

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench
Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -25/10/2023

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Urgent Admission Matters						
1	TA14/23 WP3098/23	A'bad	Adv.Avinash Deshmukh (Dwarkabai J Aher)	Pay & Allowances	With Office Objection	27.10.2023
2	MA425/23 In OAS1366/23	Dhule	Adv.N.L. Chaudhari (Gambhir K Mangale)	M.A. For Condonation of Delay		1.11.2023
3	MA428/23 In OAS1403/23	A'bad	Adv Prasad D Jarare (Gautam L Paikade)	M.A For Condonation In Filing OA		6.11.2023
4	MA435/23 In OAS1729/23	Jalna	Adv.S.S. Kulkarni (Prabhakar D Pawar)	M.A. For Condonation of Delay		27.10.2023
5	OA448/23	A'nagar	Adv.S.U. Chaudhari (Vikas D Wagh)	Show Cause Notice		6.11.2023
6	MA484/23 In OAS1637/23	Latur	Adv.J.S. Deshmukh (Dr. Vajjnath K Sasatte)	M.A. For Condonation of Delay		8.11.2023
7	OA936/23	A'bad	Adv.C.V. Dharurkar (Sinare G Janku)	Grant of Study Leave	Circulation	26.10.2023
8	OA937/23	A'bad	Adv.C.V. Dharurkar (Waghe Vishal Dagadu)	Grant of Study Leave	Circulation	26.10.2023
9	OA938/23	A'bad	Adv.C.V. Dharurkar (Pandit A John)	Grant of Study Leave	Circulation	26.10.2023
10	OAS1879/23	A'bad	Adv.Suvidh S Kulkarni/ Adv.Amit S Gaikwad (Ashok B Gaikwad)	Benefit of T.B.P.		27.10.2023
11	OAS13133/23	Dhule	Adv.Azizoddin R Syed (Girju D Jagtap)	Regularization/ Salary & Other Benefits	With Office Objection	1.11.2023
Order Matters						
12	MA400/21 In OA701/21	A'bad	Adv.N.D. Sonavane (Vijay E Sonune) Adv.Dinesh Kakde/Adv.R.V. Gore in OA701/21 (Kishor B Marathe)	M.A. For Intervention for Adding Pary Respondent	For Hearing	13.12.2023

13	MA78/22 In OAS293/22	Jalna	Adv.A.D. Gadekar (Vaishali B Tote)	M.A. For Condonation of Delay	For Hearing	19.12.2023
14	MA334/23 In OAS744/23	A'bad	Adv.S.V. Salve (Bansi S Shejwal)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-3 & R- 4	24.11.2023
15	MA492/23 In OA917/22	O'bad	Adv.C.R. Thorat (Santosh P Madane)	M.A. For I.R.		15.12.2023
Due Admission Matters						
16	OA696/19	J'gaon	Adv.R.P. Bhumkar (Supadu K Surwade)	Time Bound Promotion/ ACPS/ Recovery/ Refund of Recovered Amount	For Hearing Reply Filed by R-3	6.12.2023
17	OA734/19	Nanded	Adv.A.S. Deshmukh (Shamsundar R Pande)	Time Bound Promotion/ ACPS/ Minor Punishment/ Withdrawal of Benefit of T.B.P. & Recovery	Reply Filed by R-3	20.12.2023
18	OA117/20	Nanded	Adv.V.P. Kadam (Shivaji V Kale)	Continuation/ Pay Scale	<u>For Further Consideration</u> Reply Filed by R-1 to R- 4	6.12.2023
19	OA96/21	J'gaon	Adv.R.P. Bhumkar (Shriram P Chavan)	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-2 & R- 3	6.12.2023
20	OA102/21	Nanded	Adv.Suresh D Dhongde (Sangram U Rathod)	Time Bound Promotion/ ACPS/ Benefit of G.R.	Reply Filed by R-1 to R- 4	22.11.2023
21	OA156/21	A'bad	Adv.Suresh D Dhongde (Jayshree A Sonwane)	Benefit of G.R./ Time Bound Promotion	For Hearing Reply Filed by R-1 to R- 4	22.11.2023
22	OA574/21	P'bhani	Adv.Vivek G Pingle (Latabai B Savant)	Revision of Pay Fixation/ Benefit of Time Bound Promotion & ACPS	For Hearing Reply Filed by R-2 to R- 5	12.12.2023
23	OA576/21	N'bar	Adv.K.B. Jadhav (Atmaram M Raut)	Recovery	Reply Filed by R-1 to R- 3	7.11.2023

24	OA619/21	P'bhani	Adv.Suchita Dhongde (Rahul R Wakle)	Benefit of Pay Scale	For Hearing Reply Filed by R-1 & R- 2	30.11.2023
25	OA644/21	N'bar	Adv. Suchita A Dhongde (Dilip B Wani)	Benefit of ACPS	Reply Filed by R-3 & Other Respondents	30.11.2023
26	OA681/21	Beed	Adv.K.B. Jadhav (Govind H Darade)	Recovery	For Hearing Reply Filed by R-1 to R- 5	2.11.2023
27	OA764/21	P'bhani	Adv R L Jakhade Adv S A Kulkarni (Rajendra R Pal)	Suspension	For Admission Reply Filed by R-1	20.11.2023
28	OA36/22	P'bhani	Adv.V.G. Pingle (Balasaheb N Patharkar) <u>Adv.G.N. Patil for R.No.4</u>	Benefit of T.B.P.	For Hearing Reply Filed by R-1 to R- 3	12.12.2023
29	OA278/22	A'bad	Adv.A.S. Deshmukh (Anwar Khan Azizkhan Pathan)	Compassioante Pension	For Hearing Reply Filed by R-1 to R- 3	20.12.2023
30	OA328/22	Dhule	Adv.K.B. Jadhav (Ashok B Pawar)	Direction/ Date of Regularisation & Consequential Benefits	For Hearing Reply Filed by R-1 to R- 3	21.11.2023
31	OA548/22	J'gaon	Adv.A.S. Deshmukh (Dilip R Bari)	Transfer	For Hearing Reply Filed by R-1 to R- 3	7.11.2023
32	OA904/22	P'bhani	Adv.V.M. Maney (Bharti N Madavi(Donekar)	Joining/ Salary	For Hearing Reply Filed by R-1 to R- 3	20.12.2023
33	OA22/23	J'gaon	Adv.K.B. Jadhav (Sudhakar O Jadhav)	Recovery/ Refund of Amount	For Hearing Reply Filed by R-1 to R- 5	21.11.2023
34	OA61/23	Latur	Adv.A.S. Deshmukh (Madhav D Shinde)	Transfer	For Hearing Reply Filed by R-1 to R- 4	7.11.2023

35	OA106/23	A'bad	Adv D R Irale Patil (Mohammad Fiaz Mh Ibrahim) <u>Adv.K.S. Solanke For R.No.3</u>	Interest on Delayed Payment	For Hearing Reply Filed by R-3	13.12.2023
36	OA197/23	Hingoli	Adv S B Solanke (Dnyanoba L Dahiphale)	Difference of Salary & Allowances	For Hearing Reply Filed by R-1 to R-4	14.12.2023
37	OA224/23	Nanded	Adv.K.B. Jadhav (Bhumanna M Achewad)	Recovery/ Refund of Recovered Amount	For Hearing Reply Filed by R-4 & R-5	22.11.2023
38	OA398/23	Nanded	Adv.Ajay S Deshpande (Sanjay R Betiwar)	Transfer	For Hearing Reply Filed by R-1 & R-2	7.11.2023
39	OA446/23	A'bad	Adv.K.B. Jadhav (Virbahadur K Gurung)	Duty Period/ Pay & Allowances	For Hearing Reply Filed by R-2	7.11.2023
40	OA505/23	Dhule	Adv.Ashish B Rajkar (Rajendra U Patil)	Recovery	For Hearing Reply Filed by R-1	7.11.2023
41	OA512/23	J'gaon	Adv.C.V. Dharurkar (Jaykumar R Koli)	Transfer	For Hearing Reply Filed by R-1 to R-4	7.11.2023
42	OA619/23	Latur	Adv.S.D. Joshi (Bhagwan S Kendre)	Transfer	For Hearing Reply Filed by R-2 & R-3	6.11.2023
43	OA621/23	Hingoli	Adv.V.B. Wagh (Chhandak G Lokhande) <u>Adv.R.N. Bharaswadkar for R.No.3</u>	Transfer	For Hearing Reply Filed by R-1 to R-3	26.10.2023
44	OA698/23	A'bad	Adv.Avinash S Deshmukh (Suresh R Warade)	Transfer	For Hearing Reply Filed by R-1 to R-3	7.11.2023
45	OA722/23	A'bad	Adv.Ashish B Rajkar (Aparna A Surywanshi)	Transfer	For Hearing Reply Filed by R-1 to R-3	1.11.2023

46	OA729/23	A'bad	Adv.L.K. Pradhan (Ashok A Keskar)	Fixation of Pay Scale	For Hearing	26.10.2023
47	OA730/23	Dhule	Adv.Ajit B Kale (Chetansing K Rajput) <u>Adv.Sanket S</u> <u>Survawnashi For</u> <u>R.No.3</u>	Transfer	<u>For Further</u> <u>Consideration</u> For Hearing Reply Filed by R-1 to R- 3	8.11.2023
Final Hearing Matters						
48	OA200/18	Beed	Adv.S.D. Joshi (Dinkar G Shahane)	Fization of Pay/ Pension & Pensionery Benefits	Reply Filed by R-2 to R- 5	21.12.2023
49	OA620/18	Beed	Adv.V.M. Maney (Baban D Gadekar)	Pension	Reply Filed by R-1 to R- 3	21.12.2023
50	OA688/18	Latur	Adv.A.D. Gadekar (Premnath G Kamble)	Refund of Recovered Amount	Reply Filed by R-1, R-2 & R-5	19.12.2023
51	OA689/18	Latur	Adv.A.D. Gadekar (Prakash S Kamble)	Refund of Recovered Amount	Reply Filed by R-1 & R- 2	19.12.2023
52	OA900/18	O'bad	Adv.A.B. Rajkar (Bhika M Pathare)	Time Bound Promotion/ ACPS Benefit of Assured career Progress Scheme	Reply Filed by R-1 to R- 3	22.12.2023
53	OA921/18	A'bad	Adv.V.G. Salgare (Shriram B Jadhav)	Refund the Amount	Reply Filed by R-1 to R- 4	19.12.2023
54	OA922/18	J'gaon	Adv.V.G. Salgare (Hanshraj M Pawar)	Refund the Amount	Reply Filed by R-1 to R- 4	19.12.2023
55	OA923/18	J'gaon	Adv.V.G. Salgare (Shivaji M Shelke) <u>Adv.Anuradha Mandri</u> <u>for R.No.4</u>	Refund the Amount	Reply Filed by R-1 to R- 4	19.12.2023

56	OA924/18	J'gaon	Adv.V.G. Salgare (Dhananjay P Patil)	Refund the Amount	Reply Filed by R-1 to R-4	19.12.2023
57	OA264/19	J'gaon	Adv.B.R. Kedar (Supadu V Bhalerao)	Benefits of Time Bound Promotion	Reply Filed by R-1 to R-3	18.12.2023
58	OA422/19	Nanded	Adv.Suchita A Dhongde (Syed Khaja Syed Meeran)	Interest on Delayed Payment	Reply Filed by R-2 & R-3	21.12.2023
59	OA584/19	A'nagar	Adv.Satish P Dhobale (Balu S Jambe)	Time Bound Promotion/ ACPS/ Difference of Salary & Arrears of T.B.P.	Reply Filed by R-1 to R-4	22.12.2023
60	OA674/19	A'nagar	Adv.Avinash M Nagarkar (Madhukar K Brahmane)	Time Bound Promotion/ ACPS/ Deem Date of Promotion/ Absorption/ Consequential Benefits	Reply Filed by R-5	22.12.2023
61	OA691/19	Dhule	Adv.A.N. Gaddime (Rajendra B Potdar)	Posting	Reply Filed by R-1 to R-6	22.12.2023
62	OA835/19	Nanded	Adv.A.S. Deshmukh (Sanjay M Churmurkar) <u>Adv.S.B. Mene for R.Nos.2 & 3</u>	Interest on Delayed Payment	Reply Filed by R-1	21.12.2023
63	OA945/19	Jalna	Adv.C.V. Dharurkar (Dr. Prashant D Warkari)	Salary	Reply Filed by R-1 to R-4	18.12.2023
64	OA1048/19	Latur	Adv.K.M. Nagarkar (Ramchandra L Kulkarni) <u>Adv.S.B. Mene for R.Nos.2 to 4</u>	Recovery/ Refund of Recovered Amount	Reply Filed by R-3 to R-4	27.10.2023
65	OA56/20	Dhule	Adv.Kishor D Khade (Anil S Barkul)	Transfer	Reply Filed by R-1 to R-3	18.12.2023
66	OA70/20	Hingoli	Adv.Suresh D Dhongde (Shaikh Hamed Shaikh Dadamiyan)	Minor Punishment	Reply Filed by R-2 & R-3	21.12.2023
67	OA83/20	N'bar	Adv.Kakasaheb B Jadhav (Devendra I Sonar) <u>Adv.Y.M. Patil For R.No.3</u>	Pay scale/ Benefit of G.R.	Reply Filed by R-1 to R-3	20.12.2023

68	OA128/20	A'bad	Adv.Manoj M Kadtu (Pandit V Sonawane)	Regularisation of Suspension period	Reply Filed by R-1 to R- 3	20.12.2023
69	OA197/20	Dhule	Adv.Avinash Deshmukh (Vijay R Suryawanshi)	Pension & Pensionery Benefits	Reply filed by R-1 to R- 4	19.12.2023
70	OA115/21	Latur	Adv.R. K. Khandelwal (Kadubai S Gaikwad)	Correction in Date of Birth	Reply Filed by R-1 to R- 4	4.12.2023
71	OA172/21	A'nagar	Adv.V.B. Wagh (Baliram S Pandule)	Show cause Notice	Reply Filed by Respondent	7.11.2023
72	OA206/21	A'nagar	Adv.S.B. Solanke (Deepak B Aher & Ors.)	Benefit of Old Pension Scheme	Reply Filed by R-3 to R- 5	14.12.2023

Compassionate Appointment Substitution Matter

Date: -25/10/2023

Time : 03:00 P.M.

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	OA835/21	A'bad	Adv.S.B. Solanke (Vadilal P Rathod) <u>Adv.S.B. Mene for R.Nos.3 & 4</u>	Compassionate Appointment	Circulation Reply Filed by R-2 to R- 4	1.11.2023
2	OA470/22	P'bhani	Adv.Vivek G Pingle (Prasad D Mule) <u>Adv.S.B. Mene for R.No.3</u>	Compassionate Appointment	For Hearing Reply Filed by R-2 & R- 3	23.11.2023
3	OA33/23	Jalna	Adv.S.S. Thombre (Prajakta V Devkule)	Compassionate Appointment	For Hearing Reply Filed by R-3 & R- 4	1.11.2023
4	OA81/23	A'bad	Adv K B Jadhav (Vaibhav D Wagh & Ors.)	Compassionate Appointment	For Reply	1.11.2023
5	OA185/23	A'bad	Adv.A.D. Gadekar (Chandrakala W Gaikwad & Ors.)	Compassionate Appointment	Reply Filed by R-1 to R- 3	1.11.2023
6	OA214/23	Jalgaon	Adv S D Joshi (Salim S Tadvi)	Compassionate Appointment	Reply Filed By R-1 to R-5	3.11.2023

Date: -25/10/2023

S.B. For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	OA370/21	A'bad	Adv J S Deshmukh (Jyoti K Mote)	Maternity Leave	Await Service & For Filing Affidavit in Reply	12.12.2023
2	OA526/21	Nanded	Adv Sandeep G Kulkarni (Vilas M Joshi) <u>Adv S B Mene For R-2 & R-3</u>	Pay Scale/Recovery	Await Service R-4 & For Filing Affidavit in Reply R-1 to R-3 & R-5	12.12.2023
3	OA266/22	Nanded	Adv H I Pathan (Sharada D Upewad)	Benefits of Old Pension Scheme	Await Service	12.12.2023
4	OA339/22	A'bad	Adv J S Deshmukh (Shaharao A Kakde)	Direction/Re-fixation of Pay/Arrears	For Filing Affidavit in Rejoinder	12.12.2023
5	OA501/22	A'bad	Adv Suchita Dhongde (Jayvant B Gaikwad) <u>Adv Vilas V Mande For R-3</u>	Recovery	Reply Filed By R-2 & R-3	29.11.2023
6	OA598/22	O'bad	Adv Shivraj V Deshmukh (Dilipkumar R Patil)	Direction Pay all Pensionery Benefits	For Filing Affidavit in Rejoinder	12.12.2023
7	OA612/22	P'bhani	Adv S B Solanke (Vishwananth M Tondewad)	Benefits of Old Pension Scheme	For Filing Affidavit in Reply	4.12.2023
8	OA727/22	Nanded	Adv Aparna S Sapate/ Adv S S Shinde/ Adv P H Patil/ (Laxman N Mahure)	Kotwal	Last Chance For Filing Affidavit in Reply	1.12.2023
9	OA964/22	Nanded	Adv Avinash S Deshmukh (Vijaykumar M Nawale) <u>Adv V B Wagh For R-5</u>	Deemed Date of Appointment	Await Service R-3 & R-4 & For Filing Affidavit in Reply R-1, R-2 & R-5	7.11.2023
10	OA1034/22	A'bad	Adv Sanjay N Pagare (Sukha L Sathe)	Payment of Salary	By Way of Last Chance For Filing Affidavit in Reply	30.11.2023

11	OA1093/22	Dhule	Adv Sanket N Suryawanshi (Ashok M Shinde & Ors.) <u>Adv Ujwal S Patil For R-5</u>	Counting of Service for Pensionery Benefits	For Filing Affidavit in Reply	13.12.2023
12	OA1162/22	Nanded	Adv S B Patil (Bhimrao N Kokate)	Re-fixation of Pay & Recovery	For Filing Affidavit in Rejoinder	13.12.2023
13	OA161/23	O'bad	Adv H P Jadhav (Balu S Bharnale & Ors.)	Old Pension Scheme	For Filing Affidavit in Reply Remaining Respondents <u>Ref Order Dtd. 18.07.2023</u>	13.12.2023
14	OA209/23	A'bad	Adv D.R. Irale Patil/ Adv Sushil I Patil (Sabirabi H Shaikh)	Family Pension	Reply Filed By R-1 & R-2	22.11.2023
15	OA359/23	O'bad	Adv S B Solanke (Pravin B Gaikwad)	Benefit of Old Pension Scheme	Reply Filed By R-4 & For Filing Affidavit in Reply	4.12.2023
16	OA451/23	P'rbn	Adv Shamsundar B Patil (Dr. Vidhya B Sarpe)	Transfer	One More Last Chance For Filing Affidavit in Reply <u>Ref Order Dtd. 03.10.2023</u>	30.10.2023
17	OA460/23	A'bad	Adv Dhananjay Mane (Manisha t Gite)	Transfer	Await Service R-1 & For Filing Affidavit in Reply	7.11.2023
18	OA461/23	A'bad	Adv Dhananjay Mane (Pravin Y Pawar)	Transfer	Await Service R-1 & R-4 & For Filing Affidavit in Reply	7.11.2023
19	OA478/23	Latur	Adv Kiran G Salunke (Vishwajit V Udate)	Compassionate Appointment	For Filing Affidavit in Rejoinder	23.11.2023
20	OA495/23	Nanded	Adv Sudhir Patil (Raziabee S Mohammed)	Family Pension	For Filing Affidavit in Reply	3.11.2023

21	OA522/23	A`bad	Adv Dhanjay A Mane (Mahesh E Vispute)	Transfer	For Filing Affidavit in Reply	7.11.2023
22	OA614/23	Jalna	Adv D T Devane (Smt. Jija M Londhe & Ors.)	Continuation In Service/ Regularization	For Filing Affidavit in Reply	27.10.2023
23	OA615/23	Jalna	Adv D T Devane (Suresh S Toke & Ors.)	Continuation In Service/ Regularization	For Filing Affidavit in Reply	27.10.2023
24	OA616/23	Jalna	Adv D T Devane (Prabhu N Bhise & Ors.)	Continuation In Service/ Regularization	For Filing Affidavit in Reply	27.10.2023
25	OA654/23	Nanded	Adv A S Therokar/ Adv V P Adkine (Sangita P Shete)	Compassionate Appointment	For Filing Affidavit in Reply	21.11.2023
26	OA692/23	Nanded	Adv S G Kulkarni (Vijaykumar M Nawale)	Transfer	Await Service	24.11.2023
27	OA719/23	A`bad	Adv S B Solanke (Sanjay M Gitte & Ors.)	Benefits of Old Pension Scheme	For Filing Affidavit in Reply By R-1 to 3	4.12.2023
28	OA748/23	Latur	Adv Vivek G Pingle Adv Pallvi Karhadkar (Shrikant B Kulkarni)	Recovery	For Filing Affidavit in Reply	8.11.2023
29	OA771/23	Jalgaon	Adv Avinash S Deshmukh (Atul U Mahajan)	Deemed Date of Promotion	For Filing Affidavit in Reply	15.12.2023
30	OA797/23	P`rbn Etc.	Adv Vaibhav U Pawar (Ramrao K Yadav & Ors.)	Old Pension Scheme	For Filing Affidavit in Reply	22.11.2023
31	OA866/23	A`bad	Adv Anand S Deshpande (Nana P Ingle)	Recovery/ Refund of Recovered Amount	Await Service	15.12.2023
Order Matters						
32	MA394/19 In OAST1674/19	Dhule	Adv Amruta Paranjape- Menezes (Bhaskar K Shinde)	M.A For Condonation of Delay	Await Service	15.12.2023

33	MA292/22 In OAS1116/22	A'bad	Adv S B Solanke (Shaikh Imran Shaikh Ahmed)	M.A For Condonation of Delay	For Filing Affidavit in Rejoinder	4.12.2023
34	MA559/22 In OAS13024/22	Jalgaon	Adv G A Nagori (Pooja D Pawar) <u>Adv S R Patil For R-3</u>	M.A For Condonation of Delay	For Filing Affidavit in Reply	18.12.2023
35	MA560/22 In OAS13026/22	Jalgaon	Adv G A Nagori (Indubai J Mali) <u>Adv Yogesh M Patil For R-3</u>	M.A For Condonation of Delay	For Filing Affidavit in Reply	18.12.2023
36	MA238/23 In OA438/23	Pune	Adv P R Tandale (Dr. Dilip C Godse & Ors.)	M A For Condonation of Delay	For Filing Affidavit in Reply	3.11.2023
37	MA318/23 In OAS1243/23	A'bad	Adv M M Kattu (Annasaheb D Pagare)	M.A For Condonation of Delay	Await Service R-1	13.12.2023
38	MA348/23 In OAS11387/23	Jalna	Adv A N Surywanshi (Sana Parvin Aslam Shaikh)	M.A For Condonation of Delay	Reply Filed By R-2	13.12.2023
39	MA427/23 In OAS11065/23	A'bad	Adv K B Jadhav (Madhyamsing P Maher)	M.A For Condonation of Delay	Await Service	5.12.2023
40	MA457/23 In OAS11897/23	A'bad	Adv Kakasaheb B Jadhav (Bibhishan R Hinge)	M.A For Condonation of Delay	Await Service	5.12.2023

Date: -25/10/2023 Supplimentary Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Circulation Matter						
1	OAS12066/23	Latur	Adv R P Bhumkar (Sachin S Rajmane)	Suspension Reinstatement	Circulation	26.10.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI BENCH
AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Division Bench

Before: - THE HON'BLE JUSTICE SHRI. P.R. BORA, VICE CHAIRMAN

And

THE HON'BLE SHRI. VINAY KARGAONKAR, MEMBER (A)

Date:- 25/10/2023

Sr · N o	Case No.	Distric t	Advocate's & Applicant's Name	Subject	Remarks	Next date
Urgent Admission Matters						
1	OA913/23	Beed	Adv.Ajay S Deshpande (Bhausahab R Sarawade)	Departmental Enquiry		21.11.2023
2	OA915/23	P'bhani	Adv.Suchita Dhongde (Rajeshwar G Matpallu)	Promotion		08.11.2023
3	OA917/23	Beed	Adv.Mohit R Deshmukh (Balasahebb S Choure)	Selection Process	Circulation	21.11.2023
4	OAS1836/23	Beed	Adv.K.B. Jadhav (Afroj T Pathan)	Promotion	With Office Objection	08.12.2023
5	OA945/23	P'bhani	Adv.S.S. Jadhavar (Sumit M Lande & Ors.)	Selection Process		01.11.2023
6	OAS2090/23	Jalna	Adv.S.S. Jadhavar (Mahadu R Munmane)	Selection Process	with Office Objection	01.11.2023
7	OA1149/22	Latur	Adv.V.R. Kalyankar/ Adv.P.P. Dama (Dileep M Devkate)	Seniority List	Circulation For Hearing Reply Filed by R-1 & R-3	27.10.2023

			<p>Adv.Ajay Deshpande For Special Counsel For State Respondent Adv.K.J. Ghute Patil/ Adv.A.B. Rajkar In MA255/23 (Malhari E Mane & Ors.)</p> <p>Adv.Harish S Bali In MASt817/23 (Shahu L Satpal & Ors.)</p> <p>Adv.H.S. Bali/ Adv.S.H. Bali In 217/23 (Shahu L Satpal & Ors.)</p> <p>Adv.K.J. Ghute Patil/ Adv.A.B. Rajkar In MA216/23 (Malhari E Mane & Ors.)</p> <p>Adv.N.N. Gore/ Adv.S.R. Sapkal In OA227/23 (Digambar S Pawar & Ors.)</p>	<p>MA255/23 For Modification of Order</p> <p>MASt817/23 For Modification of Order</p> <p>MA217/23 For Intervention/Vacate/Modify I.R.</p> <p>MA216/23 For Intervention</p>		02.11.2023
8	<p>MA255/23 IN MASt817/23 In MA217/23 In MA216/23 In OA227/23</p>	A'bad			<u>Circulation Taken by Adv.Ajay Deshpande</u>	
9	OA336/23	O'bad	Adv.M.B. Kolpe (Sanjay L Varhade)	Compulsory Retirement	Circulation	02.11.2023
Order Matters						
10	<p>MA271/23 In OA677/22</p>	A'bad	Adv.K.G. Salunke (Ambrish K Bhusane & Ors.)	M.A. For I.R.	<u>For Order</u>	26.10.2023
11	<p>MA277/19 In OASSt09/19</p>	Nanded	Adv.A.D. Kaware (Kishan E Vibhute) <u>Adv.R.D. Kulkarni for R.No.7 in OA</u>	M.A. For Condonation of Delay	For Hearing	01.11.2023
12	<p>MA351/20 In OA470/18</p>	Hingoli	Adv.V.P. Kadam (Mahadabai G Dhulekar) <u>Adv.A.D. Gadekar for R.No.4 in OA470/18</u>	M.A. for I.R.	For Hearing Reply Filed by R-1 to R-4	11.12.2023

13	MA60/22 In OAS67/22	Nanded	Adv.G.N. Kulkarni(Mardikar) (Gaus Mohayyopdin Shamshodin)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1	
14	MA219/22 In OA810/21 with	A'nagar	Adv.CPO MAT A'bad (The Divisional Commissioner Nashik & Ors.) <u>Adv.V.B. Wagh in</u> <u>OA810/21</u> (Ganesh B Agale)	M.A. For Modification	For Hearing	06.11.2023
15	MA220/22 In OA381/21	A'nagar	Adv.CPO MAT A'bad (The Divisional Commissioner Nashik & Ors.) <u>Adv.V.B. Wagh in</u> <u>OA381/21</u> (Manjushree S Deokar)	M.A. For Modification	For Hearing	06.11.2023
16	MA155/23 In OAS517/23	A'nagar	Adv.K.B.Jadhav (Atul P Bhange)	M.A. For Condonation Of Delay	For Hearing Reply Filed by R-2 to R-5	01.11.2023
17	MA175/23 In OA253/17	A'nagar	Adv.D.A. Bide (Sanjay P Jagtap & Ors.)	M.A. For Bringing LR.s.		08.12.2023
18	MA464/23 In OA549/23	Jalna	Adv.Ujwal S Patil (Asaram S Chormare)	M.A. For Bringing Legal Heirs On Record		04.12.2023
19	MA496/23 In OA222/23	A'bad	Adv.A.S. Deshpande (Vijay U Awadhane & Ors.)	M.A. For Direction/ I.R.		31.10.2023
Due Admission Matters						
20	CP03/22 In OA80/21	Nanded	Adv.Shamsunder B Patil (Bhimrao N Kokate)	Contempt Petition	For Hearing Reply filed by R-2	20.11.2023

21	Rev4/17 In OA223/14	A'bad	Adv.S.D. Joshi (Kakasaheb B Zalte)	Review Petition	For Hearing	07.11.2023
22	OA758/17	A'bad	Adv.V.B. Wagh (Dadarao D Borade)	Minor Punishment	For Hearing Reply Filed by R-1 & R-2	13.12.2023
23	OA771/18	P'bhani	Adv.B.A. Dhengle (Shrihari D Ghogare) <u>Adv.M.V. Bharuka for R.No.4</u>	Selection/ Appointment	For Hearing Reply Filed by R-1 to R-3	21.11.20213
24	OA891/18	A'bad	Adv.Party In Person (Dr.Uddhav S Khaire)	Challenging G.R.	For Hearing Reply Filed by R-1 & R-2	26.10.2023
25	OA960/18	A'bad	Adv.Vidya A Taksal (Sunil B Gaikwad)	Dismissal From Service	For Hearing Reply Filed by R-1 to R-4	12.12.20232
26	OA78/19	Latur	Adv.S.B. Solanke (Dr.Mamata R Chincholikar)	Challenging G.R.	For Hearing Reply Filed by R-1 to R-3	24.11.2023
27	OA151/19	J'gaon N'bar	Adv.V.B. Wagh (Sachin A Gade & Ors.)	Promotion	For Hearing Reply Filed by R-1	132.12.2023
28	OA158/19	O'bad	Adv.G.N. Kulkarni(Mardikar) (Bhagwat M Gaikwad)	Reversion	For Hearing Reply Filed by R-1 & R-2	22.11.2023
29	OA177/19	O'bad	Adv.Girish N Kulkarni (Vinodkumar V Swami)	Reversion	For Hearing Reply Filed by R-1 & R-2	22.11.2023
30	OA246/19	Latur	Adv.S.B. Solanke (Shriniwas S Kulkarni & Ors.)	Appointment	For Hearing Reply Filed by R-1 to R-4	24.11.2023
31	OA409/19	A'nagar	Adv.Sandeep B Gorde (Hanumantrao B Bhongale)	Departmental Enquiry	For Admission Reply Filed by R-2	30.11.2023
32	OA517/19	A'bad	Adv.Swapnil A Deshmukh (Rajendra P Kamble & Ors.)	Advertisement	For Hearing Short Affidavit of Reply Filed by R-1 to R-3	30.11.2023

33	OA651/19	Beed	Adv.Prabhakar N Nagargoje (Chandulal D Ghule)	Discharge/ Termination	For Admission Reply Filed by R-2 & R-3	01.12.2023
34	OA668/19	A'bad	Adv Anup S Dhanuka (Sonali D Agrawal)	Appointment	For Hearing Reply Filed By R-2	01.12.2023
35	OA675/19	Jalna	Adv.Swapnil A Deshmukh (Eknath C Sonawane)	Major Punishment	For Hearing Reply Filed by R-2 & R-3	30.11.20232
36	OA685/19	N'bar	Adv.S.D. Joshi (Shivaji R Thakare)	Departmental Enquiry/ Recovery	For Hearing Reply Filed by R-3	01.11.2023
37	OA41/20	Hingoli	Adv.Avinash S Deshmukh (Nagesh C Kumbre)	Continuation	For Admission Reply Filed by R-1 to R-3	20.12.2023
38	OA265/20	O'bad	Adv.Avinash S Deshmukh (Gulab H Panchal)	Reversion	For Hearing Reply Filed by R-1 to R-3	20.12.2023
39	OA184/21	A'bad	Adv.S.B. Solanke (Haridas S Ingle)	Higher Appointment	For Hearing Reply Filed by R-1 to R-6	13.12.2023
40	OA246/21	J'gaon	Adv.S.B. Solanke (Pradeep B Bramhane)	Appointment	For Hearing	13.12.2023
41	OA421/21	P'bhani	Adv.V.G. Pingle (Manohar M Bharane) <u>Adv.Shamsunder B Patil</u> <u>For R.No.3</u>	Benefit of G.R./ Time Bound Promotion/ ACPS	For Admission Reply Filed by R-3	07.12.20232
42	OA472/21	A'bad	Adv.B.R. Kedar (Dr.Rahul R Salve)	Termination/ Continuation	For Admission	20.11.2023
43	OA497/21	A'nagar	Adv.V.B. Wagh (Nitin S Shelar)	Preliminary Enquiry	Reply Filed by R-1	14.012.2023
44	OA547/21	Jalna	Adv.S.D. Dhongde (Jalamsing D Valvi)	Enquiry/ All Pensionery Benefits	For Hearing Reply Filed by R-1 & R-2	

45	OA598/21	J'gaon	Adv.S.D. Dhongde (Bramhdev M Latpate)	Departmental Exam	For Hearing Reply Filed by R-1 to R-5	23.11.2023
46	OA622/21	J'gaon	Adv.Ravindra V Gore (Arjun R Deshmukh(Gawali)	Appointment	For Admission Reply Filed by R-1 to R-3	22.11.2023
47	OA624/21	P'bhani	Adv.Suchita Dhongde (Pradeep D Mulgir)	Promotion	For Hearing Reply Filed by R-1 & R-3	07.12.2023
48	OA633/21	A'bad	Adv.S.B. Solanke (Sunil H Nirmal)	Selection/ Appointment	For Hearing Reply Filed by R-2 & R-3	24.11.20232
49	OA636/21	Beed	Adv.S.D. Joshi (Vitthal S Jadhav)	Revision of Pay Scale/ Punishment	For Hearing Reply Filed by R-1 to R-3	04.12.20232
50	OA797/21	Jalna	Adv.A.S. Khedkar (Ranjana D Jaybhaye)	Selection/ Implement the G.R.	For Hearing Reply Filed by R-3	08.12.2023
51	OA818/21	Nanded	Adv.S.D. Joshi (Dr.Ashwini A Patil) <u>Ajit Kadethankar for R.No.6</u> <u>Adv.S.G. Kulkarni for R.No.8</u> <u>Adv.Amol T Jagtap for R.No.9</u> <u>Adv.Akshay H Joshi for R.No.7</u>	Challenging G.R./ Seniority List	For Hearing Reply Filed by R-1 to R-7	02.11.2023
52	OA3/22	Jalgaon	Adv.C.V.Dharurkar (Sunli S Ingle)	D.E.	For Hearing Reply Filed by R-2 & R-3	03.11.2023
53	OA43/22	Nanded	Adv.G.N. Kulkarni(Mardikar) (Bismillabee Jamalsab Shaikh)	Counting Past Service/ Refund of Amount	For Admission	22.11.2023
54	OA47/22	A'nagar	Adv.S.D. Joshi (Sanjay V Sonawane)	Interivew	For Hearing Reply Filed by R-1 to R-3	04.12.20232

55	OA149/22	A'nagar	Adv.V.B. Wagh (Sulochana P Patare)	Departmental Enquiry/ Promotion	For Hearing Reply Filed by Respondents	14.12.2023
56	OA230/22	A'bad	Adv.M.C. Swami (Dr.Seema M Digraskar @ Dr.Seema D Pathak)	Promotion	For Hearing Reply Filed by R-1 to R-3	06.11.2023
57	OA244/22	A'bad	Adv.M.R. Kulkarni (Maharashtra State Gazetted Medical Officer Association through its President DR. Arun B Koli)	Condonation of Technical Break/ Annual Increments	For Hearing	14.12.2023
58	OA301/22	A'bad	Adv.V.B. Wagh (Dattaram U Rathod)	Preliminary Departmental Enquiry	For Admission Reply Filed by R-2 to R-4	15.12.2023
59	OA302/22	P'bhani	Adv.V.B. Wagh (Rupali P Rangari)	Departmental Enquiry	For Admission Reply Filed by R-1	15.12.2023
60	OA351/22	A'bad	Adv.M.R. Kulkarni (Taheer Ali Mohd. Ali Shah)	Appointment	For Admission	15.12.2023
61	OA461/22	J'gaon	Adv.Kakasaheb B Jadhav (Sunil P Vispute)	Promotion	For Hearing Reply Filed by R-1 to R-4	21.11.2023
62	OA639/22	Beed	Adv.A.V. Thombre (Prashant S Morale & Ors.)	Appointment	For Hearing	
63	OA685/22	J'gaon	Adv.S.R. Patil (Nagesh G Patil)	Departmental Enquiry	For Hearing Reply Filed by R-2 to R-4	07.12.2023
64	OA896/22	Nanded	Adv.Avinash S Deshmukh (Dr. Suryakant G Nagshettiwar)	Condonation of Technical Break	For Hearing	21.12.2023
65	OA943/22	A'bad	Adv.Avinash S Deshmukh (Balaji G Madaswar)	Departmental Enquiry	For Admission Reply Filed by R-1 to R-4	22.11.2023

66	OA944/22	Nanded	Adv. Vishal Bakal (Suresh D Machal)	Seniority List/ Promotion	For Hearing	30.10.20232
67	OA946/22	A'bad	Adv.Avinash S Deshmukh (Madhukar V Kshirsagar)	Departmental Enquiry	For Admission Reply Filed by R-1 to R-4	22.11.20232
Final Hearing Matters						
68	TA2/12 WP9902/11	O'bad	Adv.A.L. Tikle/ Adv.R.V.Naiknaware (Radha N Choure)	Selection/ Appointment	Reply Filed by R-2	02.11.2023
69	OA556/14	A'bad	Adv.A.S. Deshpande (Sanjay R Patange)	Promotion	Reply Filed by R-1 to R-5	20.11.2023
70	OA583/14	A'bad	Adv.S.S. Thombre (Bhausahab S Gaikwad) <u>Adv.Abhishek C Deshpande</u> <u>for R.Nos.5 & 6</u>	Promotion	Reply Filed by R-1 to R-3 & R-5 & R-6	20.11.2023
71	OA749/16	J'gaon	Adv.Talekar Associates(Madhavi Ayyappan) (Sachi A Palkhe)	Selection/ Appointment	For Hearing Reply Filed by R-1 to R-3	23.11.2023
72	OA78/17	Nanded	Adv.Talekar & Associates (Shivaji S Dahale)	Seniority/ Promotion		23.11.2023
73	OA205/18	Nanded	Adv.V.B. Wagh (Santosh K Trimnwar)	Reversion	Reply Filed by R-1 & R-2	20.12.20232
74	OA615/18	Beed	Adv.Talekar & Associates (Desai Timma Gaikwad)	To Count the Past Service/ Regularisation	Reply Filed by R-1 to R-4	30.11.2023
75	OA360/19 with	A'bad	Adv.Ajay Deshpande (Dr.Atul A Deshmukh)	Termination	For Hearing Additional Affidavit of Reply Filed by Respondent For Filing Short Affidavit in Reply on behalf of the MPSC	26.10.2023

76	MA452/23 In OA67/18 with	P'bhani	Adv.K.G. Salunke (Dr.Mohd. Feroz Iqbal)	M.A. For Direction Not to Terminate the Services	For Hearing Reply Filed by R-2 & R-3 For Filing Short Affidavit in Reply on behalf of the MPSC	26.10.2023
77	MA453/23 In OA312/19	Beed	Adv.J.S. Deshmukh (Dr. Ashok P Misal)	M.A. For Direction		26.10.2023
78	OA721/19	Beed	Adv.S.D. Dhongde (Bhagwan W Landge)	Pension & Pensionery Benefits	Reply Filed by R-2	30.11.20232
79	OA1030/19	Dhule	Adv.Talekar & Associates (Dr.Jaya P Dighe) <u>Adv.A.B. Rajkar for R.Nos.5 to 12 & 14</u> <u>Adv.A.S. Shelke for R.No.15</u> <u>Adv.N.S. Choudhary for R.No.13</u>	Seniority/ Deem Date	Reply Filed by R-1, R-2, R-4, R-5 to R-15	01.12.2023
80	OA26/20	Dhule	Adv.Girish A Nagori/ Adv.Yogesh H Jadhav (Sanjay D Salunke) <u>Adv.D.A. Madake for R.No.19</u>	Seniority	Reply Filed by R-1 to R-3 & R-19	04.12.20232
81	OA496/21	Latur	Adv.R.K. Ashtekar (Prathamesh S Vaidhya & Ors.) <u>Adv.K.G. Salunke for R.No.10 in OA496/21</u>	Seniority List/ Promotion	Reply Filed by R-1 to R-3	24.11.2023

Date: -25/10/2023

D.B. For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	CP04/20 In OA333/17 With	Jalna	Adv J S Deshmukh (Shital A Soni) <u>Adv M S Jagtap-Ware</u> <u>For R-5</u> <u>Adv V P Narwade For R-5</u>	Contempt Petition	One More Last Chance For Filing Affidavit in Rejoinder <u>Ref Order</u> <u>Dtd.</u> <u>09.06.2023</u>	07.12.2023
2	CP05/20 In OA336/17 With	Jalna	Adv J S Deshmukh (Dr. Yogesh V Solanke) <u>Adv M S Taur For R-5</u>	Contempt Petition	One More Last Chance For Filing Affidavit in Rejoinder <u>Ref Order</u> <u>Dtd.</u> <u>09.06.2023</u>	07.12.2023
3	CP06/20 In OA332/17	Jalna	Adv J S Deshmukh (Dr. Anil S Biradar) <u>Adv M S Jagtap-Ware</u> <u>For R-5</u> <u>Adv V P Narwade For R-5</u>	Contempt Petition	One More Last Chance For Filing Affidavit in Rejoinder <u>Ref Order</u> <u>Dtd.</u> <u>09.06.2023</u>	07.12.2023
4	CP22/22 In OA25/21	A'bad	Adv.R.J. Nirmal (Shankar P Dange)	Contempt Petition	Reply Filed By R-2	08.12.2023
5	CP27/23 In OA681/19	A'bad	Adv M B Bharaswadkar (Damodhar G Thengde)	Contempt Petition	For Filing Affidavit in Reply	08.11.2023
6	OA81/22	A'bad	Adv.S.B. Patil (Archana T Tribhuvan)	Challenging Clause of An Advertisement/ Recruitment Process	For Filing Affidavit in Rejoinder to the Affidavit in Reply Filed By R-2	08.12.2023
7	TA17/22 WP5627/22	A'bad	Adv.S.B. Patil (Yadav S Sonkamble & Ors.) <u>Adv Jayshree Gite</u> <u>For R-5</u>	Extention of Age	Await Service R-2 & For Filing Affidait in Reply	08.12.2023

8	OA109/22	P'bhani	Adv.Sharwari M Deshpande (Vinod H Kulkarni)	Benefit of Permanancy	Await Service & Reply Filed By R-2 & R- 3	11.12.2023
9	OA303/22	Nanded	Adv.Manoj U Shelke (Santosh G Lungare)	Voluntary Retirement	For Filing Affidavit in Rejoinder	06.11.2023
10	OA661/22	J'gaon	Adv.Suchita Dhongde (Dilip S Taru)	Supernumery Post	One More Last Chance For Filing Affidavit in Reply	08.12.2023
11	OA678/22	Jalgaon	Adv S P Dhobale / Adv K P Shine Chandrakant R Shrawane)	Selection/ Appointment	One More Chance For Filing Affidavit in Reply	01.11.2023
12	OA684/22	Latur	Adv.Uddhav L Momale (Shivraj V Chidre)	Dismissal	Await Service	12.12.2023
13	OA726/22	Nashik Dhule	Adv.D.T. Devane (Dinesh N Patil) <u>Adv.M.B. Kolpe for R.No.2</u>	Selection	As a Last Chance For Filing Affidavit in Rejoinder	04.12.2023
14	OA768/22	Hingoli	Adv.Omprakash Y Kashid/ Adv.V.T. Patil (Satish D Narwade)	Removal From Service	Reply Filed ByR-4 & For Filing Affidavit in Reply of other Respondents.	01.12.2023
15	OA863/22	A'bad	Adv.D.M. Hange (Dr. Vinod G Jogdand) <u>Adv M B Kolpe For R-3</u>	Selection Process/ Intervew	Reply Filed ByR-1 & For Filing Affidavit in Rejoinder	28.11.2023

16	OA868/22	Nanded	Adv.R.P. Bhumkar (Ramdas G Gangadhare)	Revised Pay Scale/ Pensionary Benefits	Reply Filed By R-3 & R-4 & For Filing Affidavit in Reply	03.11.2023
17	OA1056/22	A'nagar	Adv.A.M. Hajare (Anant A Kokate)	Departmental Enquiry	Reply Filed By R-1 R-2 & R-4 & For Filing Affidavit in Rejoinder	12.12.2023
18	OA1085/22	A'bad	Adv.D.R. Jethliya (Santosh B Ugale) Adv V B Wagh For R-3	Promotion	For Filing Affidavit in Reply	03.11.2023
19	OA08/23	Beed	Adv S D Joshi (Gangadhar J Wadne)	Final Seniority List/ Promotion	For Filing Affidavit in Reply R-1 & R-3	06.11.2023
20	TA17/23 WP10375/23	Beed	Adv A D Gade/ Adv K T Sukase (Dilip D Tambare & Ors.) Adv Vivek Bhavthankar For R-13 & R-16/ Adv S N Janakwade For R- 23 Adv Suhas P Urgunde For R-11 Adv R K Ingole For R- 12	Selection Process	Await Service R-4 R-6 & R-8 & By way of Last Chance For Filing Affidavit in Reply R-12	08.11.2023
21	OA28/23	Latur	Adv.Talekar & Associates (Vijay R Sarole) Adv K F Shingare For R-3	Show Cause Notice/ Termination	Reply Filed By R-1 & R-4 & For Filing Affidavit in Reply R-1 , R-2 & R-4	03.11.2023
22	OA58/23	A'nagar	Adv K J Suryawanshi (Dr. Rajendra V Shinde)	Extension of Age	For Filing Affidavit in Reply Further Consideration	04.12.2023

23	OA70/23	A'nagar	Adv Ajay S Deshpande (Vishwanath B Dabe)	Promotion	Reply Filed By R-1 & For Filing Affidavit in Rejoinder	04.12.2023
24	OA96/23	A'bad	Adv K B Jadhav (Nanasaheb B Patait & Ors.)	Correction in Date of Joining / Seniority	Reply Filed By R-1 to R-4	07.12.2023
25	OA253/23	A'bad	Adv Sanjay N Pagare (Rakesh S Dabhade)	Termination	Last Chance For Filing Affidavit in Reply	07.11.2023
26	OA343/23	Nanded	Adv M A Kulkarni (Narayan S Annamwar)	Promotion	For Filing Affidavit in Reply	24.11.2023
27	OA387/23	N'bar	Adv V B Wagh (Sachin M Landge)	Show Cause Notice Reversion	For Filing Affidavit in Rejoinder	29.11.2023
28	OA594/23	Nanded	Adv Ajinkya Reddy (Sandhya S Shinde) <u>Adv Avinash S Deshmukh For R-5</u>	Appointment	Await Service R-3 & For Filing Affidavit in Reply R-5	03.11.2023
29	OA662/23	A'bad	Adv K B Jadhav (Rajesh R Potpallewar)	Promotion	For Filing Affidavit in Reply	08.12.2023
30	OA695/23	Dhule	Adv Mahesh S Deshmukh (Shubhangi B Patil)	Selection Process	For Filing Affidavit in Rejoinder to the Affidavit in Reply Filed By R-2	07.11.2023
31	OA728/23	Beed	Adv Deshbhushan P Madkar (Ravindra V Madkar)	Dismissal From Service	For Filing Affidavit in Reply	28.11.2023

32	OA875/23	A'bad	Adv K B Jadhav (Avadhut A Sisal)	Selection Process	For Filing Affidavit in Reply	27.10.2023
33	OA890/23	A'nagar	Adv P R Wankhade (Dr. Jalindar K Titame)	Promotion & Service Benefits	By way of Last Chance For Filing Affidavit in Reply	30.10.2023
Order Matters						
34	MA81/20 In OAST2435/19	Beed	Adv.A.D. Gadekar (Dipali N Kulkarni)	M.A. For Condonation of Delay	For Filing Affidavit in Rejoinder	11.12.2023
35	MA273/20 with MA344/21 In OAST684/20	Hingoli	Adv.M.R. Kulkarni (Vasant B Shinde) <u>Adv.S.B. Mene for R.Nos.3 & 4</u>	M.A. For Condonation of Delay	For Filing Affidavit in Rejoinder	11.12.2023
36	MA463/22 In OAST1779/22	Nanded	Adv.Suchita Dhongde (Chakardhar P Wadje)	M.A. For Condonation of Delay	As a Last Chance For Filing Affidavit in Reply	08.11.2023
37	MA40/23 In TA21/22 WP10068/22	A'nagar	Adv V B Wagh (Balasaheb G Borhade)	M.A For Condonation of Delay	For Filing Affidavit in Reply R-1 & R-2	07.12.2023
38	MA198/23 In OA139/20	Jalgaon	Adv C C Deshpande (Shravan P Pawara)	M.A For Condonation of Delay	For Filing Affidavit in Reply	12.12.2023
39	MA357/23 In OA06/23	Dhule	C P O Mat A'bad (The State of Maharashtra & Ors.) Adv V B Wagh In OA 06/23 (Pandurang G Lomole)	M.A For Modification of Interim Order	Await Service	03.11.2023
40	MA390/23 In OAST1562/23	Nanded	Adv R D Khadap (Balaji V Malchature)	M.A For Condonation of Delay	Await Service	11.12.2023

DATE : 25.10.2023

ORIGINAL APPLICATION NO. 948 OF 2023

(Mangesh M. Bedare Vs. The State of Maha. & Ors.)

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

1. Shri Krishna Rodge, learned Advocate for the applicant and Smt. M.S. Patni, learned P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on **24.11.2023**. The case be listed for admission hearing on **24.11.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

DATE : 25.10.2023

ORIGINAL APPLICATION NO. 946 OF 2023

(Nivrutti Sayaji Jori Vs. The State of Maha. & Ors.)

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

1. Shri Harish Bali, learned Advocate for the applicant and Shri M.S. Mahajan, learned C.P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on **21.11.2023**. The case be listed for admission hearing on **21.11.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

**1. ORIGINAL APPLICATION NO.360/2023
(Dr. Atul A. Deshmukh Vs. State of Maharashtra & Ors.)**

**2. M.A.NO.452/2023 IN O.A.NO.67/2018
(Dr. Mohd. Feroz Iqbal Vs. State of Maharashtra & Ors.)**

**3. M.A.NO.453/2023 IN O.A.NO.312/2019
(Dr. Ashok P. Misal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 25.10.2023

ORAL ORDER :

S/Shri Ajay Deshpande, K.G. Salunke, and J.S. Deshmukh, learned Counsel for the respective applicants in respective O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in O.As., are present.

2. S.O. to 26.10.2023. Interim relief granted in O.A. No. 67/2018 to continue till then.

MEMBER (A)

KPB ORAL ORDERS 25.10.2023

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 576/2021
(Atmaram M. Raut Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman

DATE : 25.10.2023

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 7.11.2023. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 681/2021
(Govind H. Darade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman

DATE : 25.10.2023

ORAL ORDER :

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

2. S.O. to 7.11.2023 for hearing. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 548/2022
(Dilip R. Bari Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman

DATE : 25.10.2023

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 7.11.2023 for hearing. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 61/2023
(Madhav D. Shinde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman

DATE : 25.10.2023

ORAL ORDER :

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

2. S.O. to 7.11.2023 for hearing. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

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

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman

DATE : 25.10.2023

ORAL ORDER :

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

2. S.O. to 7.11.2023 for hearing. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 698/2023
(Suresh R. Warade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman

DATE : 25.10.2023

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 7.11.2023 for hearing. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 730/2023
(Chetansing K. Rajput Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman

DATE : 25.10.2023

ORAL ORDER :

Shri Parag Talwar, learned counsel holding for Shri A.B. Kale, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri S.N. Suryawanshi, learned counsel for respondent no. 3, are present.

2. Learned counsel for respondent no. 3 has tendered the affidavit in reply. Same is taken on record and copy thereof has been supplied to other side.

3. S.O. to 8.11.2023 for further consideration. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

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

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman

DATE : 25.10.2023

ORAL ORDER :

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

2. Learned counsel for the applicant has tendered rejoinder affidavit of the applicant. Same is taken on record and copy thereof has been supplied to other side.

3. S.O. to 23.11.2023 for hearing.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 612/2022
(Vishwanath M. Tondewad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman

DATE : 25.10.2023

ORAL ORDER :

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

2. Learned Presenting Officer has tendered affidavit in reply of the respondents. Same is taken on record and copy thereof has been supplied to other side.

3. S.O. to 4.12.2023 for filing rejoinder affidavit by the applicant.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 727/2022
(Laxman N. Mahure Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman

DATE : 25.10.2023

ORAL ORDER :

Shri P.H. 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 affidavit in reply on behalf of respondent nos. 3 & 4. Same is taken on record and copy thereof has been supplied to other side.

3. S.O. to 1.12.2023 for filing rejoinder affidavit, if any, by the applicant.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 209/2022
(Sabirabi H. Shaikh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman

DATE : 25.10.2023

ORAL ORDER :

Shri D.R. Irale Patil, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has tendered rejoinder affidavit of the applicant to the affidavit in reply of respondent nos. 1 & 2. Same is taken on record and copy thereof has been supplied to other side.

3. S.O. to 22.11.2023 for hearing.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 722/2023
(Aparna A. Suryawanshi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman

DATE : 25.10.2023

ORAL ORDER :

Shri A.B. Rajput, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has tendered the rejoinder affidavit of the applicant to the affidavit in reply of respondent nos. 1 to 3. Same is taken on record and copy thereof has been supplied to other side.

3. List the matter for hearing on 1.11.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 501/2022
(Jayvant B. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman

DATE : 25.10.2023

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 29.11.2023. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 512/2023
(Jaykumar R. Koli Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman

DATE : 25.10.2023

ORAL ORDER :

Smt. Vinaya Mule, learned counsel holding for Shri C.V. Dharurkar, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 7.11.2023 for hearing. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 748/2023
(Shrikant B. Kulkarni Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman

DATE : 25.10.2023

ORAL ORDER :

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

2. Learned P.O. has sought time to file the affidavit in reply of the respondents. Time as prayed for is granted.

3. S.O. to 8.11.2023. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 460/2023
(Manisha T. Gite Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman

DATE : 25.10.2023

ORAL ORDER :

Shri Dhananjay Mane, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 7.11.2023. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 522/2023
(Mahesh E. Vispute Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman

DATE : 25.10.2023

ORAL ORDER :

Shri Dhananjay Mane, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 7.11.2023. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 398/2023
(Sanjay R. Betiwar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman

DATE : 25.10.2023

ORAL ORDER :

Shri S.G. Kulkarni, learned counsel holding for Shri Ajay Deshpande, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 7.11.2023 for hearing. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 913 OF 2023
(Bhausahab R. Sarawade Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 25.10.2023

ORAL ORDER :

Heard Shri Ajay S. Deshpande, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Issue notices to respondents, returnable on 29.11.2023.

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

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

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

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

7. **Issue of interim relief is kept open.**

8. S.O. to 29.11.2023.

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

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 915 OF 2023
(Rajeshwar Govindrao Matpallu Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 25.10.2023

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Issue notices to respondents, returnable on 08.11.2023.

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

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

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

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

7. S.O. to 08.11.2023.

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

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 303 OF 2022
(Santosh G. Lungare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 25.10.2023

ORAL ORDER :

Shri Manoj U. Shelke, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicant does not wish to file any rejoinder affidavit.
3. List the matter for hearing on 06.11.2023.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 594 OF 2023
(Sandhya Sitaram Shinde Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 25.10.2023

ORAL ORDER :

Shri Ajinkya Reddy, learned counsel for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for the respondent No.5, are present.

2. The remark await service be removed from the board.

3. Learned counsel for respondent No.5 has requested for one more chance for filing affidavit in reply. Time is granted by way of last chance till 03.11.2023.

MEMBER (A)

VICE CHAIRMAN

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

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 25.10.2023

ORAL ORDER :

Smt. Archana Adkine, learned counsel holding for Shri V.B. Wagh, 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 tendered rejoinder affidavit. The same is taken on record and copy of it is given to learned P.O.

3. List the matter for hearing on 29.11.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 461 OF 2022
(Sunil P. Vispute Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 25.10.2023

ORAL ORDER :

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

2. S.O. to 21.11.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 875 OF 2023
(Avadhut A. Sisal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 25.10.2023

ORAL ORDER :

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

2. Learned C.P.O. submits that on mail the affidavit in reply is received and the hard copy of it is likely to be received within a day.
3. List the matter for filing affidavit in reply as well as for hearing on 27.10.2023.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 96 OF 2023
(Nanasaheb B. Patait & Ors. Vs. State of Maharashtra
& Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 25.10.2023

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicants submits that during course of the day the affidavit in rejoinder will be filed to the affidavit in reply submitted by the respondents. If it is filed, it be taken on record and copy be given to learned P.O.

3. List the matter for further consideration on 04.12.2023.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 890 OF 2023
(Dr. Jalindar K. Titame Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 25.10.2023

ORAL ORDER :

Ms. Preeti R. Wankhade, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned C.P.O. submits that during course of the day the affidavit in reply will be filed. If the reply is filed, the same be taken on record and copy be given to learned counsel appearing for the applicant.

3. List the matter for hearing on 30.10.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 678 OF 2022
(Chandrakant R. Shrawane Vs. State of Maharashtra
& Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 25.10.2023

ORAL ORDER :

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

2. Learned Presenting Officer has tendered affidavit in reply on behalf of respondent No. 4. It is taken on record and copy thereof has been served on learned counsel for the applicant.

3. Learned P.O. submits that other respondents may not file their separate affidavit in reply.

4. In the circumstances, matter be listed for hearing on 01.11.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit to the affidavit in reply filed by respondent No.4, if he so desires.

MEMBER (A)

VICE CHAIRMAN

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

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 25.10.2023

ORAL ORDER :

Shri G.R. Bhumkar, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks time to file affidavit in reply on behalf of respondent No.2. The affidavit in reply of respondent Nos. 3 & 4 has already been filed. In the circumstances, time is granted by way of last chance for filing affidavit in reply on behalf of respondent No.2 till 03.11.2023.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO. 464 OF 2023 IN O.A.NO. 549 OF 2023
(Asaram S. Chormare (died) through his Legal Heirs
Mahananda Wd./o Asaram Chormare & Ors. Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 25.10.2023

ORAL ORDER :

Heard Shri Ujwal S. Patil, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. The legal heirs of the deceased Government servant have filed the present Misc. Application seeking their impleadment after demise of the Government servant and to prosecute the matter further. The services of the deceased Government servant were terminated after conducting the Departmental Enquiry against him. The deceased Government servant had filed the present O.A. challenging the order of 'removal from service' passed against him. During pendency of the O.A., the original applicant died and his legal heirs have now sought their impleadment to prosecute the matter further.

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3. In view of fact that the cause of action survives, the application deserves to be allowed. Hence, the following order:-

ORDER

- (i) The Misc. Application No. 464/2023 is allowed.
- (ii) The applicants i.e. legal heirs of the deceased applicant are permitted to prosecute the present O.A. further.
- (iii) The names of the legal heirs of the deceased be taken on record. Necessary amendment be carried out within two weeks from the date of this order.
- (iv) No order as to costs.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 549 OF 2023
(Asaram S. Chormare (died) through his Legal Heirs
Mahananda Wd./o Asaram Chormare & Ors. Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 25.10.2023

ORAL ORDER :

Heard Shri Ujwal S. Patil, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Issue notices to respondents, returnable on 04.12.2023.

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 04.12.2023.

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

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION ST. NO. 1836 OF 2023
(Afroj T. Pathan Vs. State of Maharashtra & Ors.)**

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

DATE : 25.10.2023

ORAL ORDER :

Heard Shri K.B. Jadhav, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Office has raised the objection in the present matter as about the territorial jurisdiction of this Tribunal to entertain the present Original Application. Presently, the applicant is serving at Vishram Bagh Police Station, Sangli, Tq. & Dist. Sangli. Learned counsel for the applicant submitted that despite the selection of the applicant on merit he has not been given promotion to the post of API for the reason that one offence has been registered at Patoda Police Station District Beed for the offences under the Prevention of Corruption Act. Learned counsel submits that since the cause of action of refusing the promotion to the applicant to the post of API had arisen within the jurisdiction of this Tribunal, he has filed the present OA before this Tribunal. Learned counsel in the circumstances, has prayed for overruling the objection raised by the applicant. *Prima facie* we are not convinced with the submission so made by the applicant, however, subject

to the aforesaid objection we are inclined to issue notices to the respondents. Hence, the following order:-

ORDER

- (i) Keeping the issue of jurisdiction open, issue notice to respondents, returnable on 8.12.2023.
- (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. Applicant is directed to file affidavit of compliance and notice.
- (vi) S.O. to 8.12.2023.
- (vii) Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 917 OF 2023
(Balasaheb S. Choure Vs. State of Maharashtra & Ors.)

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

DATE : 25.10.2023

ORAL ORDER :

Heard Shri Mohit R. Deshmukh, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submitted that the complete address of respondent no. 3 is not with the applicant. Learned counsel submits that, in the circumstances, the only way for securing the address of the said respondent is to approach the MPSC and seek address. The applicant can make written request to the MPSC through the learned CPO. The MPSC shall provide the address of respondent no. 3 to the applicant at the earliest possible time.

3. It is the case of the applicant that though in the educational qualification, as well as, in the age the applicant stands on higher footing than respondent No. 3, respondent No. 2 has recommended the name of respondent No. 3 for appointment on the post of Assistant Public Prosecutor. Learned counsel brought to our notice the merit list published on 10th August, 2023.

The name of the applicant is at Sr. No. 454, whereas the name of respondent No. 3 is at Sr. No. 447. The information as is revealing from the said list reveals that the applicant, as well as, respondent no. 3 both belong to NT-D category. The date of birth of the applicant is 9.5.1989, whereas the date of birth of respondent no. 3 is 23.4.1990. The applicant has passed LLM examination, whereas respondent no. 3 is not having any extra qualification. Both have secured total marks as '117'. Learned counsel then invited our attention to the general instructions issued and more particularly clause 6.5.1 thereof, which provides the methodology to be adopted in case of the candidates securing similar marks. Clause 6.5.1.1 pertains to educational qualification, whereas sub-clause 6 thereof pertains to age. Considering both these criterias apparently the applicant appears having a better claim, however, MPSC has recommended the name of respondent no. 3.

4. Learned CPO has sought time to take instructions to file affidavit in reply. We have noted that record apparently reveals that the applicant may have better claim. In the circumstances, we deem it appropriate to pass the following order :-

ORDER

(i) Issue notice to respondents, returnable on 29.11.2023. **Until further orders from this Tribunal, no final order be issued in favour of respondent no. 3.**

(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. Applicant is directed to file affidavit of compliance and notice.

(vi) S.O. to 29.11.2023.

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

MEMBER (A)

VICE CHAIRMAN

M.A.NO.357/2023 IN M.A.NO.06/2023
(State of Maharashtra & Ors. V/s. Pandurang Lomale)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 25.10.2023

ORAL ORDER :

Shri M.S.Mahajan, learned Chief Presenting Officer for applicants (respondent authorities) and Shri V.B.Wagh, learned Counsel for the respondent (original applicant), are present.

2. S.O. to 03-11-2023. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.685/2019
(Shivaji P. Thakre V/s. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 25.10.2023

ORAL ORDER :

Shri Sujeet D. Joshi, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for respondent authorities, are present.

2. S.O. to 01-11-2023. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.818/2021
(Dr. Ashwini A. Patil V/s. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 25.10.2023

ORAL ORDER :

Shri Sujeet D. Joshi, learned Counsel for the applicant, Shri M.S.Mahajan, learned Chief Presenting Officer for respondent authorities, Shri S.G.Kulkarni, learned Counsel for respondent no.8 and Shri A.T.Jagtap, learned Counsel for respondent no.9, are present.

Shri Ajit Kadethankar, learned Counsel for respondent no.6 and Shri Akshay H. Joshi, learned Counsel for respondent no.7, are **absent**.

2. S.O. to 02-11-2023. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.03/2022
(Sunil Sandu Ingle V/s. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 25.10.2023

ORAL ORDER :

Shri C.V.Dharurkar, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for respondent authorities, are present.

2. S.O. to 03-11-2023. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION ST. NO. 2090 OF 2023
(Mahadu R. Munmane Vs. State of Maharashtra & Ors.)**

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

DATE : 25.10.2023

ORAL ORDER :

Heard Shri S.S. Jadhavar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The Office has raised objection as about limitation. As per the office note, since the list of qualified candidates for interview was published on 01.04.2022, cause of action must be held to have arisen on the said date and, as such, the present Original Application is barred by limitation.

3. Learned counsel for the applicant submitted that on the date i.e. on 01.04.2022 along with list of qualified candidates for interview the cut-off marks were also declared. Learned counsel submitted that since the applicant had received less than 150 marks, he presumed that the candidates, whose names are included in the list of qualified candidates for interview, must have secured more than 150 marks. The applicant, therefore, did not

approach this Tribunal. However, when the respondents published the provisional general merit list on 12.09.2023, the applicant noticed that the candidates, who have secured less than 100 marks, are included in the said list and in spite of securing more marks than 100 his name is not included he decided to approach this Tribunal. Learned counsel submitted that cause of action for filing the present Original Application by the applicant arose on 12.09.2023 and as such, the O.A. is filed well within the limitation.

4. After having considered the submissions as aforesaid and after having gone through the documents placed on record, we are convinced that the applicant has filed the present Original Application well within the period of limitation. The office objection, therefore, stands overruled.

5. Learned counsel for the applicant has sought leave to place on record certain documents pertaining to the marks received by the applicant. Leave granted. The documents be accepted.

6. The applicant has applied for the promotional post of Deputy Education Officer, which is to be filled in by

way of Limited Competitive Departmental Examination held in that regard. It is the contention of the applicant that initially it was made known to the candidates that for written examination cutoff is provided for 150 marks, meaning thereby that the candidates, who have secured less than 150 marks, may be out of consideration and may not be called for interview or any further process. Learned counsel submits that however now provisional general merit list, which is published, demonstrates that the candidates who have secured less than 150 marks are called for interview and likely to be considered for their selection. In the circumstances, learned counsel has prayed for direction against the respondent MPSC to call the present applicant for interview and consider him for selection on the promotional post.

7. On the earlier date when the similar matter i.e. O.A. No. 945/2023 was heard for some time, this Tribunal has passed an order therein thereby directing the learned Chief Presenting Officer to ascertain the reasons for not consideration of the applicants therein for the promotion. Today, learned C.P.O. has submitted communication dated 23.10.2023 received to his office, which is accompanied by the order dated 18.2.2023 passed by the Principal Bench of this Tribunal at Mumbai in O.A. No. 861/2023. The contents of the

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O.A. St. 2090/2023

communication dated 23.10.2023 reveal that the candidates, who have secured 150 marks only, were called for interview on 26th & 27th July, 2023 and since the applicant has received less than 150 marks he has not been called for interview. However, as we noted above the provisional general merit list demonstrates that the candidates having received less than 150 marks were also called for interview.

8. Having considered the fact as aforesaid, there appears *prima facie* case in favour of the applicant. The Principal Seat of this Tribunal at Mumbai, as well as, this Tribunal had in some previous matters directed the MPSC to hold the interview of the candidates concerned. Accordingly interviews were taken on the subsequent dates, however, the present applicant has approached late. Though delay has been condoned, by that time the dates of interview have already gone. In the circumstances, presently we are not inclined to give any direction for calling the present applicant for the interview. However, it is clarified that we have not turned down the request made by the applicant seeking interim relief thereby directing the respondents to interview the present applicant. After filing of the affidavit in reply by the respondents, the facts and circumstances can be finally reviewed and if required the

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O.A. St. 2090/2023

necessary orders will be passed. **In the circumstances, it is further clarified that in the meanwhile if list of selected candidates is published and accordingly appointment orders are issued, all the said processes will be subject to outcome of the present O.A.**

9. Issue notice to respondents, returnable on 1.11.2023.

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

11. 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.

12. 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.

13. 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.

14. S.O. to 1.11.2023.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 945 OF 2023
(Sumit M. Lande & Os. Vs. State of Maharashtra & Ors.)

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

DATE : 25.10.2023

ORAL ORDER :

Heard Shri S.S. Jadhavar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel for the applicants has sought leave to place on record certain documents pertaining to the marks received by the applicants. Leave granted. The documents be accepted.

3. The applicants have applied for the promotional post of Deputy Education Officer, which is to be filled in by way of Limited Competitive Departmental Examination held in that regard. It is the contention of the applicants that initially it was made known to the candidates that for written examination cutoff is provided for 150 marks, meaning thereby that the candidates, who have secured less than 150 marks, may be out of consideration and may not be called for interview or any further process. Learned counsel submits that however now provisional general merit list, which is published, demonstrates that the candidates who have secured less

than 150 marks are called for interview and likely to be considered for their selection. In the circumstances, learned counsel has prayed for direction against the respondent MPSC to call the present applicants for interview and consider them for selection on the promotional post.

4. On the earlier date when the matter was heard for some time, this Tribunal has passed an order thereby directing the learned Chief Presenting Officer to ascertain the reasons for not consideration of the present applicants for the promotion. Today, learned C.P.O. has submitted communication dated 23.10.2023 received to his office, which is accompanied by the order dated 18.2.2023 passed by the Principal Bench of this Tribunal at Mumbai in O.A. No. 861/2023. The contents of the communication dated 23.10.2023 reveal that the candidates, who have secured 150 marks only, were called for interview on 26th & 27th July, 2023 and since the applicants have received less than 150 marks they have not been called for interview. However, as we noted above the provisional general merit list demonstrates that the candidates having received less than 150 marks were also called for interview.

5. Having considered the fact as aforesaid, there appears *prima facie* case in favour of the applicants. The Principal Seat of this Tribunal at Mumbai, as well as, this Tribunal had in some previous matters directed the MPSC to hold the interview of the candidates concerned. Accordingly interviews were taken on the subsequent dates, however, the present applicants have approached late. Though delay has been condoned, by that time the dates of interview have already gone. In the circumstances, presently we are not inclined to give any direction for calling the present applicants for the interview. However, it is clarified that we have not turned down the request made by the applicants seeking interim relief thereby directing the respondents to interview the present applicants. After filing of the affidavit in reply by the respondents, the facts and circumstances can be finally reviewed and if required the necessary orders will be passed. **In the circumstances, it is further clarified that in the meanwhile if list of selected candidates is published and accordingly appointment orders are issued, all the said processes will be subject to outcome of the present O.A.**

6. Issue notice to respondents, returnable on 1.11.2023.

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

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

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

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

11. S.O. to 1.11.2023.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 639 OF 2022
(Prashant S. Morale Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 25.10.2023

ORAL ORDER :

Heard Shri A.V. Thombre, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that in the present matter initially applicant Nos. 2 to 9 were given appointment on supernumerary posts by G.R. dated 31.01.2023. In the circumstances, vide order passed on 30.03.2023, the present O.A. was held to have been disposed of as infructuous insofar as applicant Nos. 2 to 9 are concerned. Thereafter only applicant No. 1 continued with the present matter. Learned counsel submitted that now the applicant No. 1 has also been given appointment order on the basis of the same G.R. dated 31.01.2023. Learned counsel in the circumstances prayed for disposing of the present Original Application being infructuous.

3. In view of the submissions made as above, the present Original Application stands disposed of being infructuous. No order as to costs.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 547 OF 2021
(Jalamsingh Davanji Valvi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 25.10.2023

ORAL ORDER :

Heard Shri Suresh Dhongde, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. The applicant has filed the present Original Application with a request for finalizing Departmental Enquires pending against him.

3. Learned counsel appearing for the applicant submitted that though the applicant retired in the year 2019 on attaining the age of superannuation, even thereafter the D.Es. against him are not concluded and are still going on. Learned counsel further submitted that because of the D.Es. pending against the applicant, he is being deprived of the pension and the pensionary benefits. Learned counsel in the circumstances has prayed for disposing of present Original Application by giving direction to the respondents to complete enquiries pending against the applicant within time bound manner.

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O.A. No. 547/2021

4. Learned Presenting Officer submits that total 5 enquires were pending against the applicant, out of which one has been completed.

5. Learned counsel for the applicant submitted that according to his information two enquires are completed. Whatever may be the case, it cannot be disputed that enquires are to be completed as expeditiously as possible. In the present matter, admittedly 4 years have passed after retirement of the applicant. We therefore, see justification in the request made by the applicant for giving direction to the respondents to complete the Departmental Enquiries pending against him by stipulating the time therefor.

6. Learned P.O. does not have objection for passing such order.

7. In view of above, without going into the merits of contentions raised in the O.A., we deem it appropriate to dispose of this Original Application with the following order :-

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O.A. No. 547/2021

ORDER

- (i) Respondents are directed to complete the Departmental Enquires pending against the applicant in all respect within 4 months from the date of this order.
- (ii) The Original Application stands disposed of in the aforesaid term.
- (iii) No order as to costs.

MEMBER (A)

KPB ORAL ORDERS 25.10.2023

VICE CHAIRMAN

M.A.NO.216/2023 WITH M.A.NO.255/2023
(Malhari E. Mane & Ors. Vs. State of Maharashtra & Ors.)
M.A.NO.217/2023 WITH M.A.ST.NO.817/2023
(Shahu L. Satpal & Ors. Vs. State of Maharashtra & Ors.)
WITH O.A.NO.227/2023
(Digambar S. Pawar & Ors. Vs. State of Maharashtra & Ors)

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

DATE : 25.10.2023

ORAL ORDER :

Heard Shri K.J.Ghute, Shri H.S.Bali, learned Counsel for applicants in all the M.As. and Shri Ajay S. Deshpande, learned Special Counsel for the respondent authorities.

Shri N.N.More/S.R.Sapkal, learned Counsel for applicants in O.A. No.227/2023 (**absent**).

2. Learned Counsel for applicants in M.A.No.216/2023 and M.A.No.217/2023 are heard on the point of intervention.

3. In the O.A. the applicants being aggrieved by the new Rules brought into effect for promotion to the post of Deputy Education Officer have obtained the ex-parte stay to the implementation of the new rules.

4. Intervenors are working on the post of Extension Officer (Education), Administrative Officer, Assistant Deputy Education Inspector,

=2= M.A.NO.216/2023 & Ors.

which are made eligible for promotion to the post of Education Officer and the post on which the applicants in O.A.No.227/2023 are working though have been excluded in the new rules, it is the contention of the interveners that because of the interim stay granted in the O.A. their promotions are withheld. It is their further contention that they are having every right to oppose the contentions raised in the O.A. and to contest the petition.

5. Having regard to the contentions in the intervention applications, we are satisfied that the interveners fall in the category of aggrieved persons and hence we are inclined to allow their intervention applications. Hence, the following order:

ORDER

[i] M.A.No.216/2023 & M.A.No.217/2023 for intervention are allowed.

[ii] Applicants to add interveners as party respondents in the O.A.

[iii] It would be open for the added respondents to file their affidavit in reply till next date.

6. S.O. to 02-11-2023 in other M.As. & O.A.

MEMBER (A)

VICE CHAIRMAN

M.A.NO.60/2022 IN O.A.ST.NO.67/2022
(Gaus Mohayyodin Shamshodin Vs. State of Maharashtra & Ors)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 25.10.2023

ORAL ORDER :

Heard Shri G.N.Kulkarni (Mardikar), learned Counsel for applicant and Shri B.S.Deokar, learned Presenting Officer for the respondent authorities.

2. Applicant has preferred the present O.A. seeking following reliefs:

“B) To direct the respondents to consider the period of service rendered by the applicant since 17/10/1979 to 16/04/1997 as mustering assistant as qualifying period of fixation of pension and re-fix the pension to applicant and release the benefits of the revised pension since date of retirement, within stipulated time.

C) Pending hearing final disposal of the original application the respondents be directed to calculate the pension of the applicant by considering his qualifying service from 18/06/1984 to 30/04/2009 and release the benefits of the pension since date of retirement, within stipulated time.”

{Reproduced ad-verbatim from p.b.p.9 of O.A.}

=2= M.A.NO.60/2022 IN O.A.ST.NO.67/2022

3. The applicant has preferred the present M.A. seeking condonation of delay which has occasioned in filing the O.A. The delay as has been contended in the application is of the period more than 9 years. We deem it appropriate to reproduce the reasons as are stated in paragraphs 3, 4 and 5 of the said application as it is, which read thus:

“3. That, applicant came to be joined as mustering assistant on 17.10.1979 and thereafter as per policy of the state absorbed in the state services on 31.3.1997 and as such after absorption in state service his service is considered and earlier service as mustering assistant has not been considered by the respondents.

4. That though cause of the in correct consideration of qualifying service of the applicant for the purposes of pension arose after his retirement i.e. 30.4.2011 and the said cause is continuing one and accruing in every month as net result of the considering past service of the applicant will be that he will receive more pension in every month as such cause is recurring and continuing one and as such as per settled portion of law there is no any type of delay in the matter, still as per office objection applicant is filing this application.

5. That, after retirement and earlier also applicant owes so many family responsibilities and as there are large of

=3= M.A.NO.60/2022 IN O.A.ST.NO.67/2022

persons/ employees like applicant in Nanded district, they have collectively made some efforts for consideration of their past service however respondents have not considered their request as such time is lapsed for approaching before this Hon'ble Tribunal, which is not intentional and deliberate.”

{Reproduced ad-verbatim from p.b.p.2 & 3 of M.A.}

4. Admittedly, the present applicant retired in the year 2011. Now, so far as the contention of the applicant that only for the purpose of enhancement in the amount of pension the applicant has approached the Tribunal by filing the present application is concerned, it has to be explained by the applicant why he took 10 years to approach the Tribunal for the aforesaid reason. In the M.A. nothing is explained as to why in the intervening 10 years' period he did not approach this Tribunal. It is also not stated whether before any forum he was agitating his cause or ventilating his grievance. It is evident that the applicant has been totally negligent in asserting his right.

5. It is the contention of the applicant that he entered into Government service as Muster Assistant on 17-10-1979, and thereafter, in view of policy

=4= M.A.NO.60/2022 IN O.A.ST.NO.67/2022

of the Government he was absorbed in regular service on 31-03-1997. The applicant is now praying for considering the said intervening period as his regular service period and to reckon his service period from 1979 with consequential benefits.

6. It is, thus, evident that the cause of action, in fact, has arisen in the year 1997. The applicant admittedly did not take any step in securing his right at that time. Thereafter, the applicant was in service till the year 2011. In the entire said period he did not claim the aforesaid right and/or benefit. After retirement in the year 2011 till the year 2022 i.e. for the period of 11 years, applicant did not take any step and remained silent in asserting his right. The claim of the applicant has become too stale.

7. The applicant has not assigned any reason for not approaching the Tribunal or not asserting his right for quite a long period. In absence of any cogent and sufficient reason given by the applicant, it is difficult to condone the inordinate delay occasioned in filing the present O.A.

=5= M.A.NO.60/2022 IN O.A.ST.NO.67/2022

It is well settled that if no sufficient cause is made out, the delay of a smaller period also cannot be condoned. In the instant matter, applicant has failed in explaining the huge delay caused for filing the present O.A. by him. Hence, the following order:

ORDER

- [i] M.A. for condonation of delay is rejected.
- [ii] Consequently, O.A. also stands rejected.
- (iii) There shall be no order as to costs.

MEMBER (A)

YUK ORAL ORDERS 25.10.2023

VICE CHAIRMAN

