

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 362/2018
(Shri Ganesh S. Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : **24-08-2022**

ORAL ORDER :

Heard Shri S.D. Joshi, learned counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. It is the grievance of the applicant that the reason for deleting his name from the Project Affected Persons Category (for short PAP category) from which he had applied for the subject post has not been disclosed to him by the respondents.

3. The learned counsel for the applicant submitted that the endeavor made by the applicant to seek the said information from the respondents under RTI has also proved futile and ultimately the applicant is left with no information as to on what count he was not selected for the subject post.

4. When we perused the reply of the respondents it is, however, noticed that another candidate namely Shri S.B. More has secured 186 marks, who had also applied from PAP category and said Shri More has been selected for the subject post. The applicant

seems to have received less marks i.e. 140 marks. It is also revealed from the record that there was only one post reserved for PAP category. The fact that said Shri More had received 186 marks has not been disputed by the applicant. The fact that the said candidate belongs to PAP category is also not denied. In the circumstances, it may not be necessary to look into the other aspects of the matter. Ultimately no relief would liable to be granted in favour of the applicant. Admittedly there was one post for PAP category and the applicant had received less marks than the candidate selected. In the circumstances, without making any more discussion we prefer to pass the following order :-

ORDER

No case is made out by the applicant. The Original Application stands rejected without any order as to costs.

MEMBER (A)**VICE CHAIRMAN**

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 790/2018
(Smt. Vaishali Motiram Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : **24-08-2022**

ORAL ORDER :

Heard Shri D.B. Thoke - Patil, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. The applicant entered into the Government service as a Talathi. While she was working at village Talegaon, Tq. Jamner, Dist. Jalgaon a show cause notice came to be issued for the alleged discrepancy in the record which was liable to be appropriately maintained by the applicant. The show cause notice was replied by the applicant denying the charges leveled against her. The reply so given by the applicant on 14.9.2018 is filed at Annex. A-7 in the present matter. The learned counsel for the applicant submitted that though a decision was taken to conduct the regular D.E. against the applicant, in fact such enquiry was never conducted by the respondents and straight way the impugned order came to be issued on 17.9.2018 thereby dismissing the applicant from the Government service.

3. The learned counsel for the applicant further submitted that the order of dismissal has been passed without giving due opportunity of hearing to the applicant. It is further contended that when decision was taken to conduct regular DE against the applicant, it must have been conducted so that the applicant had got an opportunity to prove her innocence in respect of the misconduct alleged against her. Why the earlier decision was not followed by the respondents is not disclosed by them. The learned counsel further submitted that the applicant was a permanent employee and as such without conducting the regular DE and without offering her an opportunity to defend the charges leveled against her no order of dismissal could have been passed by the respondents. The learned counsel further submitted that the impugned order is stated to have been passed under Article 311 of the Constitution of India. The learned counsel submitted that there is no such provision in article 311 of the Constitution to dismiss an employee of the State without conducting a DE. The learned counsel in the circumstances has prayed for setting aside the impugned order and to allow the present application with all consequential benefits.

4. The learned Presenting Officer has opposed the submissions made on behalf of the applicant. The learned PO submitted that the misconduct committed by the applicant in not maintaining the record or not carrying the entries properly was per-se evident from

the record for which no other evidence was required. It is further contended that it was the basic duty of the applicant to promptly maintain the revenue record but the same was not discharged by the applicant and several complaints were received against the applicant in that regard. Therefore there was no alternative for the respondents except to dismiss the applicant. The learned PO submitted that opportunity of hearing was given to the applicant by issuing show cause notice and only after receiving her reply, the impugned decision has been taken by the respondents. The learned PO further submitted that no error can be found on part of the respondents so as to cause interference in the impugned order.

5. We have considered the submissions advanced by the learned counsel appearing for the applicant and the learned PO appearing for the respondents. It is not in dispute that the applicant was a permanent Government employee working on the post of Talathi. At the relevant time she was posted at village Talegaon, Tq. Jamner, Dist. Jalgaon. From the record it is revealed that the decision was taken by the Government for conducting regular DE against the applicant. From the record it is further revealed that the DE has not been conducted by the respondents and the order of dismissal has been directly passed on the basis of show cause-notice so issued to the applicant and reply received from her to the said show cause notice. Insofar as not conducting the DE is

concerned, the respondents have not disputed the said fact. The learned PO also did not point out or no such document has been placed on record showing that regular DE was conducted by giving adequate opportunity to participate in the said enquiry to the applicant. We have perused the impugned order. The said order is said to have been passed under Article 311 of the Constitution of India. The article 311 of the Constitution reads thus :-

“311. Dismissal, removal or reduction in rank of persons employed in civil capacities under the Union or a State

(1) No person who is a member of a civil service of the Union or an all India service or a civil service of a State or holds a civil post under the Union or a State shall be dismissed or removed by an authority subordinate to that by which he was appointed

(2) No such person as aforesaid shall be dismissed or removed or reduced in rank except after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges Provided that where it is proposed after such inquiry, to impose upon him any such penalty, such penalty may be imposed on the basis of the evidence adduced during such inquiry and it shall not be necessary to give such person any opportunity of making representation on the penalty proposed: Provided further that this clause shall not apply

(a) where a person is dismissed or removed or reduced in rank on the ground of conduct which has led to his conviction on a criminal charge; or

(b) where the authority empowered to dismiss or remove a person or to reduce him in rank is satisfied that for some reason, to be recorded by that authority in writing, it is not reasonably practicable to hold such inquiry; or

(c) where the President or the Governor, as the case may be, is satisfied that in the interest of the security of the State, it is not expedient to hold such inquiry

(3) If, in respect of any such person as aforesaid, a question arises whether it is reasonably practicable to hold such inquiry as is referred to in clause (2), the decision thereon of the authority empowered to dismiss or remove such person or to reduce him in rank shall be final.”

6. In view of the constitutional provision as aforesaid and more particularly having regard to sub-clause (2) of Article 311 of the Constitution the respondents could not have dismissed the applicant from the Government services without an inquiry by duly communicating the charges against her to the applicant and giving reasonable opportunity to her of being heard in respect of those charges. From the pleadings of the parties, as well as, documents on record it is revealed that in fact, the respondents had initiated departmental enquiry against the applicant and had also framed the charges against the applicant. The respondents have not disclosed as to why the said decision was not implemented by them. The contention of learned Presenting Officer that opportunity was given to the applicant by issuing against her a show cause notice and that is sufficient compliance of the provisions under Article 311 of the Constitution, is wholly unacceptable. Sub-clause (2) of Article 311 envisages that the delinquent must be informed the charges against him and an enquiry is to be conducted in respect of the misconduct alleged in

the said charges which are not accepted by the delinquent by giving him due opportunity of being heard in respect of those charges. It is not the case of the respondents that in the reply given by the applicant to the show cause notice she has accepted the charges leveled against her, meaning thereby that there was no need to conduct any further enquiry. In the application, the applicant has in clear words denied the charges leveled against her and in the notice reply given by her to the show cause notice also the charges leveled against her have been denied by her. In the circumstances, the contention of the respondents that the disciplinary authority by exercising rights under Article 311 of the Constitution has rightly dismissed the applicant from the services cannot be accepted.

7. The respondents could have dismissed the applicant from the services by invoking Article 311 (2) (b) of the Constitution had there been such circumstances in existence. However, that does not seem to be the case of the respondents. Even otherwise, considering the pleadings in the reply filed on behalf of the respondents it can be discerned that the applicant has not been dismissed from the services by exercising the power under Article 311(2)(b) of the Constitution.

8. After having considered the facts and circumstances involved in the present case it is apparent that the respondents have grossly erred in not following the mandate under Article 311 (2) of the

Constitution. There cannot be a dispute that the M.C.S. (D&A) Rules, 1979 are applicable to the applicant wherein a complete procedure is prescribed as to in what manner the disciplinary action is to be taken against any delinquent. It was quite possible for the respondents to conduct an enquiry into the misconduct as alleged against the applicant as provided in the said rules. Such course was in fact adopted by the respondents. The decision to conduct the regular D.E. was also declared but was not implemented.

9. At present the fact remains that the applicant has been dismissed without conducting an enquiry against her. As such, the order of dismissal passed by the respondents cannot be sustained and deserves to be quashed and set aside. Accordingly, the order dated 17.9.2018 issued by respondent No. 4 is quashed and set aside. The respondents are directed to reinstate the applicant within four weeks from the date of this order (i.e. from the date on which present order will be uploaded on the official website of the Tribunal). As discussed by us in the body of the order it would be open for the respondents to continue the D.E. which was initiated but dropped, if they so desire. The payment of back-wages shall abide by result of such enquiry. Such enquiry, if any, must be initiated as expeditiously as possible, and not later than 2 months from the date of this order (i.e. from the date on which present order will be uploaded on the official website of

the Tribunal) and be completed within six months thereafter.

The Original Application stands allowed in the aforesaid terms. No order as to costs.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

T.A. 4/2021 (W.P. 8018/2020)

T.A. 5/2021 (W.P. 8019/2020)

T.A. 6/2021 (W.P. 8020/2020)

(Shri Pratik V. Phutane & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri P.A. Rathod, learned counsel for the applicants in all these matters and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in all these matters, are present.

2. The learned counsel for the applicants submits that he will supply the copies of the present TAs to the learned Presenting Officer. The learned P.O. has sought four weeks time for filing affidavit in reply of the respondents in the present TAs. Time granted.

3. S.O. to 27.9.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A. 333/2022 IN O.A. 472/2022
(Shri Pandhari G. Devershe V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri Sanjay Bansal, learned counsel holding for Shri Sanjay Kolhare, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 14.9.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 663/2022
(Smt. Shital B. Tarate V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

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

2. The present matter is not on board. Taken on board. The learned counsel for the applicant has tendered across the bar the communication received to him from the applicant. In view of the communication so received the learned counsel for the applicant on instructions seeks leave to withdraw the present O.A. Hence the following order :-

ORDER

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

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 661/2022
(Shri Dilip S. Taru V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : **24-08-2022**

ORAL ORDER :

Shri S.D. Dhongde, learned counsel holding for Smt. Suchita A. Dhongde, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. The learned counsel for the applicant seeks leave to add the Deputy Director of Health Services, Kolhapur as party respondent. Leave as prayed for is granted. The amendment be carried out by the applicant forthwith.

3. After amendment is carried out, issue notices to the respondents, returnable on 3.10.2022.

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

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

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

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

8. S.O. to 3.10.2022.

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

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION ST. NO. 1296/2022
(Shri Prashant V. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Heard Shri Pradeep G. Tambade, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. The learned counsel for the applicant on instructions seeks leave to withdraw the present O.A. with liberty to file fresh O.A. before the principal seat of this Tribunal at Mumbai. Leave as prayed for is granted. Hence the following order :-

ORDER

The present Original Application stands disposed of since withdrawn with liberty to the applicant to file fresh O.A. before the principal seat of this Tribunal at Mumbai.

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A. ST. 664/2022 IN O.A. ST. 665/2022
(Smt. Reshma K. Kamble & ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 15.9.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

O.A. NO. 700/2021
(Shri Somnath S. Reddy V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : **24-08-2022**

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri S.G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned counsel for respondent no. 7, are present.

2. It reveals from the record that respondent nos. 1, 4 & 7 have already filed their affidavit in reply. The learned P.O. has sought time for filing affidavit in reply on behalf of remaining respondents. Time granted.

3. S.O. 28.9.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

C.P. NO. 36/2018 IN O.A.NO. 846/2011
C.P. NO. 37/2018 IN O.A.NO. 843/2011
C.P. NO. 38/2018 IN O.A.NO. 842/2011
C.P. NO. 39/2018 IN O.A.NO. 278/2012
C.P. NO. 40/2018 IN O.A.NO. 634/2011
C.P. NO. 41/2018 IN O.A.NO. 277/2012
(Vilas S. Patil & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri P.D. Bodhade, learned counsel holding for Shri J.B. Choudhary, learned counsel for the applicants in all these matters and Shri D.R. Patil, learned Presenting Officer for the respondent authorities in all these matters, are present.

2. With the consent of both the sides, S.O. to 12.10.2022 for hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 694/2018
(Shri Somnath S. Reddy V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, Shri M.S. Sonawane, learned counsel for respondent nos. 4 and Shri S.G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned counsel for respondent no. 5 & 6, are present.

2. With the consent of both the sides, S.O. to 28.9.2022 for hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NOS. 749/2022
(Dr. Sphoorti P. Bende Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NOS. 750/2022
(Dr. Pragati S. Kadam Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NOS. 751/2022
(Dr. Dipti K. Bhagat Vs. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : **24-08-2022**

ORAL ORDER :

Heard Shri V.S. Kadam, learned Advocate for the applicants in all these matters and Shri I.S. Thorat & Smt. Deepali S. Deshpande, learned Presenting Officers for the respective respondents in respective matters.

2. Since in all these applications the issues involved are same and prayer made therein is also the same, we have heard these matters together.

3. Learned counsel for the applicants in all these matters submits that the applicants are possessing degree of MD (Biochemistry) which is a post graduate Medical Course in Preclinical. The applicants have experience of service on the post of Assistant Professor on ad-hoc basis. Respondent no.3 has issued advertisement for the post of Assistant Professor in various subjects including Bio-Chemistry. Applicants have submitted their candidature and have also provided details about their experience which according to them is of more than the prescribed in the advertisement. The learned Counsel for the

applicants submitted that the candidature of the applicants is not being considered by the respondents on the ground that the applicants do not possess the experience of having worked on the post of Senior Resident for one year.

3. Learned Counsel pointed out that as per the information received to one Dr. Sangita Jain Sharma from the Medical Council of India, provision of Senior Residency does not apply for pre-clinical and para-clinical subjects. The learned Counsel submitted that in view of the above, candidature of the applicants cannot be kept out of consideration for the reason as has been assigned by the respondent no.3, Maharashtra Public Service Commission (MPSC). The learned Counsel further submitted that O.A.No.461/2022 has been filed before the Nagpur Bench of the Maharashtra Administrative Tribunal on the similar set of facts by Maharashtra State Medical Teachers Association and in the said matter, the Tribunal has directed the MPSC to consider the candidates having degree of MD (Anatomy) but not having experience of working as Senior Resident for the period of one year also for interview. The learned Counsel pointed out that the interviews are scheduled between 26th to 30th August, 2022. In the circumstances, the learned Counsel has prayed for interim relief thereby directing MPSC to call the present applicants also for interview subject to outcome of the present O.A.

4. Learned PO has sought time to file affidavit in reply. Learned PO submitted that for want of complete instructions, it may not be possible to make any comment as on merit. Learned PO, however, did not dispute that the Maharashtra Administrative Tribunal Nagpur Bench has

passed an interim order as has been submitted by the learned Counsel for the applicant.

5. After having considered the submissions advanced by the learned Counsel for the applicants and the learned PO and after having gone through the documents filed on record, it appears to us that *prima facie* case is made out by the applicants for grant of interim relief as has been prayed by the applicants. When as per the information provided by the Medical Council of India, the provision of Senior Residency does not apply to the pre-clinical and para-clinical subjects, the MPSC should not have declared the applicant as non-eligible candidate on the ground that he does not possess experience of working on the post of Senior Resident. If there are certain other impediments or if any contrary provision is there, the same may come on record through the affidavit in reply of the respondents. However, since the interviews are scheduled between 26th to 30th August, 2022, we deem it appropriate to pass the following order:

ORDER

- (i) MPSC is directed to call the present applicants also for interview subject to outcome of the present O.A.**
- (ii) In the meanwhile, issue notices to the respondents, returnable on 28-9-2022.
- (iii) Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
- (iv) Applicants are authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along

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O.A. NOS. 749/2022 & Ors.

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.

- (v) 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.
- (vi) 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. Applicants are directed to file Affidavit of compliance and notice.
- (vii) S.O. to 28-9-2022.
- (viii) The learned PO is requested to communicate this order to the concerned since interviews are starting from day after tomorrow.
- (ix) Steno copy allowed for the use of both the sides.

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 752 OF 2022
(Manisha Chatrabhuj Panchal V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : **24.8.2022**

ORAL ORDER :

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

2. By filing the present Original Application the applicant is seeking quashment of the order dated 21.7.2022, whereby the Sport Validity Certificate was issued in favour of the applicant has been invalidated. After invalidation of the said Sport Certificate the appointing authority of the applicant has issued show cause notice to the applicant why the services of the applicant shall not be terminated and has provided 3 days' time to file reply to the said notice. The quashment of the said notice is also sought in the present Original Application.

3. Learned Presenting Officer has sought time for submitting the affidavit in reply in the matter and has expressed inability to make any statement for want of instructions in the matter.

4. We have considered the submissions advanced by learned counsel appearing for the applicant. We have also gone through the documents placed on record. The main

objection of the applicant is about the cancellation of her Sports Validity Certificate without giving her any opportunity of hearing. The said issue certainly requires to be look into. However, we see no reason for seeking quashment of the show cause notice issued by the appointing authority. On the contrary, the applicant is getting an opportunity to put-forth her case in reply to the said show-cause notice. However, we are convinced that the time provided for giving reply to the said notice is too short and inadequate. The respondents must have given sufficient time to the applicant for giving reply to the said notice. By way of interim relief we are inclined to extend the said by more 10 days and direct the respondents to accept the said reply. Hence, the following order: -

ORDER

- (1) Issue notice to respondents, returnable on 7.9.2022.
- (2) Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- (3) 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.
- (4) 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.

(5) 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.

(6) Time to give reply to the show-cause notice dated 19.8.2022 stands extended by 10 days' from the date of this order. Respondents shall accept the said reply.

(7) Learned Presenting Officer shall communicate this order to the respondents.

(8) S.O. to 7.9.2022.

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

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO. 676 OF 2022
(Balaji Babu Tekale & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.8.2022

ORAL ORDER :

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

2. S.O. to 30.8.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 24.8.2022-HDD

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.13/2019
(Tufansing Shele V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri A.S.Deshmukh, learned Counsel for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondents, are present.

2. S.O. to 13-09-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.913/2019
(Shirish Deshmukh & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri K.B.Jadhav, learned Counsel for the applicants, Smt. M.S.Patni, learned Presenting Officer for the respondent authorities, Shri V.B.Wagh learned Counsel for respondent no.7 to 19 and Shri S.B.Deshpande, learned Counsel for respondent no.6, are present.

2. S.O. to 07-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.1007/2019
(Mustafa Khonde V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri K.R.Doke, learned Counsel for the applicant
and Smt. M.S.Patni, learned Presenting Officer for the
respondents, are present.

2. S.O. to 07-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.566/2021
(Manish Sonar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri Swaraj S. Tandale, learned Counsel for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondents, are present.

2. S.O. to 15-09-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.567/2021
(Arifa Gulab Maniyar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri Swaraj S. Tandale, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents, are present.

2. S.O. to 15-09-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.790/2021
(Gajanan Aundhekar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Smt. Suchita Dhongde, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents, are present.

2. S.O. to 10-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A.NO.198/2020 IN O.A.ST.667/2020
(Pratibha Ahire V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri A.M.Hajare, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. S.O. to 20-09-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A.NO.334/2020 IN O.A.NO.894/2019
(Suman Wavdhane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri G.L.Deshpande, learned Counsel for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondents, are present.

2. S.O. to 26-09-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A.NO.165/2021 IN O.A.NO.36/2013
(Anil Tirthkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri Shritej Surve, learned Counsel holding for
Shri Hemant Surve, learned Counsel for the applicant
and Shri S.K.Shirse, learned Presenting Officer for the
respondents, are present.

2. S.O. to 20-09-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A.NO.206/2021 IN O.A.ST.NO.608/2021
(Nitin Baviskar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri V.B.Wagh, learned Counsel for the applicant
and Shri B.S.Deokar, learned Presenting Officer for the
respondents, are present.

2. S.O. to 20-09-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A.NO.261/2022 WITH M.A.NO.257/2022 IN O.A.NO.447/2022
(Dr. Pratap M. Shinde & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri R.R.Kale, learned Counsel for the applicant in M.A.No.261/2022 & M.A.No.257/2022, Shri S.K.Shirse, learned Presenting Officer for the respondents and Shri Ghongade, learned Counsel holding for Shri S.G.Chapalgaonkar, learned Counsel for applicant in O.A.No.447/2022, are present.

2. S.O. to 05-09-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.694/2013
(Bashir Khan Daulat Khan Patel V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri A.S.Deshmukh, learned Counsel for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondents, are present.

2. S.O. to 03-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.15/2014
(Bipin Sonar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri V.B.Wagh, learned Counsel for the applicant
and Smt. M.S.Patni, learned Presenting Officer for the
respondents, are present.

2. S.O. to 03-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.513/2016
(Nitin Mulay V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. S.O. to 03-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.773/2016
(Govind Nagargoje V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri G.J.Karne, learned Counsel for the applicant
and Shri D.R.Patil, learned Presenting Officer for the
respondents, are present.

2. S.O. to 06-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.884/2017, 885/2017, 886/2017,
887/2017, 888/2017, 889/2017, 890/2017, 891/2017, 892/2017,
893/2017, 894/2017 AND 895/2017
(Prabhakar Mali & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri Ghongade, learned Counsel holding for Shri S.G.Chapalgaonkar, learned Counsel for the applicants, Shri I.S.Thorat, learned Presenting Officer for the respondent authorities, Shri Vivek Deshmukh, Shri N.K.Tungar, Shri Abhijit More and Shri B.R.Sontakke Patil for respondent no.5 in respective cases, are present.

2. S.O. to 23-09-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.939/2017
(Dattatray Bargaje V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri S.D.Joshi, learned Counsel for the applicant
and Smt. M.S.Patni, learned Presenting Officer for the
respondents, are present.

2. S.O. to 27-09-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.962/2017
(Bhausahab Rayate V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Ms. Satyabhama Avhad, learned Counsel holding
for Mr. A.S.Bayas, learned Counsel for the applicant
and Mr. B.S.Deokar, learned Presenting Officer for the
respondents, are present.

2. S.O. to 10-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.695/2018
(Prakash Phule V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24-08-2022

ORAL ORDER :

Shri A.S.Deshmukh, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents, are present.

2. S.O. to 13-09-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 24-08-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A.NO.373 OF 2018 IN O.A.ST.NO.1652 OF 2021
(Keshav G. Lohar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

O R D E R

This application is made seeking condonation of delay of about 4 years 1 month and 20 days caused in filing the accompanying Original Application under Section 19 of Administrative Tribunals Act, 1985 seeking directions against the respondent Nos.2 & 3 to refund the recovered amount of Rs.1,99,410/- deducted/recovered as excess payment from the retirement benefit of gratuity of the applicant in view of the judgment delivered by the Hon'ble Apex Court in the matter of **State of Punjab Vs. Rafiq Masih in Civil Appeal No.11527/2014.**

2. The applicant retired on superannuation w.e.f. 28.02.2013 while holding Class-III post. The pay of the applicant was re-fixed after his retirement on superannuation and thereby the amount has been

deducted/recovered from the gratuity amount due to the applicant after his retirement on 06.08.2013.

3. It is contended that in the month of August 2018, the applicant came to know that, some colleagues of the applicant, who were serving with the applicant and after their retirement, the excess amount paid to them was recovered from the gratuity amount and they approached this Tribunal by filing cases for refund and their cases were allowed. The applicant is seeking similar relief, but there is delay. The said delay is neither intentional nor deliberate. The applicant has every hope of success in the Original Application. The recovery is impermissible as the applicant belongs to Class-III employee. Hence, this application.

4. The application is resisted by filing affidavit-in-reply jointly on behalf of the respondent Nos.2 & 3 and separately on behalf of the respondent No.4, thereby denying the adverse contentions raised by the applicant and contending that no sufficient cause has been shown by the applicant for condonation of delay. It is contended that in re-fixation, it was revealed that excess payment was done to the applicant and as

such, the amount was recovered from the pensionary benefits of the applicant rightly. There is no merit in the contentions raised by the applicant. Therefore, the application is liable to be rejected.

5. I have heard at length the arguments advanced by Shri A.D. Gadekar, learned Advocate for the applicant on one hand and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents on other hand.

6. During the course of arguments, the applicant produced on record the copies of decisions in various Misc. Applications, where the delay was condoned in similarly situated matters. On this aspect, the learned Advocate for the applicant has placed reliance on the citation of the Hon'ble Apex Court in AIR 1997 Supreme Court page No.3588 in the matter of **K.C. Sharma and Ors. Vs. Union of India and Ors.** In the said citation case the aspect of delay condonation was before the Hon'ble Apex Court. In the said case, notification dated 05.11.1988 amending Rule 2544 of the India Railways Establishment Code for calculation of average emoluments was challenged. The said

benefit so far as is given with retrospective effect to the amendments were held to be invalid by the Full Bench of the Tribunal in its earlier decision. The application was made seeking benefit of said decision by the appellants, who were adversely affected by impugned amendments. It was held that the same cannot be dismissed on the ground of delay. More so earlier decision given by Full Bench of the Tribunal is affirmed by the Hon'ble Apex Court in Civil Appeal.

7. In the case in hand, it is true that the applicant is approaching the Tribunal belatedly. The accompanying Original Application St No.1652/2018 along with this delay condonation application is filed on 28.09.2018. The impugned order of recovery is dated 28.02.2013. In view of same, there is delay of about 4 years, 1 month and 20 days in filing the Original Application.

8. Considering the facts and circumstances of the case, it appears that the applicant is Class-III employee. He is seeking benefit of the decision of the Hon'ble Apex Court in the matter of **State of Punjab Vs. Rafiq Masih in Civil Appeal No.11527/2014**. In

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M.A.373/2018 In
O.A.St.1652/2018

view of same, in my considered opinion, the case of the applicant is required to be considered on merit.

9. It is a settled principle of law that the expression “sufficient cause” is to be construed liberally. In view of the facts and circumstances of this case, if the delay is refused to be condoned, cause of justice is likely to be defeated at the threshold. Similar cases were considered by this Tribunal. In view of the same, in my considered opinion, this is a fit case to condone the delay of about 4 years, 1 month and 20 days caused in filing the Original Application by construing the expression sufficient cause liberally by imposing moderate costs upon the applicant. I compute the costs of Rs.2,000/- (Two Thousand only) on the applicants and proceed to pass the following order: -

ORDER

The Misc. Application No. 373/2018 is allowed in following terms:-

- (A) The delay of about 4 years, 1 month and 20 days caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned

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M.A.373/2018 In
O.A.St.1652/2018

subject to payment of costs of Rs. 2000/-
(Two Thousand only) by the applicant. The
amount of costs shall be deposited in the
Registry of this Tribunal within a period of
one month from the date of this order.

- (B) Upon satisfaction of the costs as above, the
accompanying O.A. be registered and
numbered by taking in to account other
office objection/s, if any.

MEMBER (J)

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A.NO.230 OF 2019 IN O.A.ST.NO.903 OF 2019
(Sadashiv Martandrao Sawai V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORDER

By this application the applicant is seeking condonation of delay of about 4 years 9 months and 49 days caused in filing the Original Application under Section 19 of Administrative Tribunals Act, 1985 challenging the order issued by the respondent Nos.2 & 3 recovering the amount of Rs.1,66,940/- being excess payment deducted from retirement benefit of gratuity of the applicant and seeking refund of it in view of the judgment and order delivered by Hon'ble Apex Court in the matter of **State of Punjab Vs. Rafiq Masih in Civil Appeal No.11527/2014.**

2. The applicant retired on superannuation on the post of Assistant Project Officer (Class-III) w.e.f. 30.11.2012. After his retirement, re-fixation of his pay was done by order dated 26.12.2012 and thereby recovery of excess payment was ordered and the same

was recovered from the retirement benefit of gratuity of the applicant. The applicant has filed accompanying Original Application seeking refund of the said excess amount contending that such recovery from the employee like the applicant, who is retired from the post of Class-III from the Government Service is impermissible in view of the decision of the Hon'ble Apex Court in the matter of **State of Punjab Vs. Rafiq Masih in Civil Appeal No.11527/2014.**

3. The accompanying Original Application along with this delay condonation application is filed on 29.04.2019. There is a delay. However, the same is neither deliberate nor intentional. After passing of recovery order, the applicant came to know about the decision of the Hon'ble Apex Court. The applicant made representation dated 03.07.2015 for refund. However, there is no response from the respondents. Hence, this application for condonation of delay.

4. The application is resisted by filing affidavit-in-reply on behalf of the respondent Nos.1 & 2, thereby adverse contentions raised by the applicant are denied and it is contended that no sufficient cause has been

show by the applicant for condonation of delay. The application is therefore liable to be rejected.

5. I have heard at length the arguments advanced by Shri A.D. Gadekar, learned Advocate for the applicant on one hand and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents on other hand.

6. During the course of arguments, the applicant produced on record the copies of decisions in various Misc. Applications, where the delay was condoned in similarly situated matters. On this aspect, the learned Advocate for the applicant has placed reliance on the citation of the Hon'ble Apex Court in AIR 1997 Supreme Court page No.3588 in the matter of **K.C. Sharma and Ors. Vs. Union of India and Ors.** In the said citation case the aspect of delay condonation was before the Hon'ble Apex Court. In the said case, notification dated 05.11.1988 amending Rule 2544 of the India Railways Establishment Code for calculation of average emoluments was challenged. The said benefit so far as is given with retrospective effect to the amendments were held to be invalid by the Full

Bench of the Tribunal in its earlier decision. The application was made seeking benefit of said decision by the appellants, who were adversely affected by impugned amendments. It was held that the same cannot be dismissed on the ground of delay. More so earlier decision given by Full Bench of the Tribunal is affirmed by the Hon'ble Apex Court in Civil Appeal.

7. In the case in hand, it is true that the applicant is approaching the Tribunal belatedly. The accompanying Original Application St No.903/2019 along with this delay condonation application is filed on 29.04.2019. The impugned order of recovery is dated 26.12.2012. After passing of recovery order, the applicant came to know about the decision of the Hon'ble Apex Court. The applicant made representation dated 03.07.2015 for refund. In view of same, there is delay of about 4 years, 1 month and 20 days in filing the Original Application.

8. Considering the facts and circumstances of the case, it seems that the applicant is Class-III employee. He is seeking benefit of the decision of the Hon'ble Apex Court in the matter of **State of Punjab Vs. Rafiq**

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M.A.230/2019 In
O.A.St.903/2019

Masih in Civil Appeal No.11527/2014. In view of same, in my considered opinion, the case of the applicant is required to be considered on merit.

9. It is a settled principle of law that the expression “sufficient cause” is to be construed liberally. In view of the facts and circumstances of this case, if the delay is refused to be condoned, cause of justice is likely to be defeated at the threshold. In view of the same, in my considered opinion, this is a fit case to condone the delay of about 4 years 9 months and 49 days caused in filing the Original Application by construing the expression sufficient cause liberally by imposing moderate costs upon the applicant. I compute the costs of Rs.2,000/- (Two Thousand only) on the applicants and proceed to pass the following order: -

ORDER

The Misc. Application No. 230/2019 is allowed in following terms:-

- (A) The delay of about 4 years, 9 month and 49 days caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 2000/-

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M.A.230/2019 In
O.A.St.903/2019

(Two Thousand only) by the applicant. The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.

- (B) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A.NO.427 OF 2021 IN O.A.ST.NO.1816 OF 2021
(Gajanan Balu Dandge & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORDER

By this application the applicants are seeking condonation of delay of about 5 years 11 months and 22 days caused in filing the Original Application under Section 19 of Administrative Tribunals Act, 1985 challenging the impugned order dated 25.01.2015 issued by the respondent No.3 i.e. the District Superintendent, Agriculture Officer, Agriculture Office, Jalgaon rejecting the claim of the applicant for appointment on compassionate ground stating that there is no provision for substitution in the policy of the compassionate appointment.

2. The applicant No.1 is the widow and the applicant No.2 is son of the deceased Government servant named Balu Laxman Dandge, who died in harness on 13.05.2002 while working as Agriculture Assistant (Class-III) in the office of the respondent No.3

i.e. the District Superintendent, Agriculture Officer, Agriculture Office, Jalgaon.

3. The applicant No.1 i.e. the widow filed application in 2002 itself for compassionate appointment. Her name was taken in the waiting list. However, her name was removed from the waiting list as she crossed the age of 40 years on 31.07.2008. The applicant No.2 i.e. the son applied for compassionate appointment on 11.08.2008. However, his claim was rejected by impugned communication dated 20.01.2015 (Annex. 'A-10') by the respondent No.3 stating that there is no provision for substitution under policy of compassionate appointment. The Original Application came to be filed on 23.12.2021. The delay in filing the said Original Application is not deliberate. The applicants were facing financial crises. They are living in village. They have no knowledge of legal provisions. Hence, this application for condonation of delay.

4. The application is resisted by filing affidavit-in-reply filed on behalf of the respondent No.3, thereby adverse contentions raised by the applicants

are denied and it is contended that no sufficient cause has been show by the applicants for condonation of delay.

5. I have heard at length the arguments advanced by Smt. Vidya Taksal, learned Advocate for the applicants on one hand and Shri V.R. Bhumkar, learned Presenting Officer for the respondents on other hand.

6. Considering the dates involved in the matter, there is delay of about 5 years 11 months and 22 days caused in filing the Original Application. It appears that the applicant No.1 i.e. the widow was not given appointment though her name was taken in the waiting list after the death of the Government servant. Her name was removed in view of the policy of the Government that the legal heirs after crossing 40 years of age would not be entitled for compassionate appointment. Therefore, the applicant No.2 i.e. the son applied in 2008 for compassionate appointment. His claim, however, is denied and rejected on the ground of want of provision of substitution in the policy of the compassionate appointment.

7. Such aspect of the matter is required to be considered which can be done only by considering the Original Application. However, there is a delay. The delay cannot be said to be deliberate or intentional. Thereby the applicant had nothing to gain. The applicants are pursuing the remedy since long i.e. after the death of the Government servant, in the year, 2002.

8. It is a settled principle of law that the expression “sufficient cause” is to be construed liberally. Refusing to condone the delay is likely to result into defeating the cause of justice at the threshold. Even if the ultimate claim of the applicants decided to be considered, it can be considered from the date on which the Original Application along with this delay condonation application is filed which would not affect legitimate claim of other such persons claiming the compassionate appointment. In view of the same, in my opinion, this is a fit case to condone the delay of about 5 years 11 months and 22 days caused in filing

//5//

M.A.427/2021 In
O.A.St.1816/2021

the Original Application by imposing moderate costs upon the applicants. I compute the costs of Rs.2000/- (Two Thousand only) on the applicants and proceed to pass the following order: -

ORDER

The Misc. Application No. 427/2021 is allowed in following terms:-

- (A) The delay caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 2,000/- (Two Thousand only) by the applicants. The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.
- (B) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

MEMBER (J)

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.1015 OF 2019
(Sakharam P. Ranbavle V/s. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO.1016 OF 2019
(Udhav U. Thorat V/s. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO.1017 OF 2019
(Sahebrao M. Jadhav V/s. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO.1019 OF 2019
(Vitthal B. Patole V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicants in all these O.As. and Shri D.R. Patil, learned Presenting Officer for the respondents in all these O.As.

2. During the course of arguments it transpires that as per order dated 18.11.2014 (Annex. 'A-3') and communication dated 20.11.2014 in O.A.No.1015/2019, the services of all these applicants have been allotted to Police Training School, Jalna stating that they were selected on the post of Bandsman and Driver in selection process of the year 2007 in respect of vacant post in that regard from Police Training School, Jalna. But initially they were appointed with the respondent No.7 and they worked there till they were relieved by the impugned orders. In view of same, in order to understand the controversy, the advertisement of the year 2007 and

//2// O.A.Nos.1015/19 & Ors.

such other relevant record showing the status of filling vacancies would be necessary.

3. Learned Advocate for the applicants submitted that such record is not available with the applicants.

4. In view of same, the learned P.O. to place on record the relevant record on the next date.

5. S.O. to 16.09.2022.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.395 OF 2022
(Smt. Rajkamal Wd/o Vilasrao Ugile V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. Issue fresh notice to respondents, returnable on 27.09.2022.

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

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

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

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

7. S.O. to 27.09.2022.

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

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.712 OF 2021
(Dr. Subhash G. Kubade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri Shamsundar B. Patil, 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 20.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.165 OF 2018
(Sainath B. Turakane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 23.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.475 OF 2018
(Shivkanya S. Bharti V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. The present matter is closed for order.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.626 OF 2018
(Dilip S. Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri S.B. Mene, learned Advocate holding for Shri Sanket N. Suryawanshi, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 29.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.973 OF 2018
(Rajaram Z. Mohite V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri A.D. Gadekar, learned Advocate for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent Nos.1 & 2 and Smt. Suvarna Zaware, learned Advocate for the respondent No.3.

2. By consent of all the parties, S.O. to 23.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.40 OF 2019
(Dr. Manisha R. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 19.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.701 OF 2019
(Bapusaheb V. Patare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. The present matter be treated as part heard.

3. By consent of both the sides, S.O. to 20.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.704 OF 2019
(Vishwanath T. Yeslote V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 19.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.1092 OF 2019
(Dhanaji R. Marakwad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Shri C.R. Thorat, learned Advocate for the applicant, is **absent**. Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 23.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.89 OF 2020
(Madhukar G. Bhalerao V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 26.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
O.A.NO.122 OF 2020 WITH Caveat No.06/2020
(Sandip P. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri A.B. Girase, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos.1 to 3 and Shri S.D. Dhongde, learned Advocate for the respondent No.4 (Caveator). Shri N.N. Desale, learned Advocate for the respondent No.5, is **absent**.

2. By consent of both all the parties, S.O. to 20.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.437 OF 2020
(Arjun D. Kharat V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri V.B. Bhumkar, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 28.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.522 OF 2020
(Prakash D. Bharambe V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 28.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.534 OF 2020
(Rajesh N. Bade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 28.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.03 OF 2021
(Sudhir S. Pathak V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 27.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.62 OF 2021
(Bhaskar N. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri P.H. Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 20.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.63 OF 2021
(Gulabrao S. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri P.H. Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 20.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.64 OF 2021
(Vikas J. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri P.H. Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 20.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.65 OF 2021
(Dharmraj J. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri P.H. Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 20.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.120 OF 2021
(Pandurang N. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri P.H. Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 20.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.226 OF 2021
(Khilesh K. Choudhari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 28.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.313 OF 2021
(Pandurang M. Kamble V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 29.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.353 OF 2021
(Sunil J. Kamble V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 19.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.550 OF 2021
(Shobha S. Bidhe & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 25.08.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.602 OF 2021
(Pravin N. Nemade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 14.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.69 OF 2022
(Sudhakar G. Sonawane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 15.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 745 OF 2022
(Karbhari M. Bahure V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 30.08.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 307 OF 2022
(Jaydatt R. Bhusare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 29.08.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. St. No. 1312/2022 in O.A. St. No. 1093 OF 2022
(Shriram G. Kulkarni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 25.08.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 1106 OF 2022
(Shankar S. Patange V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri Avinash Khedkar, learned Advocate holding for Shri N.B. Patil, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 22.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 945 OF 2019
(Dr. Prashant D. Warkari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Pleadings are complete. The present matter is pertaining to seeking direction for payment of salary which is withheld for certain period. Hence, the O.A. is admitted and it be fixed for final hearing on 19.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 1093 OF 2019
(Bhanudas B. Putwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 12.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 580 OF 2020
(Dr. Sunita N. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. Pleadings are complete. The present matter is pertaining to study leave. Hence, the O.A. is admitted and it be fixed for final hearing on 19.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 138 OF 2021
(Anant R. Pande V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. Pleadings are complete. The present matter is pertaining to recovery / refund of recovered amount. Hence, the O.A. is admitted and it be fixed for final hearing on 20.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 222 OF 2021
(Bhausahab A. Wighve V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri Avinash Khedkar, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent No. 1 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 and 3.

2. Pleadings are complete. The present matter is pertaining to recovery / refund of recovered amount. Hence, the O.A. is admitted and it be fixed for final hearing on 20.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 223 OF 2021
(Babasaheb R. Warpe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri Avinash Khedkar, learned Advocate for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent No. 1 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 and 3.

2. Pleadings are complete. The present matter is pertaining to recovery / refund of recovered amount. Hence, the O.A. is admitted and it be fixed for final hearing on 20.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 321 OF 2021
(Dr. Pramod U. Wawdhane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri Sameer Kurundkar, learned Advocate holding for Shri S.V. Kurundkar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1 to 3. Shri A.B. Shinde, learned Advocate for respondent No. 4, **absent.**

2. Record shows that in spite of grant of opportunities, the affidavit in reply is not filed on behalf of respondents. Therefore, the present case is fixed for admission without affidavit in reply of the respondents. Record further shows that the present matter is pertaining to pension and pensionary benefits. Hence, the O.A. is admitted and it be fixed for final hearing on 21.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 323 OF 2021
(Shaikh Nazir Ahamed Shaikh Bashir Ahemad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Smt. Priya Bharaswadkar, learned Advocate holding for Shri R.N. Bharaswadkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Pleadings are complete. The present matter is pertaining to acceptance of change of nomination in favour of the applicant's second wife. Hence, the O.A. is admitted and it be fixed for final hearing on 22.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 432 OF 2021
(Mayadevi S. Khadiwate V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri Asif Ali, learned Advocate holding for Smt. A.N. Ansari, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent No. 1 and Shri P.R. Tandale, learned Advocate for respondent No. 2.

2. The present matter is closed for orders.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 669 OF 2022
(Vivek T. Bade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri Avinash Deshmukh, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 and 2 and Shri J.B. Choudhary, learned Advocate for respondent No. 3.

2. Pleadings are complete. The present matter is pertaining to transfer. Hence, the O.A. is admitted and it be fixed hearing at the stage of admission.

3. S.O. to 15.09.2022 for production of original record. Interim relief granted earlier to continue till then.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. St. No. 792/2017 in O.A. No. 555/2015
(Madhav C. Padavi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri F.R. Tandale, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks permission to withdraw the present M.A., which is filed for seeking permission for prosecuting the crime against the respondent No. 1 for filing false affidavit together with O.A. No. 555/2015.

3. I have no reason to refuse the permission for withdrawal of the present M.A. and O.A. Hence, the M.A. and O.A. are disposed of as withdrawn with no order as to costs.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 277/2022 in M.A. No. 54/2021 in O.A. St. No. 1020/2020
(Pramila R. Shendade & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri F.R. Tandale, learned Advocate holding for Shri D.B. Pokale, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicants, S.O. to 27.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 298 OF 2022
(Baban G. Tadvi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri Swaraj Tandale, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 and 2. Shri N.R. Dayama, learned Advocate for respondent No. 3, **absent**.

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

3. S.O. to 23.09.2022 for admission.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 147 OF 2022
(Bhaskar D. Nalte V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri P.D. Bodade, 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. Record shows that in spite of grant of opportunities, the affidavit in reply is not filed on behalf of respondents. Hence, the present matter will proceed further without affidavit in reply of the respondents in accordance with law.

3. S.O. to 23.09.2022 for admission.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 39/2021 in O.A. St. No. 37/2021
(Azizkhan Yusufkhan Pathan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri N.D. Sonavane, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 19.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 448/2019 in O.A. St. No. 1571/2019
(Janabai B. Gadade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. The present matter is closed for orders.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 174/2021 in O.A. St. No. 722/2021
(Avinash V. Solanke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. The present matter is closed for orders.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 227/2021 in O.A. St. No. 901/2021
(Anil V. Mahajan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 26.09.2022 for hearing.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 04/2021 in O.A. St. No. 1401/2020
(Sampat B. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri P.G. Gunale, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent Nos. 5 & 6 and Shri S.P. Pandit, learned Special Counsel for respondent Nos. 1 to 4.

2. By consent of all the parties, S.O. to 15.09.2022 for hearing.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 89 OF 2018
(Sayeda Khalida Md. Naeem V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri Avinash Deshmukh, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 and 2 and Shri S.R. Pande, learned Advocate for respondent No. 3.

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

3. By consent of all the parties, S.O. to 14.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 909 OF 2018
(Atamaram N. Mahide V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. Await service of notice on the respondent No. 3.

3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1 & 2.

4. At the request of learned Advocate for the applicant, S.O. to 15.09.2022 for taking necessary steps.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 538 OF 2019
(Jawahar R. Bhoi V/s. St*ate of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 16.09.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 75 OF 2020
(Jitendra V. Sarde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri K.B. Bhise, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent No. 1. None present on behalf of respondent No. 2, though duly served.

2. Record shows that in spite of grant of opportunities, the affidavit in reply is not filed on behalf of respondent No. 1. Hence, the present matter will proceed further without affidavit in reply of the respondent No. 1 in accordance with law.

3. S.O. to 14.09.2022 for admission.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 98 OF 2020 with Caveat 78/2019
(Bhavana R. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri Avinash Deshmukh, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent No. 1 and Shri Manish Bhambre, learned Advocate for respondent No. 2 / caveator.

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

3. S.O. to 19.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 487 OF 2020
(Usha R. Bahirat V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply on behalf of respondents.

3. S.O. to 19.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 497 OF 2020
(Bhujang V. Godbole V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

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

3. S.O. to 22.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 167 OF 2021
(Rupesh S. Nagrale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

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

3. S.O. to 20.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 272 OF 2021
(Jayawant R. Bhangare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

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

3. S.O. to 22.09.2022 for admission.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 370 OF 2021
(Jyoti K. Mote V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. Await service of notice on the respondents.

3. At the request of learned Advocate for the applicant, S.O. to 23.09.2022 for taking necessary steps.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 381 OF 2021
(Swapnil S. Shimpi & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri P.S. Gaikwad, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.

3. At the request of learned Advocate for the applicants, S.O. to 23.09.2022 for taking necessary steps.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 386 OF 2021
(Chandrashekhar R. Chopdar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri Harish Bali, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply on behalf of respondents.

3. S.O. to 15.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 526 OF 2021
(Vilas M. Joshi V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1, 3 to 5 and Shri Mahesh Swami, learned Advocate for respondent No. 2.

2. Await service of notice on the respondent No. 4.

3. At the request made on behalf of respondents, time is granted for filing affidavit in reply on behalf of respondent Nos. 1 to 3 & 5.

4. At the request of learned Advocate for the applicant, S.O. to 15.09.2022 for taking necessary steps.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 509 OF 2021
(Dr. Ramling C. Mahajan & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

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

3. S.O. to 05.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 148 OF 2022
(Dr. Rajendra R. Dharmadhikari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

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

3. S.O. to 21.09.2022 for admission.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 238 OF 2022
(Rajabai R. Kawadikar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

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

3. S.O. to 23.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 239 OF 2022
(Surajkumar N. Vanje V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 23.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 255 OF 2022
(Namdeo V. Agashe & Anr. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 22.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 364 OF 2022
(Laxmibai U. Potdar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri A.V. Patil (Indrale), learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. S.O. to 26.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 135/2020 in O.A. St. No. 336/2020
(Khurshid Begum Mohd. Moosa V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

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

3. S.O. to 12.09.2022 for hearing.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 204/2020 in O.A. St. No. 678/2020
(Ramdas N. Sangle V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. Learned Advocate for the applicant filed rejoinder affidavit in M.A. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 27.09.2022 for hearing.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 205/2020 in O.A. St. No. 680/2020
(Ravindra G. Barde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. Learned Advocate for the applicant filed rejoinder affidavit in M.A. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 27.09.2022 for hearing.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 09/2021 in O.A. St. No. 05/2021
(Vilas B. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

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

2. Learned Advocate for the applicant filed short affidavit in M.A. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 28.09.2022 for hearing.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 345/2021 in O.A. St. No. 1475/2021
(Anantrao V. Soudagar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate holding for Shri Mujahed Hussain, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 and 2 and Shri D.T. Devane, learned Advocate for respondent Nos. 3 & 4.

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply on behalf of respondent No. 1.

3. S.O. to 13.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 300/2022 in O.A. St. No. 855/2022
(Tukaram S. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri B.B. Kulkarni, learned Advocate holding for Shri M.M. Patil (Beedkar), learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply in M.A.

3. S.O. to 20.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 301/2022 in O.A. St. No. 856/2022
(Uttam V. Bhumre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022.

ORAL ORDER :

Heard Shri B.B. Kulkarni, learned Advocate holding for Shri M.M. Patil (Beedkar), learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply in M.A.

3. S.O. to 20.09.2022.

MEMBER (J)

KBP ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

C.P. No. 47/2019 in O.A. No. 364/2016
(Rudrappa L. Lungare & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022

ORAL ORDER :

Shri R.P. Bhumkar, learned counsel for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Await service of notice of the respondent No. 5.
3. S.O. to 03.10.2022.

MEMBER (A)

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 256 OF 2018
(Avinash P. Chandra & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022

ORAL ORDER :

Shri Mayur Subhedar, learned Advocate holding for Shri S.G. Chapalgaonkar, learned counsel for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicants submits that the applicants do not wish to file rejoinder affidavit.
3. S.O. to 03.10.2022 for hearing.

MEMBER (A)

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022

ORAL ORDER :

Shri A.D. Gadekar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondents to the amended portion of the O.A. Time granted.

3. S.O. to 03.10.2022.

MEMBER (A)

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 271 OF 2019
(Avinash R. Kamble and Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022

ORAL ORDER :

Shri H.A. Joshi, learned counsel for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 03.10.2022.

MEMBER (A)

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 685 OF 2019
(Shivaji R. Thakare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 03.10.2022.

MEMBER (A)

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 578 OF 2020
(Sachin S. Lokare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022

ORAL ORDER :

Shri R.N. Kumthekar, learned counsel for the applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. Await service.

3. S.O. to 03.10.2022.

MEMBER (A)

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

T.A. 07/2021 (W.P. No. 10329/2021)

With

T.A. 08/2021 (W.P. No. 10446/2021)

With

T.A. 09/2021 (W.P. No. 11027/2021)

(Shilpa A. Chate & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022

ORAL ORDER :

Shri Abhijeet Darandale, H.U. Dhage/M.C. Misal, learned counsels for the respective applicants in respective cases (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities in all these cases, is present.

2. Notices not collected by the applicants.
3. S.O. to 06.10.2022.

MEMBER (A)

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 783 OF 2021
(Gulab S. Jondhle V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022

ORAL ORDER :

Shri Avinash Khedkar, learned counsel for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Shri Shamsunder B. Patil, learned counsel for respondent Nos. 3 & 4, are present.

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

3. S.O. to 30.09.2022.

MEMBER (A)

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 787 OF 2021
(Raosaheb B. Gunjal V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022

ORAL ORDER :

Shri Avinash Khedkar, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri Shamsunder B. Patil, learned counsel for respondent Nos. 3 to 5, are present.

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

3. S.O. to 30.09.2022.

MEMBER (A)

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 788 OF 2021
(Sunil D. Kulkarni V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022

ORAL ORDER :

Shri Avinash Khedkar, learned counsel for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri Shamsunder B. Patil, learned counsel for respondent Nos. 3 & 4, are present.

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

3. S.O. to 30.09.2022.

MEMBER (A)

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 14 OF 2022
(Baburao S. Mule & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022

ORAL ORDER :

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 07.10.2022.

MEMBER (A)

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 32 OF 2022
(Yogesh U. Aher V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022

ORAL ORDER :

Shri P.P. Dawalkar, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 10.10.2022.

MEMBER (A)

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 73 OF 2022
(Chakardhar P. Wadje V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022

ORAL ORDER :

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

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 10.10.2022.

MEMBER (A)

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 107 OF 2022
(Mohan S. Desale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022

ORAL ORDER :

Shri S.B. Jadhav, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 10.10.2022.

MEMBER (A)

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

O.A. Nos. 463, 464, 465, 466 & 467 all of 2022
(Ramdas S. Bhalke & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022

ORAL ORDER :

Shri S.A. Deshmukh, learned counsel for the applicants in all these cases and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities in all these cases, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondents in all these O.As. Learned counsel for the applicants submits that two opportunities are already availed by the respondents. Time is granted by way of last chance and if reply is not filed on or before the next date, the present matters will be heard without reply.

3. S.O. to 28.09.2022.

MEMBER (A)

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A. No. 35/2018 in O.A. St. No. 97/2018
(Nilesh R. Tagad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022

ORAL ORDER :

Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Shri M.B. Kolpe, learned counsel for respondent No. 2, are present.

2. S.O. to 27.09.2022 for filing application for amendment.

MEMBER (A)

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A. No. 47/2019 in O.A. No. 387/2016
(Dr. Nomai Mahammed Mufti Taher V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022

ORAL ORDER :

Shri Mayur Subhedar, learned counsel holding for Smt. Vinaya Muley-Dharurkar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 27.09.2022 for hearing.

MEMBER (A)

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A. No. 380/2019 in O.A. No. 290/2019
(Rajesh L. Tangade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Shri A.D. Aghav, learned counsel for respondent No. 2 in O.A., are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondents in M.A. Time granted.

3. S.O. to 28.09.2022.

MEMBER (A)

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A. No. 351/2020 in O.A. No. 470/2018
(Mahadabai G. Dhulekar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.08.2022

ORAL ORDER :

Shri Asif Ali, learned counsel holding for Shri V.P. Kadam, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondent Nos. 4 & 5 in M.A. Time granted.

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

4. S.O. to 30.08.2022.

MEMBER (A)

VICE CHAIRMAN

KPB ORAL ORDERS 24.08.2022