 16.08.2020.

3. Learned Presenting Officer has submitted that the applicant has been relieved from the present post on 16.08.2020 and his charge has been handed over to one Dr. Sanjay Wagh, Medical Officer.

Therefore, no question of granting interim relief arises. He has submitted that by the impugned order the applicant's services have been attached to the Civil Hospital, Ahmednagar, until further orders and it is not a transfer order. Therefore, the provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay In Discharge of Official Duties Act, 2005 (In short "the Transfer Act of 2005) are not applicable in the present case. He, therefore, prayed to reject the prayer of the applicant to grant interim relief.

4. On perusal of the impugned order dated 16.8.2020, it reveals that on the basis of complaint received against the applicant the applicant's services have been attached to the Civil Hospital, Ahmednagar until further orders and the applicant has been relieved by the said order and charge has been handed over to one Dr. Sanjay Wagh. The impugned order has already been executed and implemented, hence, no question of granting interim relief arises. Therefore, the prayer of the applicant to stay execution and operation of the impugned order is rejected.

5. Issue notices to the respondents, returnable on 24.09.2020.

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

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

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

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

10. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

11. S.O. to 24.09.2020.

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

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 636 OF 2019
(Dr. Swapnil V. Kukad Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 24.08.2020

ORAL ORDER :

Heard Ms. A.N. Ansari, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 & 2. Shri U.B. Bondar, learned Advocate for respondent Nos. 3 & 4 (**absent**).

2. On instructions, learned Advocate for the applicant submits that the applicant does not want to proceed with the present Original Application and wants to withdraw the same. She has filed written communication signed by the applicant in that regard and the same is taken on record and marked as document 'X' for the purposes of identification. Therefore, the learned Advocate for the applicant sought leave of this Tribunal to withdraw the same.

3. Learned Presenting Officer has prayed to pass the necessary orders.

4. In view of the aforesaid submissions made by both the parties and since the applicant does not want to proceed with the present Original Application and

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O. A. NO. 636 OF 2019

wants to withdraw the same, leave as prayed for by the learned Advocate for the applicant is granted. Accordingly, the present Original Application stands disposed of as withdrawn without any order as to costs.

VICE CHAIRMAN

ORAL ORDERS 24.08.2020-hdd

ORIGINAL APPLICATION NO. 284 OF 2020
(Shri Sidharam M. Koli Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 24.08.2020

ORAL ORDER :

Heard Shri Krishna Rodge, learned Advocate holding for Shri Pratap G. Rodge, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that the applicant is not pressing prayer clause (X) (a) and he is pressing only prayer clause (X) (b), which reads as follows: -

“b) The respondent Nos. 2 & 3 may kindly be directed to take decision on the application dated 23.06.2020 at Exh. ‘D’ colly. made by the applicant making request for transfer and give posting to him on the vacant post of senior clerk either in the office of respondent No. 2 or in the office of respondent No. 4.”

3. The learned Advocate for the applicant has submitted that the applicant has come with the limited relief to direct the respondent Nos. 2 & 3 to take decision on his application dated 23.06.2020 (Exh. “D-colly” on merits as per the rules. Therefore, he prayed to issue the directions to the respondent Nos. 2 & 3 in

that regard and to dispose of the present Original Application accordingly.

4. Learned Presenting Officer for the respondents has submitted that the reasonable time may be given to the respondents to decide the representation / application dated 23.06.2020 filed by the applicant on merit. He has, therefore, submitted that the present Original Application may be disposed of by giving reasonable time to the respondent Nos. 2 & 3 to take decision on merits on the application filed by the applicant.

5. In view of the aforesaid submissions advanced by both the parties, the present Original Application is disposed of with the directions to the respondent Nos. 2 & 3 to take decision on the application dated 23.06.2020 filed by the applicant on merits as per the rules within a period of two months from today and to communicate the same to the applicant in writing. There shall be no order as to costs.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 298 OF 2020
(Shri Ramraje G. Pawar Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 24.08.2020

ORAL ORDER :

Heard Shri Kiran G. Salunke, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 24.09.2020.

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 24.09.2020.

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

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 299 OF 2020
(Smt. Rohini D. Aghav Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 24.08.2020

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks leave of this Tribunal to produce the copy of earlier order on record. Leave is granted. The applicant is permitted to do so.

3. Issue notices to the respondents, returnable on 14.09.2020.

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

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

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

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

8. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

9. S.O. to 14.09.2020.

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

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 226 OF 2020
(Haridas R. Ghuge Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 24.08.2020

ORAL ORDER :

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

2. Learned Advocate for the applicant has placed on record copy of Recruitment Rules of Group - D Employees in Accounts & Treasury, 2008. The same is taken on record.

3. Learned Chief Presenting Officer seeks time to take instructions from the respondents. Time granted.

4. In the circumstances, S.O. to 7.9.2020.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 287 OF 2020
(Shahu S. Jaswantsingh S. Huzurasingh Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 24.08.2020

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks leave of this Tribunal to amend the prayer clause (A) suitably and also prayed to grant leave to delete the names of respondent nos. 4 to 10 from the array of the O.A. Leave as prayed for is granted. The applicant shall amend the O.A. forthwith.

3. Learned C.P.O. seeks time to take instructions from the respondents. Time granted.

4. In the circumstances, S.O. to 31.8.2020.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 294 OF 2020
(Ramakant P. Padale Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 24.08.2020

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 28.9.2020.

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

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(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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 28.9.2020.

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

VICE CHAIRMAN

M.A. 193/2020 IN O.A. ST. 613/2020
(Sandip S. Thorat Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 24.08.2020

ORAL ORDER :

Heard Shri Sandeep D. Munde, learned Advocate holding for Shri Rahul R. Karpe, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time for producing on record the legible documents as per the leave granted by the Tribunal vide order dated 10.8.2020. Time granted.

3. In the circumstances, S.O. to 31.8.2020.

VICE CHAIRMAN

ARJ ORAL ORDERS 24.08.2020

ORIGINAL APPLICATION NO. 1023 OF 2019
(Chandrashekar N. Nagare Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 24.08.2020

ORAL ORDER :

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

2. Learned C.P.O. seeks time to take instructions from the concerned respondents as to whether any policy decision has been taken by the Government regarding promotion of the persons with disability in Group A and Group B category. Time granted.

3. In the circumstances, S.O. to 28.9.2020.

VICE CHAIRMAN

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

CORAM : B. P. PATIL, VICE CHAIRMAN

(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 24.08.2020

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted an application dtd. 20.8.2020 for extension of time for filing the service affidavit on record.

3. For the reasons mentioned in the said application the time for producing on record the service affidavit is extended. The Registry to accept the service affidavit submitted by the applicant along with application.

4. Learned C.P.O. seeks time to file affidavit in reply of the respondents. Time granted.

5. In the circumstances, S.O. to 28.9.2020.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 899 OF 2019
(Abhijeet M. Ingale Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 24.08.2020

ORAL ORDER :

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

2. Learned Advocate for the applicant has filed written communication received to him from the applicant and the same is taken on record and marked as document 'X' for the purposes of identification. By the said written application, the applicant has requested to the learned Advocate to withdraw the present Original Application.

3. In view of the above, learned Advocate for the applicant seeks permission of this Tribunal to withdraw the Original Application, as the applicant does not want to prosecute the present Original Application.

4. Permission granted. Withdrawal is allowed. Accordingly, the present Original Application stands disposed of as withdrawn without any order as to costs.

VICE CHAIRMAN