

**THE 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: -26/07/2023

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Regular Admission Matters						
1	OA657/23	Latur	Adv.V.B. Wagh (Laxmi N Dhotre as Legal Heir of Late Nilkanth T Dhotre)	Interest on Delayed Payments		01.09.2023
2	OA658/23	Dhule	Adv.N.L. Choudhary (Pratibha S Khairnar)	Benefit of Old Pension Scheme		01.09.2023
3	OA668/23	A'bad	Adv.V.B. Wagh/ Adv.A.S. Therokar/ Adv.V.P. Adkine (Manoj A Ingale)	Transfer	Circulation	23.08.2023
4	OA669/23	O'bad	Adv.J.S. Deshmukh (Manojkumar A Rathod)	Transfer	Circulation	21.08.2023
5	OAS1722/22	O'bad	Adv.A.P. Avhad (Sampat R Warbhuwan)	Recovery/ Refund of Recovered Amount	With Office Objection	--
6	OAS1608/23	N'bar	Adv.A.M. Hajare (Vijaysing K Wagh)	Gratuity	with Office Objection	--
7	OA396/23	A'bad	Adv.Shrikishan S Shinde (Madhavi S Harne)(Kale)	Transfer	Circulation	07.08.2023
8	OA403/23	Dhule	Adv.S.D. Joshi (Nitin R Kapadnis) <u>Adv.N.N. Desale/ChetanBhadane for R.No.2</u>	Transfer	For Order For Hearing Reply Filed by R-1 & R-2	27.07.2023
Order Matters						
9	MA588/19 In OAST2292/19	Nanded	Adv.Vikram S Kadam (Vyankat L Nilawar)	M.A. For Condonation of Delay	Reply Filed by R-1 to R-4	06.09.2023

10	MA227/21 In OAsT901/21	J'gaon	Adv.K.B. Jadhav (Anil V Mahajan) <u>Adv.V.G. Pingle For R.No.6</u>	M.A. For Condonation of Delay	Reply Filed by R-1 to R-4	06.09.2023
Due Admission Matters						
11	OA502/18	Hingoli	Adv.A.D. Raut (Bansilal C Jaiswal) <u>Adv.S.D. Joshi for R.No.2 Adv.Talekar&Assoicates for R.No.3</u>	Police Patil	Reply Filed by R-2 & R-3	06.09.2023
12	OA441/21	P'bhani	Adv.S.S. Gangakhedkar (Shriram S Ghuge)	Time Bound Promotion/ ACPS/ Benefit of G.R.	Reply Filed by R-1 to R-4	06.09.2023
13	OA516/21	A'bad	Adv.Ajay S Deshpande (Vishwasrao V Kulkarni)	Recovery/ Refund of recovered Amount	For Hearing Reply Filed by R-1 & R-2	22.08.2023
14	OA781/21	Beed	Adv.A.R. Tapse/ Adv.S.S. Deogude (Afroz Khan Karim Khan)	Compassionate Appointment	For Admission Reply Filed by R-2 & R-3	28.07.2023
15	OA188/22	Latur	Adv.Girish L Awale (Gorakh M Shinde)	Pension &Pensionery Benefits	For Hearing Reply Filed by R-1 to R-4	06.09.2023
16	OA214/22	Jalna	Adv.AvinashKhedkar (Balasaheb A Awdhut)	Compassionate Appointment	For Hearing Reply Filed by R-2 to R-5	28.07.2023
17	OA783/22	Nanded	Adv.H.P. Jadhav (Nilabai P Mumulwar&Ors.) <u>Adv.S.B. Mene for R.Nos. 3 & 4</u>	Compassionate Appointment	For Hearing	28.07.2023
18	OA836/22	N'bar	Adv.Amol S Sawant (Shravan Y Khairnar)	Leave	For Hearing Reply Filed by R-3 to R-5	29.08.2023
19	OA956/22	A'bad	Adv.J.B. Choudhary (Vijay R Shringare)	Continuation in Service	For Hearing	06.09.2023
20	OA1012/22 with	Jalna	Adv.J.S. Deshmukh (Pandurang R Sable)	Suspension Period/ Retiral Benefits	For Hearing	23.08.2023
21	OA1013/22 with	Jalna	Adv.J.S. Deshmukh (Sambhaji K Khupse)	Suspension Period/ Retiral Benefits	For Hearing	23.08.2023

22	OA1014/22 with	Jalna	Adv.J.S. Deshmukh (Namdeo B Chavan)	Suspension Period/ Retiral Benefits	For Hearing	23.08.2023
23	OA1064/22	Jalna	Adv.J.S. Deshmukh (Nagorao D Salve)	Suspension Period/ Pensionary Benefits	For Hearing	23.08.2023
24	OA1046/22	Nanded	Adv.P.A. Kulkarni (Sangram G Shinde)	Revocation of Suspension	For Hearing Reply Filed by R-3 to R-5	22.08.2023
25	OA423/23	N'bar	Adv.Rakesh N Jain (Niketa B Nayak)	Transfer	Reply Filed by R-2 & R-3	--
26	OA424/23	N'bar	Adv.Rakesh N Jain (Lahu M Chavan)	Transfer	Reply Filed by R-2 & R-3	28.07.2023
Final Hearing Matters						
27	OA611/17	Latur	Adv.S.D. Dhongde (Nagnath G Jadhav)	Deem Date Promotion	Hon'ble High Court Bench at A'bad OA Remanded back for Fresh Decision in WP4572/19, 30.09.2022	23.08.2023
28	OA361/21	Beed	Adv.Chaitanya V Dharurkar (Madhukar G Misal)	Gratuity & Leave Encashment	Reply Filed by R-1 to R-3	14.09.2023
29	OA626/18	J'gaon	Adv.Sanket N Suryawanshi (Dilip S Pawar)	Leave/ Salary	For Hearing Reply Filed by R-1, R-3 & R-4	14.09.2023
30	OA773/18	A'bad	Adv.R.P. Bhumkar (Shivaji B Satote) <u>Adv.S.B. Mene for R.No.2</u>	Time Bound Promotion/ ACPS/ Benefit as Per G.R./ Higher Pay Scale	Reply Filed by R-2 & R-3	12.09.2023
31	OA862/18	Dhule	Adv.Suresh D Dhongde (Kiran S Pawar)	Suspension/ Reinstatement in Service	Reply Filed by R-1 to R-3	14.09.2023
32	OA896/18	Latur	Adv.R.P. Bhumkar (Madhukar D Madarase&Ors.)	Time Bound Promotion/ ACPS/ Benefit as per G.R.	Reply Filed by R-1 to R-3	12.09.2023
33	OA103/19	J'gaon	Adv.Sanket N Suryawanshi (Balkrishna R Chhallare)	Minor Punishment	Reply Filed by R-1 to R-3	14.09.2023

34	OA1026/19	Beed	Adv.K.B. Jadhav (Keshav M Soundarmal)	Deemed Date of Promotion	Reply Filed by R-2 & R-3	14.09.2023
35	OA517/20	O'bad	Adv.Vidya A Taksal (Nandkishor K Gupta) <u>Adv.U.B. Bondar for R.No.3</u> <u>Adv.R.V. Naiknaware for R.No.5</u>	Pension & Pensionery Benefits	Reply filed by R-3, R-5 & R- 6	15.09.2023
36	OA70/22 with	Jalna	Adv.V.B. Wagh (Ramkisan K Mante)	Suspension Period/ Recovery	Reply Filed by Respondent	21.08.2023
37	OA71/22 with	Jalna	Adv.V.B. Wagh (Sampat D Pawar)	Regularisation Suspension Period/ Pension	Reply Filed by Respondent	21.08.2023
38	OA72/22	Jalna	Adv.V.B. Wagh (Arjun M Pawar)	Regularisation Suspension Period	Reply Filed by Respondent	21.08.2023

**THE 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: -26/07/2023

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	OA298/20	O'bad	Adv K G Salunke (Ramraje G Pawar)	Transfer	Reporting Compliance	06.09.2023
2	TA05/22 W6437/22	O'bad	Adv S B Bhosale (Babita V Pawar) <u>Adv Amol S Gandhi For R-6</u>	Appointment on Compassionate Ground	Await Service	06.09.2023
3	OA499/22	A'bad	Adv Vikarant Palsikar (Laxminarayan A Shingare)	Benefits of Revised Assured Career Progress Scheme	By Way of Last Chance For Filing Affidavit in Reply	06.09.2023
4	OA897/22	Latur	Adv S B Patil (Dr. Narayan K Deshmukh)	Increment	For Reply	06.09.2023
5	OA898/22	Latur	Adv S B Patil (Dr. Sangita P Khandare)	Correction of Pay Fixation/ Condonation of Technical Break	For Reply	05.09.2023

6	OA977/22	A'bad	Adv V B Wagh (Sheshrao K Chabukswar)	Extend the Benefitis/ Equal Pay For Equal Works	By Way Last Chance For Filing Affidavit in Reply	04.09.2023
7	OA1043/22	A'bad	AdvPriya R Bharaswadkar (Smt. Bhagubai J Gangawane)	Refund of Recovered Amount	For Filing Affidavit in Reply R-1 to R-4	18.08.2023
8	OA57/23	A'nagar	Adv A S Deshpande (ShaikhMohd. AslamRahimshaniya)	Pension &Pensionery Benefits	For Reply	04.08.2023
9	OA80/23	P'rbn	Adv S B Solanke (ShaikhMohseenShaikhK hadar)	Compassionate Appointment (Lad- Page Sumiti)	For Reply	21.08.2023
10	OA145/23	Beed	Adv R P Bhumkar (Shivaji R Lagas&Ors.)	Time Bound Promotion	For Reply	06.09.2023
11	OA188/23	A'bad	Adv V B Wagh (ShaikhR Shaikh Mohammad Hanif&Ors.)	Equal Pay For Equal Work	Await Service	05.09.2023
12	OA211/23	Hingoli	Adv J S Deshmukh (Dr.Nitin R Agrawal)	Leave & Encashment	For Reply	05.09.2023
13	OA261/23	A'bad	Adv V G Salgare (Smt. Vidya S Ghorpade)	Recovery/ Pension & Other Benefits	For Filing Affidavit in Reply	28.08.2023
14	OA376/23	A'nagar	Adv J JPatil (Tushar V Gaikwad)	Transfer	Last Chance For Filing Affidavit in Reply	04.08.2023
15	OA377/23	A'nagar	Adv J JPatil (Abasaheb S Gore)	Transfer	Last Chance For Filing Affidavit in Reply	04.08.2023
16	OA378/23	A'nagar	Adv J JPatil (Amol V Gaikwad)	Transfer	Last Chance For Filing Affidavit in Reply	04.08.2023
17	OA469/23	Beed	Adv U P Giri (Santosh P Raut)	Transfer	For Reply	04.08.2023
18	OA540/23	A'bad	Adv M R Deshmukh (Dr.Gitish D Chawada)	Transfer	Await Service	04.08.2023

19	OA541/23	A'bad	Adv M R Deshmukh (Dr. Sanjay K Muley)	Transfer	Await Service	04.08.2023
20	OA588/23	Latur	Adv R T Deshmukh/ AdvKiran G Salunke (Dr.Laxman S Deshmukh)	Transfer	For Reply	03.08.2023
Order Matters						
21	MA82/20 In OAS172/20	A'bad	AdvVivekPingle (Arshad Khan Gulab Khan)	M.A For Condonation of Delay	For Filing Affidavit in Reply	12.09.2023
22	MA12/21 In OAS134/21	A'bad	Adv D A Mane (Gorakh B Dhakane)	M.A For Condonation of Delay	As a Last Chance For Filing Affidavit in Rejoinder	12.09.2023
23	MA202/22 In OAS1781/22 With	Dhule	Adv.P.R. Wankhade (Dr.Yogesh M Borse)	MA For Condonation of Delay	For Filing Affidavit in Reply	07.08.2023
24	MA203/22 In OAS1783/22 With	Dhule	Adv.P.R. Wankhade (Dr.Smita A Bora)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	
25	MA204/22 In OAS1792/22 With	Dhule	Adv.P.R. Wankhade (Dr.Bharat M Patil)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	
26	MA205/22 In OAS1794/22 With	Dhule	Adv.P.R. Wankhade (Dr.Deepak K Shejwal)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	
27	MA206/22 In OAS1796/22 With	Dhule	Adv.P.R. Wankhade (Dr.Amol P Khairnar)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	
28	MA207/22 In OAS1798/22	Dhule	Adv.P.R. Wankhade (Dr.Manjusha P Tambse)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	
29	MA571/22 In OAS13060/22	Nanded	Adv M D Godhamgaonkar (Birendrasingh A Bagul)	M.A For Condonation of Delay	For Filing Affidavit in Reply	07.09.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI BENCH AT
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List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Division Bench

Before: - Court On Leave

Date: -26/07/2023

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Urgent Admission Matters						
1	MA329/23 In OAS1436/23	Nanded	Adv.Vijay V Deshmukh (Rahul R Dhawale)	M.A. For Condonation of Delay	Circulation	27.07.2023
2	OA659/23	Hingoli	Adv.Ravindra B Ade (Sunil T Jadhav)	Appointment		01.09.2023
3	OAS1316/23	A'bad	Adv.Vidya A Taksal(Jagtap) (Trushna M Mali)	Promotion/ Deem Date/ ACPS	with Office Objection	05.09.2023
4	OAS1376/23	Nanded	Adv.Preeti R Wankhade (Dr. Vandana B Dudhamal)	Appointment	Circulation With Office Objection	07.09.2023
Order Matters						
5	MA456/18 In OAST1919/18	A'bad	Adv.Ajay S Deshpande (Lakshman K Nirmal) <u>Adv.S.R. Kedar for R.No.3</u>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R-2	11.09.2023
6	MA224/19 In OA236/19	Beed	Adv.K.B. Jadhav (Sanjay B Udar)	M.A. For I.R.	For Hearing	11.09.2023
7	MASt1291/20 In OA493/18	A'nagar	Adv.H.A. Joshi (Rajendra K Shimpi)	M.A. For Restoration	With Office Objection For Hearing	12.09.2023
8	MA69/22 In OAS43/22	Nanded	Adv.Suchita Dhongde (Bhauasheb P Tidke &Ors)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R-4	12.09.2023
9	MA348/22 In OAS1262/22	A'bad	Adv.Suchita Dhongde (Deorao S Aher)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R-4	12.09.2023

10	MA282/23 In OA453/18 With	A'bad	Adv.R.N. Bharaswadkar (Balasaheb R Mendhekar & Ors.) <u>Adv.S.S. Dambe for R.Nos.5 to 12</u>	M.A. For Direction		15.09.2023
11	MA283/23 In OA454/18	A'bad	Adv.R.N. Bharaswadkar (Balaji B Budhwant & Ors.)	M.A. For Direction		15.09.2023
12	MA324/23 In OA449/23	Beed	Adv.Prashant D Suryawashi (Chandan D Kulkarni & Ors.)	M.A. For Amendment		07.08.2023
High On Board Matters						
13	TA2/12 WP9902/11	O'bad	Adv.A.L. Tikle/ Adv.R.V.Naiknaware (Radha N Choure)	Selection/ Appointment	<u>Re Hearing</u> Reply Filed by R-2	21.09.2023
14	OA517/17	Dhule	Adv.M.V. Bhamre (Anup S Kulkarni)	Direction/ Selection/ Appointment	<u>High On Board</u> For Hearing Reply Filed by R-1 & R-2	21.08.2023
15	OA532/20	N'bar	Adv.Avinash S Deshmukh (Hemant J Kinhikar)	Promotion	<u>High On Board</u> For Hearing Reply Filed by R-1 to R-3	22.09.2023
16	OA195/22	A'nagar	Adv.P.G. Tambade/ Adv.A.P. Palve (Yohan S Sarode)	Seniority List	<u>High On Board</u> For Hearing Reply Filed by R-1 to R-4	22.09.2023
Due Admission Matters						
17	OA192/16	Nanded	Adv.M.A. Golegaonkar/ Adv.A.S. Golegaonkar (Maroti S Koli)	Seniority	For Hearing Reply Filed by R-1 to R-3	26.09.2023
18	OA592/18	J'gaon	Adv.A.S. Golegaonkar/ Adv. M.A. Golegaonkar (Nilesh B Pardeshi) <u>Adv.R.S. Patil for R.No.3</u>	Selection/ Appointment	For Admission Reply Filed by R-2 & R-3	26.09.2023
19	OA179/19 With	A'bad	Adv.J.S. Deshmukh (Dr.Suryakant D Sonkhedkar)	Revision of Pay Scale	For Admission Reply Filed by R-1 to R-4	04.10.2023

20	OA180/19 With	A'bad	Adv.J.S. Deshmukh (Dr.Padmaja A Saraf)	Revision of Pay Scale	Reply Filed by R-1 to R-4	04.10.2023
21	OA279/19 With	A'bad	Adv.J.S. Deshmukh (Dr.Dilip B Dange) <u>Adv.C.D. Biradar for R.Nos.3&4</u>	Benefit of Time Bound Promotion/ ACPS/ Revised of Pay Fixation	Reply Filed by R-1 to R-4	04.10.2023
22	OA280/19 with	P'bhani	Adv.J.S. Deshmukh (Dr.Balasaheb D Masare)	Benefit of Time Bound Promotion/ ACPS/ Revised of Pay Fixation	Reply Filed by R-1 to R-4	04.10.2023
23	OA346/19	A'bad	Adv.J.S. Deshmukh (Dr.Sharda W Kharat)	Condonation of Technical Brekas/ Annual Increments	Reply Filed by R-1 to R-4	04.10.2023
24	OA218/19	P'bhani	Adv.M.D. Godhamgaonkar (Sharnappa V Mannylikar)	Removal from Service	For Hearing Reply filed by R-1 to R-4	20.09.2023
25	OA612/19 With Caveat53/19	Dhule	Adv.Yogesh B Bolkar (Harshal M Nagare & Ors.) <u>Adv.V.S. Bhale for Caveator</u> (Namedeo S Wagh)	Promotion	For Hearing Reply Filed by R-1 to R-3	20.09.2023
26	OA913/19	Dhule	Adv.Y.B. Bolkar/ Adv.K.B. Jadhav (Shirish D Deshmukh & Ors.) <u>Adv.V.B. Wagh For R.Nos. 7 to 19</u> <u>Adv.S.B. Deshpande for R.No.6</u>	Appointment	For Hearing Reply Filed by R-1	20.09.2023
27	OA490/20	J'gaon	Adv.Vivek G Pingle (Vivek S Sonawane)	Appointment	For Hearing Reply Filed by R-1 to R-5	21.09.2023
28	OA491/20	Dhule	Adv.Vivek G Pingle (Rajnikant D Patil)	Appointment	For Hearing Reply Filed by R-1 to R-5	21.09.2023

29	OA09/21	A'nagar	Adv.Hemant U Dhage (Ulhas Y Kawade)	Departmental Enquiry	For Hearing Reply Filed by R-1 to R-3	25.09.2023
30	OA760/21	O'bad	Adv.Shamsundar B Patil (Malikarjun D Deshmane)	Major Punishment	For Hearing Reply Filed by R-2 & R-3	25.09.2023
31	OA767/21	Hingoli	Adv.Suchita Dhongde (Baliram B Rathod)	Seniority List	For Hearing Reply Filed by R-2 & R-3	25.09.2023
32	OA403/22	Latur	Adv.Dhananjay Mane (Pandit S Tiparse)	Major Punishment/ Reversion	For Hearing Reply Filed by R-1 to R-4	28.08.2023
33	OA821/22	Latur	Adv.Jayant S Deshmukh (Dr.Sonali B Totod) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	23.08.2023
34	OA822/22	Beed	Adv.Jayant S Deshmukh (Dr. Jyoti A Dawale) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	23.08.2023
35	OA838/22	Nanded	Adv.A.D. Sugdare (Dr. Shrikant S Shingarwad) <u>Adv.M.B. Kolpe for R.No.2</u>	Interview	For Hearing	23.08.2023
36	OA839/22	A'bad	Adv.A.D. Sugdare (Dr. Gorakh V Suramwad) <u>Adv.M.B. Kolpe for R.No.2</u>	Interview	For Hearing	23.08.2023
Final Hearing Matter						
37	OA903/18	A'bad	Adv.Abhishek C Deshpande (Dr.Jalindar S Ambhore)	Selection Process	Reply Filed by R-1 & R-2	16.10.2023
38	OA12/19	Dhule	Adv.Shamsunder B Patil (DR. Deepak K Shejwal) <u>Adv.Talekar and Associates for R.No.4</u>	Appointment	Reply Filed by R-1 to R-4	16.10.2023
39	OA260/19	Dhule	Adv.C.V. Dharurkar/ Adv.Tulja Bondarde (Mukund B Jagtap)	Reversion	Reply Filed by R-1 to R-3	25.09.2023
40	OA281/19	Pbn	Adv.D.T. Devane (Prasad B. Deshmukh)	Reversion Pay Scale	Reply filed by R-1	17.10.2023

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

*List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Divison Bench
Before: -Court On Leave*

Date: -26/07/2023

for reply board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	CP38/22 In OA573/20	Latur	Adv.K.M. Nagarkar (Prakash B Ghadgine) <u>Adv.Amit Dhongde For R.No.2</u>	Contempt Petition	For Filing Affidavit in Rejoinder	08.09.2023
2	CP08/23 In OA960/19	Beed	Adv.I.D. Maniyar (Govind N Londhe)	Contempt Petition	For Filing Affidavit in Reply	12.09.2023
3	CP09/23 In OA962/19	Beed	Adv.I.D. Maniyar (Devidas M Chandane)	Contempt Petition	For Filing Affidavit in Reply	12.09.2023
4	CP10/23 In OA964/19	Beed	Adv.I.D. Maniyar (Vishal N Jogdand)	Contempt Petition	For Filing Affidavit in Reply	12.09.2023
5	CP11/23 In OA963/19	Beed	Adv.I.D. Maniyar (Amol S Kamble)	Contempt Petition	For Filing Affidavit in Reply	12.09.2023
6	OA906/18	O'bad	Adv.S.D. Joshi (Chetan S Ahire)	Appointment	As Last Chance For Filing Affidavit in Rejoinder	15.09.2023
7	OA504/22	A'bad	Adv.A.S. Deshpande (Kiran S Pawar)	De Novo Enquiry	As Last Chance For Filing Affidavit in Rejoinder	17.08.2023
8	OA872/22	A'bad	Adv.M.A. Golegaonkar (Suresh C Nargulla)	Show Cause Notice (Major Punishment)	Await Service	18.08.2023
9	OA931/22	Nanded	Adv.P.D. Suryawanshi (Jubirruddin Hamidoddin Shaikh)	Termination	Notice of R.No.1 Return Await Service for R-1	23.08.2023

10	Rev02/23 In OA562/21	P'bhani	Adv.S.D. Joshi (Alka B Naigaonkar)	Review Petition	For Reply	12.08.2023
11	OA11/23	P'bhani	Adv.V.G. Pingle (Gangadhar K Yelhare) <u>Adv.R.K. Ashtekar/Adv.D.N. Gilche for R.Nos.6 to 8 Adv.A.N. Nagargoje for R.No.5</u>	Final Seniority List/ Promotion	As Last Chance For Filing Affidavit in Reply	24.08.2023
12	OA140/23	N'bar	Adv.A.B. Girase/ Adv. A.C. Sisodiya (Farukh Nasir Pinjari)	Termination	For Filing Affidavit in Reply For R-1, R-2 & R-4	18.09.2023
13	OA328/23	N'bar	Adv.Amit S Savale (Harshal V Marathe)	Promotion	For Reply	18.09.2023
Order Matters						
14	MA27/21 In OAS47/21	Jalna	Adv.Sajitkhan M Pathan (Ramesh L Kamble)	M.A. For Condonation of Delay	Await Service Reply Filed by R- 1 & R-2	12.09.2023
15	MA95/22 In OAS109/22	A'bad	Adv.Amruta Paranjape Menezes (Sanjay V Mhaske)	M.A. For Condonation of Delay	As a Last Chance For Filing Affidavit in Rejoinder	12.09.2023
16	MA263/22 In OAS1986/22	Nanded	Adv.B.G. Deshmukh (Vankat R Potdar) <u>Adv.V.V. Ingle for R.No.4</u>	M.A. For Condonation of Delay	As a Last Chance For Filing Affidavit in Rejoinder	26.09.2023

ORIGINAL APPLICATION NO. 657 OF 2023

(Smt. Laxmi Nilkanth Dhotre Vs. the state of Maharashtra & Ors.)

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

DATE : 26.07.2023

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. The applicant is the widow of deceased Government servant namely Nilkanth Tukaram Dhotre. The present application is filed praying for releasing of amount of Rs. 23,58,529/- towards the retiral benefits payable to the deceased government servant and the interest thereon for committing delay in paying the aforesaid amount.

3. Learned counsel for the applicant has invited my attention to the letter dated 31.03.2023 received to the applicant from District Collector, Osmanabad, more particularly he invited my attention to last paragraph wherein the District Collector, Osmanabad has informed the applicant that the amount of Rs. 23,58,529/- is payable and as soon the funds are available, the said amount will be

released in her favour. Learned counsel while praying notice in the present matter has sought direction against the respondents to release the said admitted amount to the applicant or deposit it with this Tribunal and to stipulate time limit for it.

4. I have gone through the contents of the aforesaid letter dated 31.03.2023 where the respondents have admitted that the aforesaid amounts is payable by way of retiral benefits to the applicant. Whether the applicant is entitled for interest thereon is a matter which can be considered on merit in the present Original Application by granting time to respondents to file their affidavit in reply. However, there seems no reason for respondents to withhold the admitted amount. In the circumstances, the request made on behalf of the applicant is worth considering.

5. Issue notice to the respondents, returnable on 01.09.2023. **On or before the said date, the respondents shall release the admitted amount of Rs. 23,58,529/- directly to the applicant or deposit it before this Tribunal.**

//3// O.A.657/2023

6. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
7. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
9. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
10. S.O. to 01.09.2023.
11. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 611 OF 2017

(Nagnath Gyanba Jadhav Vs. the state of Maharashtra & Ors.)

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

DATE : 26.07.2023

ORAL ORDER :

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

2. List the matter for final hearing on 23.08.2023.

VICE CHAIRMAN

SAS ORAL ORDER 26.07.2023

ORIGINAL APPLICATION NO. 469 OF 2023

(Santosh Pandurang Raut Vs. the state of Maharashtra & Ors.)

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

DATE : 26.07.2023

ORAL ORDER :

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

2. At the request of learned P.O., last chance granted to file affidavit in reply. If no affidavit in reply is filed, the matter will be heard without affidavit in reply of the respondents.

3. S.O. to 04.08.2023.

VICE CHAIRMAN

SAS ORAL ORDER 26.07.2023

ORIGINAL APPLICATION NO. 396 OF 2023

(Mrs. Madhavi Shashikumar Harne (Kale) Vs. the state of Maharashtra & Ors.)

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

DATE : 26.07.2023

ORAL ORDER :

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

2. At the request of learned C.P.O., time granted for filing affidavit in reply by way of last chance.
3. S.O. to 07.08.2023.

VICE CHAIRMAN

SAS ORAL ORDER 26.07.2023

O.A.NOS. 376, 377 & 378 ALL OF 2023

(Tushar Vilas Gaikwad & Ors. Vs. the state of Maharashtra & Ors.)

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

DATE : 26.07.2023

ORAL ORDER :

Shri Onkar M. Joshi, learned counsel holding for Shri J.J. Patil, learned counsel for the applicants in all these matters and S/Shri V.R. Bhumkar, M.P. Gude & Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officers for the respective respondents in respective matters, are present.

2. The respondents were expected to file affidavit in reply in the present matters today positively. When the present matters are taken up for consideration today, learned P.Os. for the respondents placed on record communication dated 26.07.2023 received to the office of C.P.O. whereby it is communicated that the para-wise replies are prepared and forwarded for approval. In the circumstances, one week's time is sought for filing affidavit in reply. In the interest of justice, time granted as prayed for.

3. S.O. to 04.08.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 658 OF 2023

(Pratibha Sunil Khairnar Vs. the state of Maharashtra & Ors.)

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

DATE : 26.07.2023

ORAL ORDER :

Heard Shri S.P. Shirsat, learned counsel holding for Shri N.L. Choudhary, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 01.09.2023.
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 01.09.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 977 OF 2022

(Sheshrao Keshav Chabukswar Vs. the state of Maharashtra & Ors.)

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

DATE : 26.07.2023

ORAL ORDER :

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

2. Affidavit in reply is not yet filed despite availing sufficient opportunities. List the matter for hearing on 04.09.2023.

VICE CHAIRMAN

SAS ORAL ORDER 26.07.2023

M.A.NO. 202/2022 IN O.A.ST.NO. 781/2022

M.A.NO. 203/2022 IN O.A.ST.NO. 783/2022

M.A.NO. 204/2022 IN O.A.ST.NO. 792/2022

M.A.NO. 205/2022 IN O.A.ST.NO. 794/2022

M.A.NO. 206/2022 IN O.A.ST.NO. 796/2022

M.A.NO. 207/2022 IN O.A.ST.NO. 798/2022

(Dr. Yogesh Borse & Ors. Vs. the state of Maharashtra & Ors.)

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

DATE : 26.07.2023

ORAL ORDER :

Ms. Preeti Wankhade, learned counsel for the applicants in all these matters and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these matters, are present.

2. At the request of learned C.P.O., time granted by way of last chance for filing affidavit in reply on behalf of the respondents in all these matters. If the affidavit in reply is filed considering the said affidavit in reply and if it is not filed without affidavit in reply, the Misc. Applications will be considered on the next date.

3. S.O. to 07.08.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 588 OF 2023

(Dr. Laxman Sarjerao Deshmukh Vs. the state of Maharashtra & Ors.)

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

DATE : 26.07.2023

ORAL ORDER :

Shri K.G. Salunke, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Shri A.B. Rajkar, learned counsel filed **VAKALATNAMA** on behalf of the respondent No.4 and Shri A.S. Deshmukh, learned counsel filed **VAKALATNAMA** on behalf of the respondent No.5. Both the **VAKALATNAMA** are taken on record.

3. Learned P.O. has tendered across the bar affidavit in reply on behalf of respondent No.1. The same is taken on record and copy of it is given to learned counsel appearing for the applicant. He sought time for filing affidavit in reply on behalf of the respondent Nos. 2 & 3. Time granted.

4. Shri A.B. Rajkar, learned counsel for the respondent No.4 and Shri A.S. Deshmukh, learned counsel for the respondent No.5 have also sought time for filing affidavit in reply. Time granted as prayed for.

5. S.O. to 03.08.2023 for filing affidavit in reply on behalf of the respondent Nos. 2, 3, 4 & 5.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 669 OF 2023
(Manojkumar A. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 26.07.2023

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondent authorities.

2. Issue notices to the respondents, returnable on 21.08.2023.

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 21.08.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATIN NO. 668 OF 2023
(Manoj A. Ingale Vs. State of Maharashtra & Ors.)**

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

DATE : 26.07.2023

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for respondent authorities.

2. It is the contention raised on behalf of the applicant that his seniority has been wrongly disturbed, which may have adverse effect on his claim on the post in the Police Force. It is further contended that the person junior to him is likely to be considered for such transfer. In the circumstances, while issuing notices to the respondents, interim relief is sought, thereby seeking direction against the respondents not to effect the transfer of the candidates of State Reserve Police Force, Group No. 14 till the correct and revised information is submitted for preparing the seniority list.

3. I have gone through the documents filed on record. Unless complete information is received, it may not be possible to consider the request for grant of interim relief as has been prayed by the applicant. However, it need not be stated that in the meanwhile if any appointment or transfer is made, that would be subject to outcome of the present Original Application.

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O.A. No. 668/2023

4. Issue notices to the respondents, returnable on 23.08.2023.
5. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
6. 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.
7. 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.
8. 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.
9. S.O. to 23.08.2023.
10. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

**ORIGINAL APPLICATIN ST. NO. 1722 OF 2022
(Sampat R. Warbhuwan Vs. State of Maharashtra & Ors.)**

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

DATE : 26.07.2023

ORAL ORDER :

Shri A.P. Avhad, learned counsel for the applicant (**Absent**).

Heard Shri D.R. Patil, learned Presenting Officer for respondent authorities.

2. When the present matter is taken up for consideration, it is noticed that on the previous dates i.e. on 03.01.2023, 10.02.2023, 29.03.2023 & 14.06.2023 no one has caused appearance in the present matter. It appears that the applicant has lost interest for prosecuting his matter. Hence, the following order :-

ORDER

The Original Application stands dismissed for want of prosecution. No order as to costs.

VICE CHAIRMAN

ORIGINAL APPLICATIN ST. NO. 608 OF 2023
(Vijaysing K. Wagh Vs. State of Maharashtra & Ors.)

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

DATE : 26.07.2023

ORAL ORDER :

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

2. The applicant has filed the present Original Application seeking following reliefs :-

- “A) *To direct the respondents to immediately calculate and pay the amount of gratuity of the applicant along with interest within a period of one month from today and for that purpose issue necessary orders and directions.*
- B) *To direct the respondents to decide the representations of the applicant which are at ANNEXURE 4 of the present application and for that purpose issue necessary orders.”*

3. Learned counsel for the applicant fairly submitted that the applicant has already filed two Original Applications before this Tribunal, wherein he has sought quashment of memorandum of charge issued against him in the Departmental Enquiry and both these O.As. are pending before this Tribunal. Considering the facts as aforesaid, it is apparent that the present O.A. filed by the applicant cannot be entertained. None of the prayers can be granted

//2//

O.A. St. 608/2023

which are made in the present O.A., when the basic issue is under consideration by this Tribunal in the pending O.As. Unless those O.As. are decided, no relief as has been claimed in the present O.A. can be granted. In pending O.As., if the applicant succeeds in getting quashed the charge-sheet or statement of charges issued against him, applicant will be entitled for all consequential benefits and more particularly relief which has been claimed in the present matter i.e. release of gratuity amount. In the circumstances, it does not appear to me that in the present matter even a notice can be issued to the respondents.

4. On such opinion expressed by this Tribunal, learned counsel for the applicant on instruction sought leave to withdraw the present Original Application. Hence, the following order :-

ORDER

Leave granted as prayed for. The Original Application stands disposed of as withdrawn without any order as to costs.

VICE CHAIRMAN

ORIGINAL APPLICATIN NO. 540 OF 2023
(Dr. Gitesh D. Chawada Vs. State of Maharashtra & Ors.)

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

DATE : 26.07.2023

ORAL ORDER :

Shri M.R. Kulkarni, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for respondent authorities, are present.

2. Await service of notice upon the respondents.
3. S.O. to 04.08.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATIN NO. 541 OF 2023
(Dr. Sanjay K. Muley Vs. State of Maharashtra & Ors.)

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

DATE : 26.07.2023

ORAL ORDER :

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

2. Await service of notice upon the respondents.
3. S.O. to 04.08.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATIN NO. 516 OF 2021
(Vishwasrao V. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 26.07.2023

ORAL ORDER :

Shri Ajay Deshpande, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No.
3. Same is taken on record and copy of the same is given to the learned counsel for the applicant.
3. S.O. to 22.08.2023 for hearing.

VICE CHAIRMAN

ORIGINAL APPLICATIN NO. 898 OF 2022
(Dr. Sangita P. Khandare Vs. State of Maharashtra & Ors.)

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

DATE : 26.07.2023

ORAL ORDER :

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

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 1 to 4. Same is taken on record and copy of the same is given to the learned counsel for the applicant.

3. S.O. to 05.09.2023 for filing rejoinder affidavit by the applicant.

VICE CHAIRMAN

ORIGINAL APPLICATIN NO. 145 OF 2023
(Shivaji R. Lagas & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 26.07.2023

ORAL ORDER :

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

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 & 2. Same is taken on record and copy of the same is given to the learned counsel for the applicants.

3. S.O. to 06.09.2023 for filing rejoinder affidavit by the applicants.

VICE CHAIRMAN

O.A. Nos. 1012, 1013, 1014 & 1064 all of 2022
(Pandurang R. Sable & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 26.07.2023

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicants in all these O.As. and Shri N.U. Yadav, learned Presenting Officer for respondent authorities in all these O.As., are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 3 in all these O.As. Same is taken on record and copy of the same is given to the learned counsel for the applicants.

3. S.O. to 23.08.2023 for hearing.

VICE CHAIRMAN

ORIGINAL APPLICATIN NO. 261 OF 2023
(Vidya S. Ghorpade Vs. State of Maharashtra & Ors.)

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

DATE : 26.07.2023

ORAL ORDER :

Shri P.B. Salunke, learned counsel holding for Shri V.G. Salgare, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondent authorities, are present.

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

3. S.O. to 28.08.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 424 OF 2023
(Lahu Manikrao Chavan Vs. State of Mah. & Ors.)**

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

DATE : 26.07.2023

ORAL ORDER :

Shri Rakesh N. Jain, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel appearing for the applicant has tendered the copy of the order dated 25.7.2022 passed by Tahsildar, Akrani and also placed on record copy of certain documents pertaining to the enquiry conducted against the applicant. The same are taken on record and copies thereof are given to the learned Presenting Officer.

3. Part heard.

4. S.O. to 28.7.2023.

VICE CHAIRMAN

ORAL ORDER 26.07.2023-HDD

**M.A.NO. 329/2023 IN O.A.ST.NO. 1436/2023
(Rahul Raosaheb Dhawale Vs. State of Mah. & Ors.)**

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

(The present case is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 26.07.2023

ORAL ORDER :

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

2. At the request of and by consent of both the parties, S.O. to 27.7.2023.

VICE CHAIRMAN

ORAL ORDER 26.07.2023-HDD

**ORIGINAL APPLICATION NO. 1043 OF 2022
(Smt. Bhagubai J. Gangawane Vs. State of Mah. & Ors.)**

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

DATE : 26.07.2023

ORAL ORDER :

Mrs. Priya R. Bharaswadkar, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time to file affidavit in reply on behalf of respondent Nos. 1 to 4. The request is opposed by the learned counsel appearing for the applicant stating that due opportunities are already availed by the respondents. However, in the interest of justice, time granted till 18.8.2023 by way of last chance or else matter will be heard without affidavit in reply of the said respondents.

3. S.O. to 18.8.2023.

VICE CHAIRMAN

ORAL ORDER 26.07.2023-HDD

ORIGINAL APPLICATION NO. 659/2023
(Shri Sunil T. Jadhav Vs. State of Maharashtra & Ors.)

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

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

DATE : 26.07.2023

ORAL ORDER :

Shri Ravindra B. Ade, learned counsel for the
applicant (**absent**). Shri I.S. Thorat, learned
Presenting Officer for the respondent authorities, is
present.

2. S.O. to 1.9.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO. 1316/2023
(Smt. Trushna M. Mali Vs. State of Maharashtra & Ors.)

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

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

DATE : 26.07.2023

ORAL ORDER :

Heard Smt. Vidya Taksal, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. When the present matter is taken up for consideration, the learned counsel for the applicant seeks leave to delete the prayers (c), (d) and (e) in the prayers clause. Leave granted as prayed for. Necessary amendment be carried out forthwith and amended copy of O.A. be supplied to other side.

3. Issue notice to respondents, returnable on 5.9.2023.

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

5. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete

paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

8. S.O. to 5.9.2023.

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

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO. 1376/2023
(Dr. Vandana B. Dudhamal Vs. State of Maharashtra & Ors.)

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

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

DATE : 26.07.2023

ORAL ORDER :

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

2. The office has raised the following objections :-

“1) In view of recommendation list dated 10.6.2022, O.A. appears to be barred by limitation.

2) The candidates who are above in rank in General Merit List dated 10.6.2022 not added as party Respondents.”

3. The learned counsel for the applicant submitted that the cause of action did not arise for applicant to file present O.A. on 10.6.2023 as has been noted in the objection. The learned counsel submitted that only after the candidate Dr. Smt.

Manisha Dighore did not resume the duty, though she was given appointment on the subject post, cause of action arose for claiming the said post by the applicant. Considering the dates, which are stated by the applicant and which are revealing from the documents also, it does not appear to me that the application has been filed by the applicant beyond the period of limitation. The objection as about limitation therefore does not sustain. Insofar as objection regarding adding the candidates, who are above in general merit list, it can be stated that 2 candidates, who are above in the merit are declared non-eligible for claiming the post. The said documents are also brought to my notice. It does not therefore appear to me that said objection can be sustained at this stage. In the circumstances, both the objections are overruled.

4. Issue notice to respondents, returnable on 7.9.2023.

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

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O.A. ST. NO. 1376/2023

6. 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.

7. 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.

8. 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.

9. S.O. to 7.9.2023.

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

VICE CHAIRMAN

M.A. NO. 324/2023 IN O.A. NO. 449/2023
(Shri Chandan D. Kulkarni & Ors. Vs. State of Maharashtra & Ors.)

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

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

DATE : 26.07.2023

ORAL ORDER :

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

2. Perused the application, whereby the applicant has sought amendment in the O.A. After having gone through the contents of the Misc. Application, it does not appear to me that the nature of the O.A. will be changed if the applicant is allowed to amend the O.A. On the contrary, the amendment sought is in consonance with the prayers made in the O.A. I am, therefore, inclined to allow the Misc. Application. Hence the following order :-

O R D E R

(i) The Misc. Application stands allowed.

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M.A. NO. 324/2023 IN
O.A. NO. 449/2023

- (ii) Necessary amendment be carried out within a week and amended copy be supplied to the learned C.P.O.
- (iii) No order as to costs.
- (iv) The Original Application to come up on board on 7.8.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 403/2023
(Shri Nitin R Kapadbus Vs. State of Maharashtra & Ors.)

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

DATE : 26.07.2023

ORAL ORDER :

Heard Shri S.D. Joshi, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri Chetan Bhadane, learned counsel for respondent no. 2.

2. In the present matter the arguments are heard. While reading the papers for the purposes of dictating the judgment, it is noticed that the proposal, which was placed before the Civil Services Board is not placed on record. What is placed on record is recommendations made by the Civil Services Board and approval to it by the Hon'ble Chief Minister. For effective decision of the present matter, it appears to me that, such document must be there on record. The learned Chief Presenting Officer undertakes to place the said document on record by tomorrow.

3. The matter therefore stands adjourned till tomorrow i.e. 27.7.2023.

VICE CHAIRMAN