

**ORIGINAL APPLICATION ST. NO. 1112 OF 2024**  
**(Sandeep Dhansingh Golwal Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

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

2. Remove from the board.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.05.2024-HDD

**T.A.NO.05/2023 (W.P.NO.4762/2020)**  
**(Vinayak Ware & Ors. Vs. State of Maharashtra & Ors.)**

**T.A.NO.06/2023 (W.P.NO.4765/2020)**  
**(Sunil Suresh Ubale & Ors. Vs. State of Maharashtra & Ors)**

**T.A.NO.07/2023 (W.P.NO.5233/2020)**  
**(Pralhad K. Ugale Vs. State of Maharashtra & Ors.)**

**T.A.NO.08/2023 (W.P.NO.5591/2020)**  
**(Pravin Hadade & Ors. Vs. State of Maharashtra & Ors.)**

**T.A.NO.09/2023 (W.P.NO.5588/2020)**  
**(Sonali Bhosale Vs. State of Maharashtra & Ors.)**

**T.A.NO.10/2023 (W.P.NO.5592/2020)**  
**(Surekha Wani Vs. State of Maharashtra & Ors.)**

**T.A.NO.11/2023 (W.P.NO.7243/2020)**  
**(Maharashtra State Contractual Employees Federation, Through its working President Sachin S. Jadhav Vs. State of Maha.& Ors.)**

**T.A.NO.16/2023 (W.P.NO. 5776/2021)**  
**(Gajanan N. Tehare & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri Sayyed Tauseef Yaseen, learned counsel for the applicants in T.A. 06/23 & 16/23, Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre (T.A. 8/23 & 10/23), Shri Krishna Rodge, (T.A. 11/23), Shri Sachin S. Tambe, learned counsel holding for Shri S.S. Jadhavar for the applicant (T.A. 09/23), Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, Shri Umesh Mote, learned counsel for respondent Zilla Parishad and Shri R.R.

// 2 //

Bangar, learned counsel for respondent No. 1 in T.A. No. 16/2023, are present.

Shri Sachin S. Deshmukh, learned counsel for the applicants & Shri S.A. Nagargoje learned counsel for respective applicants (T.A. No. 7/2023), **are absent**.

2. S.O. to 07.05.2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 02.05.2024-hdd

**O.A.NOS. 189/18, 758/21, 769/21 AND 597/22**  
**(Dhiraj A. Salve & Ors. Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri Rahul O. Awsarmal, learned counsel for the applicants, Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities and Shri V.B. Wagh, learned counsel for respondent Nos. 4 to 8, are present.

2. At the request of learned counsel for the applicants, S.O. to 27.06.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.05.2024-HDD

**ORIGINAL APPLICATION NO. 659 OF 2019**  
**(Vijay Madhukar Suralkar Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri Ram S. Shinde, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 18.06.2024. Interim relief granted earlier to continue till then. **High on board.**

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.05.2024-HDD

**ORIGINAL APPLICATION NO. 1049 OF 2023**  
**(Shivaji Rajaram Kachare & Ors. Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri S.S. Dambe, learned counsel for the applicants and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned Chief Presenting Officer has sought time for filing affidavit in reply. Time granted by way of last chance.

3. S.O. to 18.06.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.05.2024-HDD

**ORIGINAL APPLICATION NO. 415 OF 2021**  
**(Vivekanand V. Auti & Anr. Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri S.S. Dambe, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 5 and the same is taken on record and copy thereof has been served on the other side.

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

4. S.O. to 12.07.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.05.2024-HDD

**ORIGINAL APPLICATION NO. 375 OF 2024**  
**(Machindra Banderao Padale Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri S.S. Dambe, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned Chief Presenting Officer submits that during the course of the day he will file affidavit in reply on behalf of respondent No. 2. The same be taken on record and copy thereof be served on the learned counsel for the applicant.

3. S.O. to 08.05.2024.

**MEMBER (A)**

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 1000 OF 2023**  
**(Ramakant J. Sonkamble Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri P.G. Rodge, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned Chief Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 2 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 12.06.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.05.2024-HDD

**M.A.NO. 145/2024 IN O.A.NO. 1022/2023**  
**(Dr. Chandrakant Subhash Avhad Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri H.P. Jadhav, learned counsel for the applicant in M.A., Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri Swaraj S. Tandale, learned counsel holding for Shri B.R. Kedar, learned counsel for the applicant in O.A., are present.

2. The present Misc. Application has been filed by the applicant for vacation of interim relief granted by this Tribunal in O.A. No. 1022/2023. Learned counsel for the applicant in O.A. seeks time. Time granted.

3. S.O. to 07.05.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.05.2024-HDD

**ORIGINAL APPLICATION NO. 897 OF 2023**  
**(Dhanraj Bhagwan Gaikwad Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri H.P. Jadhav, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 12.06.2024. Interim relief granted earlier to continue till then. **High on board.**

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.05.2024-HDD

**ORIGINAL APPLICATION NO. 994 OF 2023**  
**(Trimbak Dasu Chavan Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri H.P. Jadhav, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 12.06.2024. Interim relief granted earlier to continue till then. **High on board.**

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.05.2024-HDD

**C.P.NO. 10/2022 IN O.A.NO. 191/2021**  
**(Sandip Wamanrao Khadse Vs. the State of Maharashtra & Ors.)**

**C.P.NO. 27/2024 IN O.A.NO. 254/2022**  
**(Sandip Wamanrao Khadse Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri A.W. Khadse, learned counsel for the applicants and S/Shri Mahesh B. Bharaswadkar and V.R. Bhumkar, learned Chief Presenting Officer and Presenting Officer for the respective respondents in respective matters, are present.

2. When the present matters are taken up for consideration, the learned Chief Presenting Officer has placed on record the communication received to the Transport Commissioner from the Government with the order dated 29.04.2024. Vide the said order the Government has promoted the applicant on the next promotional post. The document is taken on record.

3. Learned counsel for the applicant submits that he will take instructions and will make the submissions on the next date and seeks time. Time granted.

4. S.O. to 08.07.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.05.2024-HDD

**T.A.NO. 09/2024 (W.P. NO. 1043/2024)**  
**(Imrankhan A. Pinjari Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri Gajendra Devchand Jain, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer seeks time to file affidavit in reply. Time granted by way of last chance.

3. S.O. to 10.06.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.05.2024-HDD

**ORIGINAL APPLICATION NO. 875 OF 2023**  
**(Avdhut Avaghadi Sisal Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Shri C.V. Dharurkar, learned counsel appeared today before this Tribunal and submits that he has instructions to appear for respondent No. 4 i.e. All India Council for Technical Education. He has submitted note of appearance on behalf of the said respondent in the registry. He seeks time to file affidavit in reply. Time granted.

3. S.O. to 08.05.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 390 OF 2024**  
**(Sunita Vishwanath Pawal Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri M.S. Bhosale, learned counsel for the applicant (**absent**). Shri V.G. Pingle, learned Presenting Officer for the respondent authorities and Shri R.C. Bramhankar, learned counsel for respondent No. 4, are present.

2. Learned counsel for respondent No. 4 has tendered affidavit in reply on behalf of the said respondent and the same is taken on record and copy thereof has been served on the other side.

3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of the State authorities. Time granted.

4. S.O. to 12.07.2024.

**MEMBER (A)**

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 381 OF 2023**

**(Rajesh Sakharam Manwate & Ors. Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman  
AND  
Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri Vaibhav U. Pawar, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned counsel appearing for the applicant submitted the order of appointment in favour of applicant No. 3 in the present O.A. In view of the fact that the applicant No. 3 has got appointment, he is not intending to prosecute the matter further. Hence, the following order: -

**ORDER**

The Original Application stands disposed of insofar as applicant No. 3 is concerned. There shall be no order as to costs.

2. The O.A. to come up for hearing on 07.05.2024 insofar as other applicants are concerned.

**MEMBER (A)**

**VICE CHAIRMAN**

**C.P.NO. 46/2023 IN O.A.NO. 347/2021**  
**(Suresh Kondiba Bharati Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Smt. R.L. Jakhade, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 01.07.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.05.2024-HDD

**ORIGINAL APPLICATION NO. 02 OF 2024**

**(Dr. Sachin Manikrao Deshmukh Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman  
AND  
Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri Shamsunder B. Patil, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 3 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 11.07.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.05.2024-HDD

**ORIGINAL APPLICATION NO. 259 OF 2023**

**(Sunita Damodhar Jarhad Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman  
AND  
Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 11.07.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.05.2024-HDD

**ORIGINAL APPLICATION NO. 196 OF 2021**  
**(Sandip Pandurang More Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri Kakasaheb B. Jadhav, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 13.06.2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.05.2024-HDD

**ORIGINAL APPLICATION NO. 387 OF 2023**  
**(Sachin Madhukar Landge Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 12.06.2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.05.2024-HDD

**ORIGINAL APPLICATION NO. 590 OF 2023**  
**(Rajendra Anandrao Shirsat Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri Kakasaheb B. Jadhav, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 12.06.2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.05.2024-HDD

**ORIGINAL APPLICATION NO. 478 OF 2024**

**(Manisha Eknathrao Kangle & Anr. Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**

**AND**

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri A.V. Thombre, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 12.06.2024. Status quo granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.05.2024-HDD



**ORIGINAL APPLICATION NO. 367 OF 2024**  
**(Dr. Nitin B. Kashikar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri P.M. Nagargoje, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits that during the course of the day affidavit in reply will be filed.

3. List the matter for filing rejoinder affidavit, if any and for admission hearing on 06.05.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 488 OF 2024**  
**(Dr. Mohan P. Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions seeks leave to withdraw the present Original Application.

3. Leave granted. The Original Application stands disposed of as withdrawn. No order as to costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 974 OF 2023**  
**(Afsar Khan Samsher Khan Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits that the respondent No. 1 is adopting the affidavit in reply filed on behalf of respondent Nos. 2 and 3. Learned P.O. however seeks time for filing affidavit in reply on behalf of respondent No. 4. Time granted.

3. S.O. to 27.06.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 251 OF 2020**  
**(Sandu R. Magar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri D.K. Dagadkhair, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time for the reason that the department has issued show cause notice to the applicant for initiation of the Departmental Enquiry, which the applicant has challenged before the Division Bench of this Tribunal. Time granted.

3. It is a part heard matter. S.O. to 27.06.2024 for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 313 OF 2023**  
**(Gopal T. Joshi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Smt. Suchita Dhongde, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 25.06.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 576 OF 2023**  
**(Dinesh S. Thakur Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 28.06.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 353 OF 2024**  
**(Atmaram L. Bondre Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, Shri Pradeep Shahane, learned counsel for respondent No. 2 and Shri Ashish Rajkar, learned counsel for respondent No. 4, are present.

2. Learned counsel for respondent No. 4 submits that during course of the day affidavit in reply will be filed.

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

4. S.O. to 07.05.2024. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 444 OF 2024**  
(Sanjay R. Kulkarni Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri Ashish Rajkar, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri D.K. Rajput, learned counsel for respondent No. 2, are present.

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

3. S.O. to 07.05.2024. Interim relief granted earlier to continue till then.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 462 OF 2024**  
**(Jyoti S. Patil @ Jyoti K. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Heard Shri S.V. Suryawanshi, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions seeks leave to withdraw the present Original application with liberty to the applicant to pursue the application filed before the Collector, where the Sub-Divisional Officer is directed to conduct an enquiry into the matter.

3. In view of above, leave granted. The Original Application stands disposed of as withdrawn with liberty as prayed for by the applicant. No order as to costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 464 OF 2024**  
**(Ankush C. Gavalwad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri A.L. Kanade, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. By consent of both the sides, S.O. to 03.05.2024.

**MEMBER (J)**

KPB ORAL ORDER 02.05.2024

**M.A. St. No. 1850/2023 in O.A. St. No. 1851/2023**  
(Kishan S. Ghuge & Ors. Vs. State of Maharashtra & Ors.)

**M.A. St. No. 1852/2023 in O.A. St. No. 1853/2023**  
(Bismilla Khan Murtuja Khan Pathan & Ors. Vs. State of Maharashtra & Ors.)

**M.A. St. No. 307/2024 in O.A. St. No. 308/2024**  
(Mukund K. Waikar & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri V.U. Rathod, learned counsel for the applicants in all these cases (**Absent**). S/shri A.P. Basarkar, D.M. Hange & Smt. Resha Deshmukh, learned Presenting Officers for the respondent authorities in respective cases, are present.

2. Even though the circulation is taken, none present for the applicants in all these three matters.

3. As none present for the applicants, S.O. to 07.08.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 940 OF 2019**  
**(Ashok D. Phadnis Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer submits communication received from respondent No. 4 dated 30.04.2024 along with the annexures including Circulars. Same are taken on record and copies thereof are given to learned counsel for the applicant.

3. Learned counsel for the applicant seeks time to go through the Circulars and aforesaid communication. Time granted.

4. It is a part heard matter. S.O. to 10.06.2024 for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 89 OF 2020**  
**(Madhukar G. Bhalerao Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Heard Smt. Sanjivani K. Deshmukh-Ghate, learned counsel holding for Shri A.D. Sugdare, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer has placed before this Tribunal a copy of communication dated 05.03.2024 received from respondent No. 3. Same is taken on record and marked as document 'X' for identification. On perusal of the same, it appears that the respondent No. 3 is seeking indefinite time for making available record pertaining to service rendered by the applicant as Wireless Operator prior to 1998. According to the respondent No. 3, it would take time to find out the said record, which is quite old prior to 1998.

3. Learned Presenting Officer is directed to talk with the superiors of the respondent No. 3 and make it convenient to place the aforesaid record before this Tribunal on the next date of hearing.

4. It is a part heard matter. S.O. to 19.06.2024 for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 514 OF 2021**  
**(Gautam G. Dhule Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. It is a part heard matter. At the request of learned Presenting Officer, as a last chance, S.O. to 07.05.2024 for filing written notes of arguments.

**MEMBER (J)**

KPB ORAL ORDER 02.05.2024

**M.A. No. 180/2024 in O.A. No. 438/2024**  
(Shripad A. Rakshe & Anr. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Heard Shri Dhananjay Mane, learned counsel for the applicants and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents in M.A., returnable on 26.06.2024.

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

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

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. Applicants are directed to file affidavit of compliance and notice.

7. S.O. to 26.06.2024.

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

**MEMBER (J)**

**M.A. No. 78/2022 in O.A. St. No. 293/2022**  
**(Vaishali B. Tote Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri A.D. Gadekar, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 3 in M.A. and submits that other respondents are adopting the affidavit in reply filed on behalf of respondent No. 3. Same is taken on record and copy thereof is given to learned counsel for the applicant.

3. List the matter for filing rejoinder affidavit, if any and for hearing on 26.06.2024.

**MEMBER (J)**



**M.A. No. 71/2024 in O.A. St. No. 2406/2023**  
**(Popat S. Pote & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri A.G. Ambetkar, learned counsel for the applicants (**Absent**). Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicants, S.O. to 09.07.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 02.05.2024

**ORIGINAL APPLICATION NO. 332 OF 2022**  
**(Rohit B. Salve Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri P.S. Jadhav, learned counsel holding for Shri S.N. Pagare, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent No. 3.

3. S.O. to 08.05.2024 for hearing.

**MEMBER (J)**

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

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicant wants to challenge the clause No. 6 of G.R. dated 21.09.2017 by carrying out amendment.

3. Learned Presenting Officer though has submitted affidavit in reply on behalf of respondent No. 5 at present, he may choose to file affidavit in reply on behalf of other respondents, if the amendment application filed by the applicant is allowed.

4. S.O. to 09.07.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 598 OF 2022**  
**(Dilipkumar R. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri S.V. Suryawanshi, learned counsel holding for Shri S.V. Deshmukh, learned counsel for the applicant and Shri A.B. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 09.07.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 02.05.2024

**ORIGINAL APPLICATION NO. 1137 OF 2022**  
**(Ravindra G. Barde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 26.06.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 02.05.2024

**ORIGINAL APPLICATION NO. 1136 OF 2022**  
**(Ramdas N. Sangle Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 26.06.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 02.05.2024

**ORIGINAL APPLICATION NO. 133 OF 2023**  
**(Ramesh S. Mali Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri R.A. Joshi, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 24.06.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 02.05.2024

**ORIGINAL APPLICATION NO. 819 OF 2019**  
**(Kalim Safdar Shiklidar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Heard Smt. Suchita Dhongde, learned counsel holding for Smt. Sabahat T. Kazi, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that this Tribunal has recorded the statement made by learned Presenting Officer on behalf of respondents in the order dated 17.04.2024 that the applicant has been paid the benefits of 6<sup>th</sup> Pay Commission difference of pay in two installments and further the applicant has been paid regular salary as per 7<sup>th</sup> Pay Commission. Further the respondent No. 3 has already paid the benefits of difference of pay and increment to the applicant as per 6<sup>th</sup> Pay Commission and also all the benefits as per 7<sup>th</sup> Pay Commission. Thus the respondents have settled all the claims of present applicant. Learned P.O. further made a statement that nothing survives for further consideration in the present Original Applicant. Learned counsel for the applicant sought time to take instructions in this regard.



//2//

O.A. No. 819/2019

3. Learned counsel for the applicant on instructions from the applicant submits that nothing survives for further consideration in this Original Application and the applicant is satisfied with the statement made by the learned Presenting Officer, which is recorded in the order dated 17.04.2024. Learned counsel thus on instructions seeks leave to withdraw the present Original Application.

4. Leave granted. The Original Application stands disposed of as withdrawn. No order as to costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 478 OF 2023**  
**(Vishwajit V. Udate Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Heard Shri K.G. Salunke, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant has placed on record a copy of order dated 08.08.2023 passed by the Division Bench of Hon'ble High Court of Bombay, Bench at Aurangabad in W.P. No. 2865/2022 with W.P. No. 14724/2021. On perusal of the same, it appears that the Division Bench of Hon'ble High Court of Bombay, Bench at Aurangabad has quashed and set aside the order dated 25.11.2021 passed by the Scrutiny Committee with the further direction that the Scrutiny Committee shall immediately issue tribe validity certificate to the petitioners as belonging to Koli Mahadev (Scheduled Tribe) with a rider that it shall be subject to the decision / outcome in the matters to be reopened by the Committee of the validity holders.

//2//

O.A. No. 478/2023

3. Admittedly, the present applicant, who is the son of the deceased employee, has neither approached the Scrutiny Committee at any point of time after the death of his father nor the Scrutiny Committee had knowledge that the father (deceased employee) of the applicant died during pendency of the proceedings before the Scrutiny Committee. In the said order of the Scrutiny Committee dated 25.11.2021 in para No. 19 (internal page no. 32/page No. 108 of the paper book), it is recorded that the father of the applicant viz. Vitthalrao Anandrao Udate, the applicant No. 8 in the said proceedings is absent at the time of hearing. When as per the death certificate placed before this Tribunal, the father of the applicant (Government employee) died on 03.03.2020.

4. In the backdrop of these facts, learned counsel for the applicant seeks time to take specific instructions in this regard from the applicant about filing of the W.P. before the Hon'ble High Court of Bombay, Bench at Aurangabad in the similar line as per W.P. No. 2865/2022. Time granted.

//3//

O.A. No. 478/2023

5. It is a part heard matter. S.O. to 20.06.2024  
for further hearing.

**MEMBER (J)**

KPB ORAL ORDER 02.05.2024

**ORIGINAL APPLICATION NO. 276 OF 2023**  
**(Dr. Shivaji G. Mundhe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

Shri U.S. Mote, learned counsel for respondent No.4, is **absent**.

2. At the request of learned P.O., S.O. to 20.06.2024 for filing reply, if any/for hearing.

**MEMBER (J)**

SAS ORAL ORDER 02.05.2024

**ORIGINAL APPLICATION NO. 372 OF 2023**  
**(Raosaheb S. Deshmukh Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., S.O. to 03.07.2023 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 02.05.2024

**ORIGINAL APPLICATION NO. 373 OF 2023**  
**(Dhanraj P. Kankriya Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

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

2. At the request of learned P.O., S.O. to 03.07.2023 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 834 OF 2023**  
**(Dr. Balasaheb S. Nagargoje Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits affidavit in reply on behalf of respondent Nos. 1 to 4. The same is taken on record and copy thereof is given to other side.

3. S.O. to 07.05.2023 for hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 898 OF 2023**  
**(Madhukar L. Dodake Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Heard Shri K.G. Salunke, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri Ajinkya Reddy, learned counsel for respondent No.2.

2. Not before the Bench of which Justice Shri V.K. Jadhav is member.

**MEMBER (J)**

SAS ORAL ORDER 02.05.2024

**ORIGINAL APPLICATION NO. 102 OF 2024  
(Shirish R. Yadav Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri J.J. Patil, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits affidavit in rejoinder. The same is taken on record and copy thereof is given to learned P.O. today itself.

3. At the request of learned P.O., S.O. to 08.05.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 02.05.2024

**ORIGINAL APPLICATION NO. 103 OF 2024  
(Pratibha P. Gore Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri J.J. Patil, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits affidavit in rejoinder. The same is taken on record and copy thereof is given to learned P.O. today itself.

3. At the request of learned P.O., S.O. to 08.05.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 02.05.2024

**O.A.NOS. 324 TO 330 ALL OF 2024**  
**(Dr. Manohar T. Jadhav & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicants in all these O.As. and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, in all these O.As., are present.

Shri R.S. Pawar, learned counsel for the respondent No.5, is **absent**.

2. By consent of both the sides, S.O. to 06.05.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 02.05.2024

**ORIGINAL APPLICATION NO. 815 OF 2023**  
**(Bijusing D. Gusinge Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri S.S. Tandale, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. This is a part heard matter.

3. Learned Presenting Officer on the basis of instructions received from Shri Yaknath Bhika Shirsath, Forest Guard today in the court itself submits that the applicant has been paid the salary for the period of 25.05.2023 to 05.09.2023. So far as the salary for the period of 06.09.2023 to 23.02.2024 is concerned, the applicant remained absent from duty and as such, only after regularization of the said period, decision of payment of salary would be taken accordingly. So far as the period from 24.02.2024 to till date is concerned, the learned P.O. submits that the department would pay the salary of the said period within 8 days.

4. In view of above, S.O. to 18.06.2024 for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 139 OF 2017**  
**(Shaikh Liyakat Shaikh Dildar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri L.S. Shaikh, learned counsel holding for Shri V.P. Golewar, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks adjournment. This is old matter of the year 2017. If the matter is not worked out on the next date, the applicant will be saddled with heavy costs.

3. At the request of learned counsel for the applicant, S.O. to 10.07.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 265 OF 2019  
(Taher Ali Sayed Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Smt. Vidhya Taksal/Shri Abhay Taksal, learned counsel for the applicant, **absent**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. This is a matter of the year 2019. By order dated 28.03.2019, this Tribunal has granted ex-parte ad-interim relief in terms of clause No. IX (C) by which the impugned order is stayed and it is directed that the applicant be allowed to work by ignoring the impugned order. It appears that the applicant is enjoying the advantage of the ex-parte ad-interim relief from last 5 years.

3. In view above, S.O. to 10.07.2024 as a last chance for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 211 OF 2020**  
**(Nilesh B. Dighe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri M.S. Taur, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. By filing this Original Application, the applicant is seeking quashing and setting aside the transfer order dated 27.07.2020 issued by the respondent No.2, thereby the applicant came to be transferred from Government Cancer Hospital to Government Medical College and Hospital, Aurangabad as a internal posting w.e.f. 28.07.2020.

3. There is no interim relief protecting the applicant since filing of this Original Application. By passage of time this Original Application has become infructuous.

4. The Original Application is accordingly disposed of as infructuous. No order as to costs.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 172 OF 2021  
(Baliram S. Pandule Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Heard both the sides.
3. Learned P.O. has pointed out paragraph No.4 of the reply filed on behalf of sole respondent. It has been specifically stated in the said paragraph No.4 that along with show cause notice, the copy of enquiry report has been served on the applicant on 12.03.2021 itself.
4. Learned counsel for the applicant submits that the applicant has denied the same in the rejoinder and it is the case of the applicant that till this date, the applicant has not been served with the enquiry report for which the show cause notice has been given.
5. In view of above controversy, learned P.O. is directed to make available the record pertaining to enquiry of the applicant and in terms of the report submitted by the enquiry officer, show cause notice given to the applicant and the relevant documents in connection with the said show cause notice.
6. S.O. to 06.05.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1030 OF 2023  
(Radhey R. Khetre Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri S.B. Patil, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits short affidavit of respondent Nos. 1 to 3. The same is taken on record and copy thereof is already given to learned counsel for the applicant.

3. Learned P.O. submits that by impugned order of transfer, the applicant came to be transferred from Aurangabad to Nagpur. In view of said communication by way of reply, the applicant is now reposted to Aurangabad.

4. Learned P.O. submits that nothing survives for further consideration in this Original Application.

5. In view of same, S.O. to 03.05.2024.

**MEMBER (J)**

**T.A.NO. 02/2023 (W.P.NO. 12920/2022)**  
**(Shobha Wd/o. Shyam Muttewar Vs. State of Maharashtra**  
**& Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri M.V. Chatge, learned counsel for the applicant, is **absent**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. seeks leave to file reply of respondent Nos. 1 and 3 along with spare copy for the other side. Leave granted. The copy of reply is taken on record.

3. S.O. to 11.07.2024 for filing affidavit in rejoinder, if any and for final hearing.

**MEMBER (J)**

SAS ORAL ORDER 02.05.2024

**ORIGINAL APPLICATION NO. 748 OF 2021  
(Prakash B. Potewar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri Sudhir Patil/Dr. Kalpalata Patil, learned counsel for the applicant, **absent**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. has tendered the copy of communication received from the Accountant General (A & E)-II, Nagpur dated 01.05.2024. Learned P.O. submits that she has apprised about this communication to the learned counsel for the applicant and on his instructions submits that the applicant has received the provisional pension. The copy of said communication dated 01.05.2024 is taken on record and marked as document 'X' for the purpose of identification.

3. S.O. to 20.06.2024 for final hearing.

**MEMBER (J)**

**M.A.NO. 574 OF 2023 IN O.A.ST.NO. 2363 OF 2023  
(Mira G. Kulkarni Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri D.B. Pawar, learned counsel for the applicant, is **absent**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. submits affidavit in reply on behalf of respondent Nos. 1 and 2 along with spare copy for the other side. The same is taken on record.

3. List the matter for filing affidavit in rejoinder, if any/for hearing on 11.07.2024.

**MEMBER (J)**

SAS ORAL ORDER 02.05.2024

**O.A.ST.NO. 1897 OF 2023 WITH M.A.NO.457 OF 2023  
(Bibhishan R. Hinge Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions in writing from the applicant who is present in the court submits an application for withdrawal of the proceedings in view of the order passed by Commissioner dated 28.03.2024. The copy of said communication and order passed by the Commissioner is taken on record and marked as document 'X' collectively.

3. The Original Application and Misc. Application both are disposed of as withdrawn. No costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 175/2021**  
**(Ajay R. More Vs. State of Maharashtra & Ors.)**  
**WITH**  
**ORIGINAL APPLICATION NO. 689/2021**  
**(Ajay R. More Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri K.G. Salunke, learned counsel for the applicants in both the O.As., is **absent**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities in both the O.As., is present.

2. In view of absence of learned counsel for the applicant, S.O. to 11.07.2024 for final hearing as a last chance.

**MEMBER (J)**

**Later on:-**

Shri K.G. Salunke, learned counsel for the applicants requested to record his presence.

2. At his request the matter is adjourned for final hearing in the month of July.

3. S.O. to 11.07.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION ST.NO. 754 OF 2024**  
**(Kamalkishor S. Jaiswal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri R.V. Gore, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time to file an application for condonation of delay. Time granted.

3. S.O. to 09.05.2024.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 401 OF 2024**  
**(Uttam B. Dighule Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that all the respondents have been duly served and the applicant would submit the service affidavit in the office tomorrow.

3. Learned P.O. seeks time to file the reply.

4. Learned counsel for the applicant submits that the applicant is going to be retired as A.S.I. on 31.05.2024, however, the applicant was given the grade pay for the post of P.S.I. on 02.11.2022. However, the status of the applicant at the time of retirement as A.S.I. which is Class-III post.

5. In terms of the order dated 29.01.2024, the respondent No.2 has directed the recovery of the total amount of Rs. 2, 22, 401/- from the gratuity of the applicant. The said recovery has been directed on account of wrong pay fixation and the amount

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has been paid to the applicant during the period of February, 2006 to February, 2024 for which the applicant is neither responsible nor the applicant has misled the authority in any manner.

6. In view of above, till the next date of hearing interim relief in terms of prayer clause 'G' which reads as under is granted:-

**“(G) Pending hearing and final disposal of the original application, the impugned pay fixation order dated 29.01.2024 to the extent of directing to recover the excess payment from the applicant and the letter dated 19.03.2024 issued by the respondent No.2, thereby directing the pension clerk to deduct the amount of Rs. 2,22,401/- from the gratuity of the applicant may kindly be stayed.”**

7. S.O. to 21.06.2024 for filing reply.

**MEMBER (J)**

**O.A. NOS. 273, 275, 278, 279, 280 AND 282 ALL OF 2020  
(Kunal D. Vadnere & Ors. vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman  
AND  
Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Smt. Sanjivani Deshmukh – Ghate with Shri V.B. Wagh, 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. Learned counsel for the applicants has tendered across the affidavit of the applicants in respective matters. Same are taken on record and copies thereof are supplied to other side.

3. S.O. to 08.05.2024. **Part Heard.**

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST. NO. 976/2024**  
**(Vijay J. Bhingardiwe vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Heard Shri Gaurav L. Deshpande, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 27.6.2024.

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 27.6.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A. NO. 146/2020 WITH M.A. ST. NO. 418/2020 IN O.A.  
ST. NO. 419/2020**

**(Maharashtra Rajya Pashu Sawardhan Abhiyantriki Karmachari  
Sanghatana through its President Ramesh N. Shinde Vs. State of  
Maharashtra & Ors.)**

**WITH**

**M.A. NO. 55/2021 IN O.A. ST. NO. 363/2020**

**(Dnyanba N. Dhapse & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman  
AND  
Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Shri Gaurav L. Deshpande, learned counsel for the applicants in both the matters and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in both the matters, are present.

2. Learned Presenting Officer seeks leave to file affidavit in reply of respondent nos. 1 and 3 to 5 in both the O.As. Same are taken on record and copies thereof are supplied to other side.

3. The matters be listed for hearing. In the meantime if the applicant intends to file rejoinder affidavit, he is at liberty to file the same.

**MEMBER (A)**

ARJ ORAL ORDER 02.05.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 507/2024**

**(Dr. Tushar Kashinath Bhople vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman  
AND**

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 02.05.2024**

**ORAL ORDER :**

Heard Shri Shamsunder B. Patil, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. The present applicant is working on the post of Associate Professor (Periodontology) in the Government Dental College, Chhatrapati Sambhajinagar. It is the contention of the applicant that this is the second year that the applicant has been working on the said post. It is the contention of the applicant that he has been selected by the duly constituted committee and before his selection advertisement was issued and in pursuance of that he had appeared before the committee and then selected. The applicant is seeking the following reliefs:-

“(A) This Original Application may kindly be allowed.

(B) The respondents may kindly be directed not to terminate or otherwise bring to an end the services of the applicant as Associate Professor Periodontology in Government Dental College & Hospital, Chhatrapati Sambhajnagar. The respondents be directed to continue the services of the applicant as Associate Professor Periodontology.

(C) Any other appropriate orders be passed in the interest of justice.

(D) Costs of this application be awarded.

**INTERIM RELIEFS**

(a) By an interim order the respondents may kindly be restrained from terminating or otherwise bringing to and the services of the applicant as Associate Professor Periodontology in Government Dental College and Hospital Chhatrapati Sambhajnagar.

(b) By an interim order, respondents be directed to continue the services of the applicant as Associate Professor Periodontology.

(c) By an interim order the respondents may kindly be directed to keep the post of Associate Professor Periodontology vacant in Government Dental College and Hospital Chhatrapati Sambhajnagar which is presently held by the applicant.

(d) Any other appropriate interim orders be passed.”

3. By way of interim relief the applicant has prayed for directions against the respondents thereby restraining the respondents from terminating the services of the applicant as Associate Professor (Periodontology).

4. The learned Presenting Officer has tendered across the bar the order dated 2.5.2024. The order evidences that the services of the applicant will be terminated today since he has completed the period of service on the basis of the appointment order issued to him. Another document annexed with the said letter shows that the procedure is to be adopted for appointment in future.

5. Learned counsel submitted that according to the instructions of the applicants the respondents are again intending to appoint another ad-hoc appointee on his post. In the circumstances, request has been made by the learned counsel to direct the respondents to continue the services of



the applicant or restrain the respondents from terminating the services of the applicant.

6. Insofar as termination of services is concerned we may not be able to pass such an order for the reason the documents, which are produced on record today show that the order of termination has already been passed. Learned P.O. submitted that no one is going to be appointed on the post of the applicant and due procedure is going to be undertaken by the respondents for selecting the candidates on regular basis. The learned counsel submits that the applicant apprehends that the respondents will appoint somebody else on ad-hoc basis without undertaking the process for regular appointment.

7. After having heard the learned counsel appearing for the applicant and the learned Presenting Officer for the State authorities, we pass the following order:-

**ORDER**

(i) Issue notice to respondents, returnable on 14.6.2024. **The prayer for interim relief is**

**rejected. It is, however, clarified that in case the respondents are again required to make ad-hoc appointment, it shall be in favour of only the present applicant and no one else.**

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

(iii) 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.

(iv) 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.

(v) 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.

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**O.A. NO. 507/2024**

Applicant is directed to file affidavit of compliance and notice.

(vi) S.O. to 27.6.2024.

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

**MEMBER (A)**

ARJ ORAL ORDER 02.05.2024

**VICE CHAIRMAN**