

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

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

Before: - Court On Leave

Date: -27/07/2023

| Sr. No | Case No. | District | Advocate's & Applicant's Name | Subject | Remarks | |
|---------------------------------|------------------------------|--------------------------|--|-------------------------------------|--|-----------|
| Urgent Admission Matters | | | | | | |
| 1 | CPS991/23 In OA485/20 | Beed | Adv.Preeti R Wankhade (Vijay S Jadhav) | Contempt Petition | with Office Objection | 13.9.2023 |
| 2 | MA281/23 In OAS850/23 | Beed/ Jalna/ Latur | Adv.Talekar & Associates (Shaikh Rafeek Gabru & Ors.) | M.A. For Sue Jointly | | 17.8.2023 |
| 3 | MA328/23 In OAS1439/23 | A'bad Etc. | Adv.Amol B Chalak (Bharatsing U Singal & Ors.) | M.A. For Sue Jointly | Circulation | 7.9.2023 |
| 4 | MA329/23 In OAS1436/23 | Nanded | Adv.Vijay V Deshmukh (Rahul R Dhawale) | M.A. For Condonation of Delay | | 18.8.2023 |
| 5 | MA322/23 In OAS1391/23 | A'nagar | Adv.Pooja S Mundhe (Bhusaheb J Chande) | M.A. For Condonation of Delay | | 18.8.2023 |
| 6 | MA323/23 In OAS1393/23 | A'nagar | Adv.P.P. Uttarwar (Yogesh P Rajale) | M.A. For Condonation of Delay | | 18.8.2023 |
| 7 | OA640/23 | J'gaon | Adv.C.V. Dharurkar (Milind D Sonawane) | Major Punishment | | |
| 8 | OAS1348/23 | P'bhani | Adv. Rahul Awasormol (Vishnu S Bachate) | Appointment | Circulation With Office Objection | |

| Order Matters | | | | | | |
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| 9 | MA25/21 In OA1100/19 | A'bad P'bhani Nanded | Adv.Gajanan K Kshirsagar In MA25/21 (Yogesh S Shinde&Ors.) Adv.AvinashDeshmukh In MA206/20 In OA1100/19 (Rajesh U Landge) <u>Adv.S.S. Tope for</u> <u>R.No.12 & 15 In</u> <u>MA206/20</u> <u>Adv.SachinRandive for</u> <u>R.No.18, 19, 22, 23, 24, 28</u> <u>to 32, 34 to 37, 39 & 40,</u> <u>42 In MA206/20</u> <u>Adv.G.K. Kshirsagar for</u> <u>R.No.85 to 101 In</u> <u>MA206/20</u> <u>Adv.Amol P GhulePatil</u> <u>for R.No.81 to 84 In</u> <u>MA206/20</u> <u>Adv.S.D. Joshi for</u> <u>R.No.102 to 105 In</u> <u>MA206/20</u> | MA. For Vacating I.R. | For Hearing | 25.8.2023 |
| 10 | MA225/23 In OA356/23 | A'bad | Adv.V.B. Wagh (Sharad P Jare) <u>Adv.K.G. Salunke for</u> <u>R.No.3</u> | M.A. For I.R. | Circulation Further Consideration Reply Filed by R-1 | 22.8.2023 |
| High On Board Matters | | | | | | |
| 11 | OA603/17 With | Latur | Adv.Avinash S Deshmukh (Jaideep A Limbale&Ors) | Challenging G. R. | <u>Part Heard</u> Reply Filed by R-1, R-3, R-4, R-5 & R-6 | 24.8.2023 |
| 12 | OA604/17 With | P'bhani | Adv.Avinash S Deshmukh (Kishor S Sabhadinde&Ors) | Challenging G. R. | <u>Part Heard</u> Reply Filed by R-1, R-3, R-4 to R-6 | 24.8.2023 |

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| 13 | OA605/17 With | O'bad | Adv.Avinash S Deshmukh (Pratap B Jalkute) | Challenging G. R. | <u>Part Heard</u> Reply Filed by R-1, R-3, R-4 to R-6 | 24.8.2023 |
| 14 | OA606/17 With | Beed | Adv.Avinash S Deshmukh (Bhausahab B Rathod&Ors) | Challenging G. R. | <u>Part Heard</u> Reply Filed by R-1, R-3, R-4 to R-6 | 24.8.2023 |
| 15 | OA607/17 With | Nanded | Adv.Avinash S Deshmukh (Praveen A Kulkarni&Ors) | Challenging G. R. | <u>Part Heard</u> Reply Filed by R-1, R-3, R-4 to R-6 | 24.08.2023 |
| 16 | OA608/17 With | A'nagar | Adv.Avinash S Deshmukh (Sachin M Ralebhat) | Challenging G. R. | <u>Part Heard</u> Reply Filed by R-1 & R-3 to R-5 | 24.8.2023 |
| 17 | OA609/17 With | A'bad | Adv.Avinash S Deshmukh (Pramod U Nade) | Challenging G. R. | <u>Part Heard</u> Reply Filed by R-1, R-3, R-4 to R-6 | 24.8.2023 |
| 18 | OA780/17 | Beed | Adv.P. R.Wankhade (Ramhari N Kamble) | Challenging G. R. | <u>Part Heard</u> Reply Filed by R-1, R-3, R-4 to R-6 | 24.8.2023 |
| 19 | OA197/22 | Nanded | Adv.G.K. Muneshwar (Abhijit V Bharne) | Seniority/ Promotion | <u>For Expedited Hearing</u> Reply Filed by R-2 & R-3 | 10.8.2023 |
| 20 | OA147/18 | O'bad | Adv.Nagesh G Talekar/ Adv.Pankaj B Bharat (Dashrath G Shinde) | Promotion | <u>High On Board</u> Reply Filed by R-2 to R-6 | 25.9.2023 |
| 21 | OA148/18 | O'bad | Adv. Nagesh G Talekar/ Adv.Pankaj B Bharat (Uttam E Mudiraj) | Promotion | <u>High On Board</u> Reply Filed by R-2 to R-6 | 25.9.2023 |

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| 22 | OA84/20 | J'gaon | Adv.A.D. Sugdare (Chunilal M Yawalkar) | Dismissal From Service | High on Board For Hearing Reply Filed by R-1 to R-5 | 25.9.2023 |
| 23 | OA268/22 With MA145/23 | A'bad | Adv.Kalyan V Patil (Chandrashekhar K Mundhe&Ors.) | Challenging Advertisement M.A. For Amendment | High On Board For Hearing Reply Filed by R-1 to R-3 | 26.9.2023 |
| 24 | OA1149/22 | Latur | Adv.V.R. Kalyankar/ Adv.P.P. Dama (Dileep M Devkate) | Seniority List | High On Board Reply Filed by R-1 & R-3 | 26.9.2023 |
| Due Admission Matters | | | | | | |
| 25 | CP33/23 In OA14/23 | Nanded | Adv.P.R. Wankhade (Rajesj N Kadam) | Contempt Petition | For Hearing Reply Filed by R-2 | 13.9.2023 |
| 26 | CP34/23 In OA15/23 | Nanded | Adv.P.R. Wankhede (Balaji G Magre) | Contempt Petition | For Hearing Reply Filed by R-2 | 13.9.2023 |
| 27 | CP35/23 In OA16/23 | Nanded | Adv.P.R. Wankhede (Vilas N Ingle) | Contempt Petition | For Hearing Reply Filed by R-2 | 13.9.2023 |
| 28 | OA701/18 | Beed | Party In Person (Dr.Santosh N Kotule&Ors.) <u>Adv.V.V. Ingale for R.Nos. 5, 8, 19 & 22 Adv.U.P. Giri for R.No.12</u> <u>Adv.Mohit R Deshmukh Filed Note of Appearance on behalf of the applicant</u> | Promotion | For Hearing | 22.9.2023 |
| 29 | OA511/19 | Nanded | Adv.Amol A Kokad (Sambhaji I Bhandare) | Chargesheet/ Pensionery Benefits | For Admission Reply Filed by R-1 to R-5 | 22.9.2023 |
| 30 | OA917/19 | Nanded | Adv.Vilas S Panpatte/ Adv.I.D. Maniyar (Ashok D Gaikwad) | Selection | For Hearing Reply Filed by R-1 & R-2 | 25.9.2023 |

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| 31 | OA1010/19 | Dhule | Adv.M.R. Wagh (Yusufkhan Gulsher Khan) | Dismissal/ Termination | For Hearing Reply Filed by R-5 | 25.9.2023 |
| 32 | OA1020/19 | O'bad | Adv.Ajay S Deshpande (Deepak B Patil) | Selection/ Appointment | For Hearing Reply Filed by R-1 to R-3 | 26.9.2023 |
| 33 | OA41/20 | Hingoli | Adv.Avinash S Deshmukh (Nagesh C Kumbre) | Continuation | For Admission Reply Filed by R-1 to R-3 | 25.9.2023 |
| 34 | OA127/20 | A'bad | Adv.A.S. Deshmukh (Resha P Karhale) | Termination | For Hearing Reply Filed by R-1 to R-4 | 24.8.2023 |
| 35 | OA146/20 | Jalna | Adv.Avinash S Deshmukh (Ankush H Manbhare) <u>Adv.S.A. Deshmukh for R.No.4</u> | Appointment | For Hearing Reply Filed by R-1, R-3 & R-4 | 11.9.2023 |
| 36 | OA157/20 | Dhule | Adv.Avinash S Deshmukh (Rohidas T Shinde) | Departmental Enquiry/ Pensionary Benefits | For Hearing Reply Filed by R-1 to R-3 | 18.9.2023 |
| 37 | OA265/20 | O'bad | Adv.Avinash S Deshmukh (Gulab H Panchal) | Reversion | For Hearing Reply Filed by R-1 to R-3 | 20.9.2023 |
| 38 | OA377/20 With | Dhule | Adv.Manish V Bhamre (Ganesh B Choudhari) <u>Adv.S.G. Sharma for R.Nos.4, 8, 10 to 16 & 19</u> | Final Seniority list/ Promotion | For Hearing Reply Filed by R-1 to R-3 | 29.9.2023 |
| 39 | OA378/20 with | Dhule | Adv.Manish V Bhamre (Krushnkant I Salunke) <u>Adv.S.G. Sharma for R.Nos.4, 8, 10 to 16 & 19</u> | Seniority List/ Promotion | For Hearing Reply Filed by R-1 to R-3 | 29.9.2023 |
| 40 | OA379/20 With | Dhule | Adv.Manish V Bhamre (Ravindra N Wagh) <u>Adv.S.G. Sharma for R.Nos.4, 8, 10 to 16 & 19</u> | Seniority List/ Promotion | For Hearing Reply Filed by R-1 to R-3 | 29.9.2023 |
| 41 | OA380/20 With | Dhule | Adv.Manish V Bhamre (Kiran A Patil) <u>Adv.S.G. Sharma for R.Nos.4, 8, 10 to 16 & 19</u> | Seniority List/ Promotion | For Hearing Reply Filed by R-1 to R-3 | 29.9.2023 |

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| 42 | OA381/20 with | Dhule | Adv.Manish V Bhamre (Kalu L Dhangar) <u>Adv.S.G. Sharma for R.Nos.4, 8, 10 to 16 & 19</u> | Seniority List/ Promotion | For Hearing Reply Filed by R-1 to R-3 | 29.9.2023 |
| 43 | OA470/20 With | Dhule | Adv.Manish V Bhamre (Hemant B Wankhade) <u>Adv.S.G. Sharma for R.Nos.4, 8, 10 to 16 & 19 & 20</u> | Final Seniority list/ Promotion | For Hearing Reply Filed by R-1 to R-3 | 29.9.2023 |
| 44 | OA471/20 With | Dhule | Adv.Manish V Bhamre (Yogesh H Salunkhe) <u>Adv.S.G. Sharma for R.Nos.4, 8, 10 to 16 & 19 & 20</u> | Final Seniority list/ Promotion | For Hearing Reply Filed by R-1 to R-3 | 29.9.2023 |
| 45 | OA472/20 With | Dhule | Adv.Manish V Bhamre (Dipak G Patil) | Final Seniority list/ Promotion | For Hearing Reply Filed by R-1 to R-3 | 29.9.2023 |
| 46 | OA473/20 with | Dhule | Adv.Manish V Bhamre (Bhupendra M Gavale) | Final Seniority list/ Promotion | For Hearing Reply Filed by R-1 to R-3 | 29.9.2023 |
| 47 | OA474/20 with | Dhule | Adv.Manish V Bhamre (Bhagwat C Teli) | Final Seniority list/ Promotion | For Hearing Reply Filed by R-1 to R-3 | 29.9.2023 |
| 48 | OA475/20 | Dhule | Adv.Manish V Bhamre (Nandkumar T Thorat) <u>Adv.S.G. Sharma for R.Nos.4, 8, 10 to 16 & 19 & 20</u> | Final Seniority list/ Promotion | For Hearing Reply Filed by R-1 to R-3 | 29.9.2023 |
| 49 | OA540/20 | A'bad | Adv.Preeti R Wankhade (Shaikh Akbar ShaikhRasul) | Deemed date of Appointment | Reply Filed by R-1 to R-3 | 26.9.2023 |
| 50 | OA600/21 | Nanded | Adv.K.B. Jadhav (Subhash G Dhuture) | Promotion | For Hearing Reply Filed by R-1 to R-6 | 27.9.2023 |
| 51 | OA716/21 With | Hingoli | Adv.Suchita A Dhongde (Navin J Sharma) | Reversion | For Hearing Reply Filed by R-2 & R-3 | 27.9.2023 |

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| 52 | OA717/21 With | Hingoli | Adv.Suchita A Dhongde (Meena V Shinde) | Reversion | For Hearing Reply Filed by R-2 & R-3 | 27.9.2023 |
| 53 | OA718/21 With | Hingoli | Adv.Suchita A Dhongde (Gajanan B Aundhekar) | Reversion | For Hearing Reply Filed by R-2 & R-3 | 27.9.2023 |
| 54 | OA719/21 | Hingoli | Adv.Suchita A Dhongde (Khanderao N Pote) | Reversion | For Hearing Reply Filed by R-2 & R-3 | 27.9.2023 |
| 55 | OA798/21 | N'bar | Adv.K.B. Jadhav (Bharat Z Patil) | Promotion | For Hearing Reply Filed by R-2 to R-4 | 29.9.2023 |
| 56 | OA426/22 | Nanded | Adv.B.G. Deshmukh (Urmila S Phule @ Urmila P Narwade) | Selection Process/ Merit List | For Hearing Reply Filed by R-1 & R-2 | 7.9.2023 |
| 57 | OA537/22 | J'gaon | Adv.K.B. Jadhav (Namdeo M Wade) | Departmental Enquiry | For Admission Reply Filed by R-1 to R-5 | 25.9.2023 |
| 58 | OA793/22 | A'nagar | Adv.K.B. Jadhav (Babynanda G Gosavi) | Departmental Enquiry | For Hearing Reply Filed by R-1 to R-5 | 25.9.2023 |
| 59 | OA865/22 | P'bhani Etc. | Adv.V.C. Patil(Ashtekar) (Sangamesh G Lakhe&Ors.) | Advertisement | For Hearing | 26.9.2023 |
| Final Hearing Matter | | | | | | |
| 60 | OA439/13 | Beed | Adv.R.D. Khadap (Sakharam G Choughule) | D.E./ Increment | Reply Filed by R-2 & R-3 | 16.10.2023 |
| 61 | OA624/13 | P'bhani | Adv.M.C. Ghode (Yogesh P Ghuge&Ors.) | Post of Civil Engineer | | 16.10.2023 |
| 62 | OA689/15 | O'bad | Adv.S.B. Talekar (Dr.Shrikant B Tambe) Adv.Pradeep R Patil for R.No.5 Adv.V.B. Wagh for R.No.6 | Selection | Reply Filed by R-1 to R-4 & R-6 | 17.10.2023 |
| 63 | OA177/17 | A'bad | Adv.Avinash S Deshmukh (Anand V Ganjewar) | Reversion/ Cancellation of Promotion | Reply Filed by R-1 & R-2 | 26.8.2023 |

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| 64 | OA285/18 | A'bad | Adv.Avinash S Deshmukh (Meera J Dolas) | Selection/ Appointment | Reply Filed by R-1 & R-2 | 26.8.2023 |
| 65 | OA792/19 | Beed | Adv.Prashant D Suryawanshi (Datta Prasad HiramanGalphade) <u>Adv.V.B. Wagh for</u> <u>R.No.3</u> | Selection | Reply Filed by R-3 | 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 | CP39/23 In OA1005/22 | A'bad | Adv. Prashant M Nagargoje (Ganpat H Darade) | Contempt Petition | Notice of R.No.2 Return | 10.8.2023 |
| 2 | OA397/19 | A'bad | Adv.V.B. Wagh (Shilpa J Ingale) | Challenging G.R. | For Filing Affidavit in Reply to the amended O.A. Ref.Order dttd.15.02.2023 | 1.9.2023 |
| 3 | OA72/20 | Nanded | Adv.G.N. Chinchalkar/ Adv.A.D. Gadekar (Shesherao D Totwad) | Direction | As One More Last Chance For Filing Affidavit in Rejoinder | 1.9.2023 |
| 4 | OA492/21 | Beed | Adv. V.B. Wagh (Ganesh K Chate&Ors.) | Senioity List/ Promotion | For Filing Affidavit in Reply | 4.9.2023 |
| 5 | OA551/21 | Beed | Adv.R.P. Bhumkar (Ram D Anerao&Ors.) | Implementatio n of G.R. | One More Last Chance For Filing Affidavit in Rejoinder | 4.9.2023 |

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| 6 | OA210/22 | O'bad | Adv.K.G. Salunke/ Adv.K.B. Jadhav (Mangesh M Wagholikar&Ors.) | Seniority List | Await Service of Notice | 4.9.2023 |
| 7 | OA444/22 | Beed | Adv.S.S. Thombre (Bibhishan N Hawale) | Selection Process/ Interview | For Filing Affidavit in Reply by MPSC | 18.8.2023 |
| 8 | OA472/22 | Latur | Adv.A.B. Rajkar (Pandhari G Devershe) | Examination/ Eligibility | For Reply Reply Filed by R-1 | 18.8.2023 |
| 9 | OA1050/22 | J'gaon | Adv.Vijay B Patil (Jaiprakash B Ramanand) <u>Adv.A.S. Deshmukh</u> <u>For R.No.6</u> | Selection/ Appointment | Await Service | 5.9.2023 |
| 10 | OA64/23 | Nanded | Adv.B.G. Deshmukh (Umakant D Bhange&Ors.) | Seniority List/ Seniority | For Filing Affidavit in Rejoinder | 28.8.2023 |
| 11 | OA102/23 | A'bad | Adv.SuchitaDhongde (Baliram D Rathod) | Challenging Clause of G.R. | For Filing Affidavit in Reply | 6.9.2023 |
| 12 | OA282/23 | A'bad | Adv.P.M. Nagargoje (Vijay D Puri) | Compulsory Retirement | For Filing Affidavit in Reply & For Compliance of Report | 28.7.2023 |
| 13 | OA306/23 | A'bad | Adv.Kakasaheb B Jadhav (Hanuman P Jarare) | Reversion/ Duty Period | For Filing Affidavit in Reply | 20.9.2023 |
| 14 | OA472/23 | A'nagar | Adv.V.B. Wagh (Bajirao E Gadade) | Promotion | For Reply | 28.7.2023 |
| 15 | OA525/23 | O'bad | Adv.P.M. Nagargoje (Prakash Y Pawar) | Promotion | For Reply | 28.8.2023 |
| 16 | OA523/23 | A'bad | Adv.Sachin S Deshmukh (Dnyaneshwar M Pansare) | Selection Process (MPSC) | For Filing Affidavit in Reply | 18.8.2023 |
| 17 | OA560/23 | Nanded A'nagar | Adv.Pooja S Mundhe (Namdev J Karad&Ors.) | Selection Process | For Filing Affidavit in Reply | 18.8.2023 |
| 18 | OA577/23 | A'bad | Adv.P.R. Wankhade (Vishal M Kamble&Ors.) | Eligibility/ Interview | For Reply | 18.8.2023 |

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| 19 | OA578/23 | Latur | Adv.K.J. GhutePatil (Vijay G Jamadar&Ors.) | Eligibility/ Interview | For Filing Affidavit in Reply | 18.8.2023 |
| Order Matters | | | | | | |
| 20 | MA324/22 In OAS1203/22 | A'bad | Adv.S.S. Jadhavar (Trivin A Kulkarni) | M.A. For Condonation of Delay | For Filing Affidavit in Rejoinder | 18.9.2023 |
| 21 | MA71/23 In OA737/22 | A'bad | Adv.A.D. Sugdare (Dr. Monali T Bhorge) <u>Adv.M.B. Kolpe for R.No.3 in OA737/22</u> | M.A. For Direction | For Reply | 8.8.2023 |
| 22 | MA72/23 In OA614/22 | Beed | Adv.A.D. Sugdare (Dr. Deepak N Kawale) <u>Adv.M.B. Kolpe for R.No.3 in OA614/22</u> | M.A. For Direction | For Reply | 8.8.2023 |
| 23 | MA73/23 In OA693/22 | Nanded | Adv.A.D. Sugdare (Dr. AayashaMunawar Mohammed Ayub) <u>Adv.M.B. Kolpe for R.No.3 in OA693/22</u> | M.A. For Direction | For Reply | 8.8.2023 |
| 24 | MA74/23 In OA666/22 | A'bad | Adv.A.D. Sugdare (Dr. Archana B Dhavale) <u>Adv.M.B. Kolpe for R.No.3 in OA666/22</u> | M.A. For Direction | For Reply | 8.8.2023 |
| 25 | MA77/23 In OA780/22 | A'bad | Adv.A.D. Sugdare (Dr. Kailas P Kagne) <u>Adv.M.B. Kolpe for R.No.3 in OA666/22</u> | M.A. For Direction | Await Service | 8.8.2023 |
| 26 | MA144/23 In RevSt513/23 In OA490/18 | A'bad | Adv.Talekar& Associates (Bhanudas D Vaishnav) | M.A. For Condonation of Delay | | 21.9.2023 |
| 27 | MA236/23 With MASt954/23 In OA44/13 | A'bad | Adv.AbasahebD.Shinde (Dr.Rashmi P Dhale) | M.A. For Condonation of Delay | Await Service For R-1 | 21.9.2023 |

Hon'ble Division Bench
Before: - Court On Leave

Date: -27/07/2023

Suplimentary Board

| Sr. No | Case No. | District | Advocate's & Applicant's Name | Subject | Remarks | |
|------------------------------|----------|----------|---|---------------------------|--|-----------|
| Final Hearing Matter | | | | | | |
| 1 | OA360/22 | Jalna | Adv.S.B. Bhosale (Anil P Khaladkar) <u>Adv.V.P. Narwade for</u> <u>R.Nos.4 & 5</u> | Examination/ Interview | Reply Filed by R-1, R-3 R-4 & R-5 | 18.8.2023 |
| Due Admission Matters | | | | | | |
| 2 | OA430/22 | A'bad | Adv.R.O. Awasarmol (Swannand B Thorve&Ors.) | Selection/ Appointment | Reply Filed by R-2 For Filing Affidavit in Reply For R-2 | 18.8.2023 |
| 3 | OA664/22 | Jalna | Adv.R.O. Awasarmol (Vinod J Sonune&Ors.) | Result/ Interview | For Filing Affidavit in Reply | 18.8.2023 |

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: -27/07/2023

| Sr. No. | Case No. | District | Advocate's & Applicant's Name | Subject | Remarks | |
|----------------------------------|------------|----------|---|--|--|------------|
| Regular Admission Matters | | | | | | |
| 1 | OA667/23 | J'gaon | Adv.J.B. Choudhary (Vinodkumar Y Pawar) | Transfer | Circulation | 17.08.2023 |
| 2 | OAS1065/23 | A'bad | Adv.K.B. Jadhav (Madyhamsing P Maher) | Counting of Temporary Service For Pension Benefits/A.C.P. S./T.B.P. | Circulation With Office Objection | |

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| 3 | OA403/23 | Dhule | Adv.S.D. Joshi (Nitin R Kapadnis) <u>Adv.N.N. Desale/Chetan Bhadane for R.No.2</u> | Transfer | <u>For Order</u> For Hearing Reply Filed by R-1 & R-2 | 2.8.2023 |
| Order Matters | | | | | | |
| 4 | MA464/22 In OAS1803/22 | P'bhani | Adv.Suchita Dhongde (Sunil T Kandere) | M.A. For Condonation of Delay | For Admission Reply Filed by R-1 to R-3 | 3.8.2023 |
| 5 | MA330/23 In OA501/23 | O'bad | Adv.Amol N Patale (Nagnath R Kamble) | M.A. For Stay | | 28.7.2023 |
| Due Admission Matters | | | | | | |
| 6 | OA149/20 with | Nanded | Adv.S.L. Bhapkar (Vitthal S Ambatwad) | Extension in age/ Benefits of G.R./ Consequential Retirement Benefits | <u>Part Heard</u> For Hearing Reply Filed by R-1 to R-4 & R-6 | 24.8.2023 |
| 7 | OA150/20 with | A'nagar | Adv.Sanjay L Bhapkar (Ramkrishna D Nagargoje) | Benefits of G.R./ Consequential Retirement Benefits/ Extension in age of Retirement | For Hearing Reply Filed by R-1 to R-4 | 24.8.2023 |
| 8 | OA151/20 | Beed | Adv.Sanjay L Bhapkar (Krantikumar V Penurkar) | Benefits of G.R./ Consequential Retirement Benefits/ Extension in age of Retirement | For Hearing Reply Filed by R-1 to R-4 & R-6 | 24.8.2023 |
| 9 | OA165/20 | A'nagar | Adv.V.B. Wagh (Babu D Ghute) <u>Adv.A.D. Gadekar for R.No.2</u> | Interest on Delayed Pyamens | For Hearing Reply Filed by R-2 | 8.9.2023 |
| 10 | OA835/21 | A'bad | Adv.S.B. Solanke (Vadilal P Rathod) <u>Adv.S.B. Mene for R.Nos.3 & 4</u> | Compassionate Appointment | | 28.7.2023 |

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|------------------------------|------------------|--------|--|--|---|------------|
| 11 | OA27/22 | Nanded | Adv.I.D. Maniyar (Shaikh Hamed Shaikh Hyder) | Deemed Date of Promotion | Reply Filed by R-1 to R-3 | 11.9.2023 |
| 12 | OA212/22 | Dhule | Adv.V.B. Wagh (Shantilal M More) | Benefits of Assured carrer Progress Scheme | For Hearing Reply Filed by Respondent | 11.9.2023 |
| 13 | OA262/22 | Nanded | Adv.Suchita Dhongde (Sima P Kangane) <u>Adv.S.B. Mene for R.Nos.2 & 3</u> | Compassionate Appointment | Reply Filed by R-2 & R-3 | 7.8.2023 |
| 14 | OA338/22 | Nanded | Adv.I.D. Maniyar (Khwaja Munneruddin Mohammad Naseeruddin) | 2 nd Benefit of T.B.P. & A.C.P.S | For Further Consideration Reply Filed by R-1 to R-3 | 11.9.2023 |
| 15 | OA382/22 with | Jalna | Adv.R.A. Joshi (Rajendra R Shah) | Time Bound Promotion/ Benefit of G.R. | For Hearing | 10.8.2023 |
| 16 | OA383/22 with | A'bad | Adv.R.A. Joshi (Gangadhar R Muley) | Time Bound Promotion/ Benefit of G.R. | For Hearing | |
| 17 | OA384/22 with | A'bad | Adv.R.A. Joshi (Suresh L Ghule) | Time Bound Promotion/ Benefit of G.R. | For Hearing | |
| 18 | OA385/22 | A'bad | Adv.R.A. Joshi (Yuvraj S Kalshetty) | Time Bound Promotion/ Benefit of G.R. | For Hearing | |
| 19 | OA608/22 | J'gaon | Adv.V.B. Wagh (Mahendra S Surwade) | Relieve | Reply Filed by R-1 | 8.8.2023 |
| 20 | OA1000/22 | Dhule | Adv.Amol S Sawant (Dilip R Gavit & Ors.) | Repatriation | Reply Filed by R-3 & R-4 | 12.9.2023 |
| 21 | OA31/23 | Jalna | Adv.V.U. Pawar (Dr. Vivek B Khatgaonkar) <u>Adv.P.B. Vikhe Patil for R.No.3</u> | Suspension | Reply Filed by Respondent | 18.8.2023 |
| Final Hearing Matters | | | | | | |
| 22 | 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 | 20.09.2023 |

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|----|-----------|---------|---|---|------------------------------|------------|
| 23 | 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 | 20.09.2023 |
| 24 | 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 | 18.09.2023 |
| 25 | 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 | 18.09.2023 |
| 26 | OA1049/19 | Nanded | Adv.Anand D Kawre (Pralhad L Bhalerao) <u>Adv.S.D. Dhongde for R.Nos.4 & 5</u> | Advance Increments | Reply Filed by R-2 to R-6 | 20.09.2023 |
| 27 | OA1080/19 | J'gaon | Adv.A.D. Sugdare (Ravindra S Patil) <u>Adv.Sunita D Shelke for R.Nos.2 & 3</u> | Recovery/ Refund of Recovered Amount | Reply Filed by R-1 & R-3 | 15.09.2023 |
| 28 | OA551/20 | Latur | Adv.M.B. Kolpe (Kiran S Pathare) | Minor Punishment | Reply Filed by R-1 to R-5 | 10.08.2023 |
| 29 | OA129/21 | Nanded | Adv.J.S. Deshmukh (Dr.Sheshrao P Lohgave) | Continuity/ Other Benefits | Reply Filed by R-1 to R-4 | 20.09.2023 |
| 30 | OA248/22 | N'bar | Adv.Ajinkya S Mirajgaonkar (Mogra G Thakre) <u>Adv.Amit Savale for R.No.2</u> | Police Patil | Reply filed by R-1 | 18.8.2023 |

**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: -27/07/2023

for reply board

| Sr. No. | Case No. | District | Advocate's & Applicant's Name | Subject | Remarks | |
|------------------------------|----------|----------|---|----------------------------|--|------------|
| Due Admission Matters | | | | | | |
| 1 | OA49/21 | A'bad | Adv.D.K. Dagadkhair (Vandana P Sarode) | Arrears of Wages | For Filing Affidavit in Rejoinder | 01.09.2023 |
| 2 | OA509/21 | A'bad | Adv.A.B. Girase (Dr.Ramling C Mahajan & Ors.) | Benefit of G.R. | For Filing Affidavit in Reply | 01.09.2023 |
| 3 | OA626/21 | Beed | Adv.K.B. Jadhv (Rajendra B Telap) | Recovery | As One More Last Chance For Filing Affidavit in Rejoinder Ref.Order dtd.13.09.2022 | 01.09.2023 |
| 4 | OA725/21 | P'bhani | Adv.S.B. Ghatol Patil (Bhagwat R Borchate) | Police Patil | Await Service for R-5 to R-7 | 01.09.2023 |
| 5 | OA278/22 | A'bad | Adv.A.S. Deshmukh (Anwar Khan Azizkhan Pathan) | Compassioante Pension | For Filing Affidavit in Rejoinder Ref.Order dtd.29.11.2022 | 11.09.2023 |
| 6 | OA473/22 | A'nagar | Adv.A.S. Deshmukh (Satish V Mote) | Regularization of Services | By Way Of Last Chance For Filing Affidavit in Reply Ref.Order dtd.01.03.2023 | 11.09.2023 |

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|----|--------------|---------|--|--|---|------------|
| 7 | OA622/22 | P'bhani | Adv.Priya R Bharaswadkar (Sharda M Pawar) | Compassionate Appointment | For Filing Affidavit in Rejoinder | 04.09.2023 |
| 8 | OA806/22 | Hingoli | Adv.M.K. Bhosale (Pathan Maheeb Ahmed) | Compassionate Appointment | For Filing Affidavit in Reply | 18.08.2023 |
| 9 | OA961/22 | Jalna | Adv.Ajay S Deshpande (Sunanda S Harsulkar) | Time Bound Promotion/ Pension | For Filing Affidavit in Reply | 04.09.2023 |
| 10 | OA972/22 | Beed | Adv.K.B. Jadhav (Saurabh J Tribhuvan) | Compassionate Appointment | As a Last Chance For Filing Affidavit in Reply | 04.09.2023 |
| 11 | OA1033/22 | A'bad | Adv.Sanjay N Pagare (Abhishek K Zine) | Compassionate Appointment | For Filing Affidavit in Reply | 07.09.2023 |
| 12 | OA1034/22 | A'bad | Adv.Sanjay N Pagare (Sukha L Sathe) | Payment of Salary | For Filing Affidavit in Reply | 10.08.2023 |
| 13 | OA1093/22 | Dhule | Adv.Sanket N Suryawanshi (Ashok M Shinde & Ors.) <u>Adv.Ujwal S Patil for R.No.5</u> | Counting of Service For Pensionary Benefits | For Filing Affidavit in Reply | 05.09.2023 |
| 14 | OA1142/22 | A'nagar | Adv.V.B. Wagh (Maya B Chabukswar Late Dr. Babu R Chabukswar) | Directions/ Pension | By Way Of Last Chance For Filing Affidavit in Reply | 10.08.2023 |
| 15 | OA73/23 | P'bhani | Adv.D.K. Rajput (Jyoti C Hatkar) | Suspnesion/ Reinstatement | For Filing Affidavit in Reply | 05.09.2023 |
| 16 | OA86/23 | Nanded | Adv.D.K. Rajput (Shyam M Yesmod) | Suspnesion/ Reinstatement | For Filing Affidavit in Reply | 05.09.2023 |
| 17 | O.A.121/2023 | Nanded | Adv. R.B. Ade (Subhash S. Rarthod) | Deemed date of Promotion | For filing affidavit in reply | 05.09.2023 |
| 18 | OA293/23 | Beed | Adv.A.S.Deshmukh (Syed Saleem Syed Yakub) | Deputation | For Filing Affidavit in Reply | 11.08.2023 |
| 19 | OA337/23 | P'bhani | Adv.Priya R Bharaswadkar (Santosh B Ipper) | Transfer | Await Service for R-5 | 10.08.2023 |

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|----------------------|-------------------------------|---------|--|-------------------------------------|---|------------|
| 20 | OA398/23 | Nanded | Adv.Ajay S Deshpande (Sanjay R Betiwar) | Transfer | For Filing Affidavit in Reply | 10.08.2023 |
| 21 | OA414/23 | P'bhani | Adv.R.A. Joshi (Sachising B Chouhan) | Transfer | Await Service for R-4 | 11.08.2023 |
| 22 | OA431/23 | Hingoli | Adv.S.B. Patil (Dr. Mohammad Ashfaque Tinmaswala) | Transfer | For Filing Affidavit in Reply | 09.08.2023 |
| 23 | OA483/23 | A'bad | Adv.P.M. Nagargoje (Venkat M Kendre) | Transfer | For Filing Affidavit in Rejoinder | 03.08.2023 |
| 24 | OA543/23 | A'bad | Adv.Dhananjay Mane (Shaikh Abdul Rizwan Mannan) | Transfer | Await Service | 11.08.2023 |
| 25 | OA544/23 | A'nagar | Adv.S.S. Jadhavar (Umesh D Palve) | Transfer | For Reply | 11.08.2023 |
| 26 | OA545/23 | A'nagar | Adv.V.B. Wagh (Vaishali A Salve) | Transfer | For Reply | 11.08.2023 |
| Order Matters | | | | | | |
| 27 | MA308/18 In OAS1257/18 | Nanded | Adv.R.D. Khadap (Bapurao D Patewale) | M.A. For Condonation of Delay | For Filing Affidavit in Rejoinder | 07.09.2023 |
| 28 | MA567/19 In OAS12091/19 | Latur | Adv.R.D. Birdar/ Adv.Shakil U Shaikh (Bapurao K Kamble) | M.A. For Condonation of Delay | For Filing Affidavit in Rejoinder | 05.09.2023 |
| 29 | MA420/21 In OAS11163/19 | Latur | Adv.G.S. Shete (Khandu G Joshi) | M.A. For Condonation of Delay | For Filing Affidavit in Reply | 11.09.2023 |
| 30 | MA183/22 In OAS12093/19 | Beed | Adv.R.D. Biradar/ Adv.Shakil U Shaikh (Ramesshwar N Gupta) | M.A. For Condonation of Delay | For Filing Affidavit in Rejoinder | 05.09.2023 |
| 31 | MA287/22 In OAS1408/22 | P'bhani | Adv.A.D. Gawale (Krishna B Gaikwad) | M.A. for Condonation of Delay | For Filing Affidavit in Reply | 17.08.2023 |
| 32 | MA382/22 In OAS11465/22 | Nanded | Adv.K.B. Jadhav (Madhukar S Mundeshwar) | M.A. For Condonation of Delay | For Filing Affidavit in Rejoinder | 08.09.2023 |
| 33 | MA99/23 In OAS1390/23 | A'nagar | Adv.P.V. Suryawanshi (Pritam R Bansode & Ors.) | M.A. For Condonation of Delay | For Filing Affidavit in Reply | 06.09.2023 |

ORIGINAL APPLICATION NO. 835 OF 2021
(Vadilal P. Rathod Vs. the state of Maharashtra & Ors.)

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

DATE : 27.07.2023

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for the respondent Nos. 3 & 4, are present.

2. At the request of the learned counsel appearing for the applicant, S.O. to 28.07.2023.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

ORIGINAL APPLICATION NO. 806 OF 2022
(Pathan Maheeb Ahmed Vs. the state of Maharashtra & Ors.)

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

DATE : 27.07.2023

ORAL ORDER :

Shri Santosh N. Pawde, learned counsel holding for Shri M.K. Bhosale, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O. for the respondents, time granted by way of last chance to file affidavit in reply.

3. S.O. to 18.08.2023.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

ORIGINAL APPLICATION NO. 278 OF 2022

(Anwar Khan Azizkhan Pathan Vs. the state of Maharashtra & Ors.)

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

DATE : 27.07.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. The applicant is not intending to file any affidavit in rejoinder. List the matter for hearing on 11.09.2023.
3. S.O. to 11.09.2023 for hearing.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

ORIGINAL APPLICATION NO. 473 OF 2022
(Satish V. Mote Vs. the state of Maharashtra & Ors.)

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

DATE : 27.07.2023

ORAL ORDER :

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

2. Today also the respondents have not filed affidavit in reply in the present matter. List the matter for hearing without affidavit in reply of the respondents.

3. S.O. to 11.09.2023 for hearing.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

M.A.NO. 287/2022 IN O.A.ST.NO. 408/2022
(Krishna B. Gaikwad Vs. the state of Maharashtra & Ors.)

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

DATE : 27.07.2023

ORAL ORDER :

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

2. Learned P.O. for the respondents has sought time to file affidavit in reply. The request is opposed by the learned counsel for the applicant. However, in the interest of justice, last chance granted for filing affidavit in reply. If the reply is not filed on or before the next date, the matter will be heard without affidavit in reply of the respondents.

3. S.O. to 17.08.2023.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

ORIGINAL APPLICATION NO. 1033 OF 2022
(Abhishek K. Zine Vs. the state of Maharashtra & Ors.)

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

DATE : 27.07.2023

ORAL ORDER :

Shri S.N. Pagare, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel appearing for the applicant submits that rejoinder to the affidavit in reply filed on behalf of the respondent No.2 will be filed during course of the day. The learned counsel shall serve the copy of rejoinder on the other side. List the matter for hearing on 07.09.2023.
3. S.O. to 07.09.2023 for hearing.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

ORIGINAL APPLICATION NO. 1034 OF 2022
(Sukha L. Sathe Vs. the state of Maharashtra & Ors.)

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

DATE : 27.07.2023

ORAL ORDER :

Shri S.N. Pagare, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Affidavit in reply is not yet filed despite availing sufficient opportunities. However, in the interest of justice at the request of learned P.O., two weeks time is granted for filing affidavit in reply or else the matter will be heard without affidavit in reply of the respondents.

3. S.O. to 10.08.2023.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

M.A.NO. 420/2021 IN O.A.ST.NO. 1163/2019
(Khandu G. Joshi Vs. the state of Maharashtra & Ors.)

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

DATE : 27.07.2023

ORAL ORDER :

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

2. Learned P.O. for the respondents has submitted affidavit in reply on behalf of the respondent Nos. 1 to 3. The same is taken on record and copy of it is given to other side. List the matter for hearing on 11.09.2023. In the meanwhile it would be open for the applicant to file affidavit in rejoinder, if he so desires.
3. S.O. to 11.09.2023 for hearing.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

O.A.NOS. 149/2020, 150/2020 & 151/2020
(Vitthal S. Ambatwad & Ors. Vs. the state of Maharashtra & Ors.)

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

DATE : 27.07.2023

ORAL ORDER :

Shri S.L. Bhapkar, learned counsel for the applicants in all these O.As. and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. The present matters have already been treated as part heard.

3. At the request of learned counsel appearing for the applicants, S.O. to 24.08.2023.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

ORIGINAL APPLICATION NO. 667 OF 2023
(Vinodkumar Yashwantrao Pawar Vs. the state of Maharashtra & Ors.)

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

DATE : 27.07.2023

ORAL ORDER :

Heard Shri J.B. Choudhary, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 17.08.2023.

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 17.08.2023.

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

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 306 OF 2023
(Hanuman P. Jarare Vs. the 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 : **27.07.2023**

ORAL ORDER :

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

2. Learned P.O. for the respondents has tendered across the bar affidavit in reply on behalf of respondent Nos. 2,3 & 4. The same is taken on record and copy of it is given to other side.

3. S.O. to 20.09.2023 for filing affidavit in rejoinder, if any.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

**M.A. 144/2023 IN Review St. 513/2023 in O.A.490/2018
(Hanuman P. Jarare Vs. the 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 : 27.07.2023

ORAL ORDER :

Ms. Prashasti Srivastava, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. for the respondents has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 4. The same is taken on record and copy of it is given to other side. List the matter for hearing on 21.09.2023. In the meanwhile it would be open for the applicant to file affidavit in rejoinder, if he so desires.

3. S.O. to 21.09.2023 for hearing.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

ORIGINAL APPLICATION NO. 472 OF 2022
(Pandhari Gopalrao Devershe Vs. the 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 : 27.07.2023

ORAL ORDER :

Shri A.B. Rajkar, 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. for the respondents has tendered across the bar affidavit in reply on behalf of respondent No. 2. The same is taken on record and copy of it is given to other side.

3. S.O. to 18.08.2023 for filing affidavit in rejoinder, if any.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

O.A.NOS. 603 TO 609 AND 780 ALL OF 2017
(Jaideep A. Limbale & 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 : 27.07.2023

ORAL ORDER :

Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicants in O.A.Nos. 603 to 609 all of 2017, Ms. Preeti R. Wankhade, learned Advocate for the applicant in O.A.No. 780/2017 and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these O.As., are present.

2. The present matters have already been treated as part heard.
3. S.O. to 24.08.2023. **High on board.**
4. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

ORIGINAL APPLICATION NO. 293 OF 2023
(Sayed Saleem Syed Yakub Vs. the state of Maharashtra & Ors.)

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

DATE : 27.07.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 11.08.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

**ORIGINAL APPLICATION NO. 382/2022, 383/2022,
384/2022 & 385/2022**
(Rajendra Shah & Ors. Vs. the state of Maharashtra & Ors.)

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

DATE : 27.07.2023

ORAL ORDER :

Shri R.A. Joshi, learned counsel for the applicants in all these matters and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities in all these matters, are present.

2. The matters are fixed for hearing without affidavit in reply. However, today learned Presenting Officer has tendered across the bar affidavit in replies on behalf of respondent Nos. 1 to 4 in O.A.No. 382/2022, 383/2022 and 385/2022 and on behalf of respondent Nos. 1 to 3 in O.A.No. 384/2022. In the interest of justice, the same are taken on record and copies thereof have been served on the other sides.

3. S.O. to 10.08.2023 for hearing. The applicants are at liberty to file affidavit in rejoinder, if any.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

ORIGINAL APPLICATION NO. 543 OF 2023

(Shaikh Abdul Rizwan Mannan Vs. the state of Maharashtra & Ors.)

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

DATE : 27.07.2023

ORAL ORDER :

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

2. Await service of notice upon the respondents.
3. S.O. to 11.08.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

ORIGINAL APPLICATION NO. 545 OF 2023
(Smt. Vaishali Ashok Salve Vs. the state of Maharashtra & Ors.)

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

DATE : 27.07.2023

ORAL ORDER :

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

2. The learned Presenting Officer has tendered across the bar affidavit in reply on behalf of the respondent No.1. The same is taken on record and copy of it is given to other side.

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

4. S.O. to 11.08.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

M.A.NO. 308/2018 IN O.A.ST.NO. 1257/2018
(Bapurao Dashrath Patewale Vs. the state of Maharashtra & Ors.)

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

DATE : 27.07.2023

ORAL ORDER :

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

2. The applicant is not intending to file affidavit in rejoinder. List the matter for hearing on 07.09.2023.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

ORIGINAL APPLICATION NO. 544 OF 2023
(Umesh Dnyandeo Palve Vs. the state of Maharashtra & Ors.)

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

DATE : 27.07.2023

ORAL ORDER :

Shri S.S. Jadhavar, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 11.08.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

M.A.NO. 99/2023 IN O.A.ST.NO. 390/2023
(Pritam Rajendra Bansode & Anr. Vs. the state of Maharashtra & Ors.)

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

DATE : 27.07.2023

ORAL ORDER :

Shri P.V. Suryawanshi, learned counsel for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has tendered across the bar affidavit in reply on behalf of the respondent Nos.1 to 3. The same is taken on record along with extra copy for the applicants. In the meanwhile it would be open for the applicants to file affidavit in rejoinder, if any.
3. S.O. to 05.09.2023 for hearing.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023

**ORIGINAL APPLICATION ST.NO. 1348 OF 2023
(Vishnu S. Bachate Vs. State of Maharashtra & Ors.)**

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

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

DATE : **27.07.2023**

ORAL ORDER :

Heard Shri Rahul O. Awasormol, learned counsel
for the applicant and Shri S.K. Shirse, learned
Presenting Officer for the respondent authorities.

2. On instructions, learned counsel appearing for the
applicant seeks leave of this Tribunal to withdraw the
present Original Application with liberty to agitate before
the appropriate forum. In view of the submission, the
following order is passed: -

ORDER

The Original Application stands disposed of since
withdrawn with liberty as prayed for. There shall be no
order as to costs.

VICE CHAIRMAN

**M.A.NO. 281/2023 IN O.A.ST.NO. 850/2023
(Shaikh Rafeek Gabru Vs. State of Maharashtra & Ors.
)**

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

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

DATE : 27.07.2023

ORAL ORDER :

Ms. Prashasti Srivastava, learned counsel holding
for Shri S.B. Talekar, learned counsel for the applicants
and Shri M.S. Mahajan, learned Chief Presenting Officer
for the respondent authorities, are present.

2. At the request of learned counsel for the
applicants, S.O. to 17.08.2023.

VICE CHAIRMAN

ORAL ORDER 27.07.2023-HDD

**ORIGINAL APPLICATION NO. 282 OF 2023
(Vijay Dattu Puri Vs. State of Maharashtra & Ors.)**

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

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

DATE : **27.07.2023**

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to
28.7.2023.

VICE CHAIRMAN

ORAL ORDER 27.07.2023-HDD

C.P.NO. 39/2023 IN O.A.NO. 1005/2022
(Ganpat H. Darade Vs. State of Maharashtra & Ors.)

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

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

DATE : **27.07.2023**

ORAL ORDER :

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

2. In the present matter the following order was passed on the previous date i.e. on 19.7.2023: -

“2. When the present matter is taken up for consideration, the learned Presenting Officer has tendered across the bar the affidavit in reply on behalf of respondent no. 4. Learned P.O. pointed out that in the affidavit in reply of respondent no. 4 it has been impliedly clarified that the proposal is moved and it is pending for consideration of respondent no. 2. The learned P.O. submitted that within a week necessary instructions would be obtained and has, therefore, sought time of a week to make further submissions. In the interest of justice, time granted as prayed for.

3. S.O. to 27.7.2023.”

3. Today, when the present matter is taken up for consideration, learned Chief Presenting Officer submitted that positive proposal has been forwarded for approval of

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**C.P.NO. 39/2023 IN
O.A.NO. 1005/2022**

the competent authority and the decision is likely to be taken within the next two weeks'. Learned counsel appearing for the applicant submitted that in the meanwhile period options were called for from him and accordingly he has submitted his options.

4. In the aforesaid circumstances, S.O. to 10.08.2023.

VICE CHAIRMAN

ORAL ORDER 27.07.2023-HDD

1. **M.A.NO. 71/2023 IN O.A. NO. 737/2022**
(Dr. Monali T. Bhorge Vs. State of Maharashtra & Ors.)
2. **M.A.NO. 72/2023 IN O.A. NO. 614/2022**
(Dr. Deepak N. Kawale Vs. State of Maharashtra & Ors.)
3. **M.A.NO. 73/2023 IN O.A. NO. 693/2022**
(Dr. Aayesha Munawar Mohammed Ayub Vs. State of Maharashtra & Ors.)
4. **M.A.NO. 74/2023 IN O.A. NO. 666/2022**
(Dr. Archana B. Dhavale Vs. State of Maharashtra & Ors.)
5. **M.A.NO. 77/2023 IN O.A. NO. 780/2022**
(Dr. Kailas P. Kagne Vs. State of Maharashtra & Ors.)

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

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

DATE : **27.07.2023**

ORAL ORDER :

Heard Shri A.D. Sugdare, learned counsel for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these cases and Shri M.B. Kolpe, learned counsel for respondent No. 3 in all these cases.

2. In all these Miscellaneous Applications there is a common prayer of the respective applicants seeking directions against the Maharashtra Public Service Commission to declare the results of their interviews. When the present matter is taken up for consideration, learned counsel appearing for M.P.S.C., made a

:: - 2 - ::

**M.A. 71/23 IN O.A.
737/22 & Group**

statement that M.P.S.C. would declare the results / marks of all these applicants secured by them in the interviews.

3. In view of the statement made by the learned counsel appearing for MPSC the present MAs deserve to be disposed of since very prayer made therein has been accepted by the MPSC. The MAs, therefore, stand allowed and disposed of.

4. MPSC shall furnish the information i.e. the marks received by the present applicants, in their respective OAs in which the present MAs have been filed, on the next date.

5. The OAs to come up for hearing on 8.8.2023.

VICE CHAIRMAN

ORAL ORDER 27.07.2023-HDD

M.A. No. 328/2023 in O.A. St. No. 1439/2023
(Bhagatsing U. Singal & 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 : 27.07.2023

ORAL ORDER :

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

2. This is an application preferred by the applicants seeking leave to sue the respondents jointly.

3. For the reasons stated in the applications, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

4. Accompanying O.A. be registered and numbered, after removal of office objections, if any. The present M.A. No. 328/2023 stands disposed of accordingly without any order as to costs.

VICE CHAIRMAN

ORIGINAL APPLICATIN ST. NO. 1439 OF 2023
(bhagatsing U. Singal & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 27.07.2023

ORAL ORDER :

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

2. Being aggrieved by the impugned final list of the candidates eligible for recommendation published on 19.07.2023 for the post of Police Sub Inspector, Non-Gazetted Group-B, the applicants have preferred the present Original Application. The applicants have objected validity of the Government Circular dated 13.03.2023 issued by respondent No. 2, whereby the period has been extended for obtaining / submitting Non-Creamy Layer certificate for the years 2019 and 2020 assigning reason of the period of COVID-19 during the said period.

3. Shri A.B. Chalak, learned counsel appearing for the applicants submitted that the advertisement of the post, which further process has been carried out was issued on 28.02.2020 and the last date for submitting application was 19.03.2020. Learned counsel invited my attention to clause 3.9 and 3.13 of the advertisement No.

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O.A. St. 1439/2023

260/2021 dated 10.12.2021. Learned counsel submitted that candidates who were under obligation to submit the Non-Creamy Layer certificate were required to submit the same having validity on the last date of filing of the application. Learned counsel submitted that by issuing Circular dated 13.03.2023 the said period has been extended and some relaxations have been granted for such candidates to submit the certificates of the years 2021-22 and 2022-23 instead of 2019-20 and 2020-21. According to the learned counsel, Circular so issued is contrary to the conditions incorporated in the advertisement and have prejudicially affected the right of the applicants. It is the contention of the applicants that because of Circular dated 13.03.2023, the candidates who do not possess valid or required Non-Creamy Layer certificate as required as per the terms in the advertisement have now been interviewed and their names have also been included in the final select list of the recommended candidates. Some such candidates are made party respondents in the present Original Application. Learned counsel for example submitted that applicant No. 1 belongs to DTA category and was liable to be recommended, if respondent No. 13 not been given benefit of Circular dated 13.03.2023. Learned counsel submitted that similar is case of the applicant No. 4, who belongs to OBC category and whose chances of being selected and recommended have been taken

away because of recommendation of respondent No. 10, who has also been benefited by the Circular dated 13.03.2023. In the aforesaid facts and circumstances, learned counsel for the applicants has prayed for interim relief, thereby restraining respondents from proceeding further with the recommendation process till disposal of the present Original Application.

4. Learned C.P.O. has sought time to file affidavit in reply in the present matter. Insofar as prayer of interim relief is concerned, learned C.P.O. submitted that ordinarily process of recruitment cannot be arrested. Learned C.P.O. further submitted that fate of the present applicants and / or prayers made in the present Original Application depends upon the validity of the Circular dated 13.03.2023, which has been challenged by the applicants in the present matter. Learned C.P.O., however, submitted that at the interim stage when say of the respondents is not on record, no prima-facie conclusion also can be recorded as about validity of the said Circular. In the circumstances, he opposed for grant of any interim relief.

5. I have duly considered the submissions made on behalf of the applicants and the State authorities. I have

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O.A. St. 1439/2023

also gone through the documents filed on record. From the documents there is reason to believe that if the benefit of Circular dated 13.03.2023 is not given, some of the applicants do possess better chances of their recommendation. Two examples which the learned counsel has given in his arguments revealed said position. However, when the validity of the circular has been challenged, no prima-facie conclusions are possible to be recorded at the interim stage. In the circumstances, the relief as has been sought by way of interim relief is difficult to be granted. However, the interest of the present applicants can be duly protected by making selection /recommendation of the candidates, who have been given benefit of Circular dated 13.03.2023 subject to outcome of the present Original Application. Hence, the following order :-

ORDER

- (i) Issue notices to the respondents, returnable on 07.09.2023.
- (ii) Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- (iii) Applicants are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper

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O.A. St. 1439/2023

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

(vi) It is directed that the recommendation of the candidates who have been given benefit of Circular dated 13.03.2023 shall be subject to outcome of the present Original Application.

(vii) S.O. to 07.09.2023.

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

VICE CHAIRMAN

M.A. No. 329/2023 in O.A. St. No. 1436/2023
(Rahul R. Dhawale 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 : 27.07.2023

ORAL ORDER :

Heard Shri Dnyaneshwar Patil, learned counsel holding for Shri Vijay Deshmukh, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent authorities.

2. The delay of 112 days has occurred in preferring the accompanying O.A.

3. For the reasons stated in the application, which according to me are just and sufficient, the delay caused in filing the accompanying O.A. is condoned.

4. Accompanying O.A. be registered and numbered in accordance with law. The M.A. No. 329/2023 stands disposed of without any order as to costs.

VICE CHAIRMAN

ORIGINAL APPLICATIN ST. NO. 1436/2023
(Rahul R. Dhawale 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 : 27.07.2023

ORAL ORDER :

Heard Shri Dnyaneshwar Patil, learned counsel holding for Shri Vijay Deshmukh, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent authorities.

2. Learned counsel for the applicant submitted that though the applicant is eligible to be appointed on the post of Deputy Education Officer in view of the decision rendered by this Tribunal on 04.10.2018 in O.A. No. 634/2017, his name has not been included in the list of eligible candidates and resultantly he has not been called for interview. Learned counsel submitted that in identical matters this Tribunal has directed MPSC to call the said applicants for interview subject to outcome of the Original Applications filed by them. The applicant has placed on record the order passed in O.A. No. 861/2023 by the Principal Seat of this Tribunal at Mumbai on 18.07.2023. Learned counsel in the circumstances has prayed for similar relief in favour of

the present applicant. It is contended that interviews are scheduled on 26th and 27th of this month.

3. Learned C.P.O. submitted that in view of the order passed by the Division Bench at Nagpur of the Hon'ble High Court of Bombay and by the Principal Seat of this Tribunal at Mumbai in O.A. No. 861/2023 on 18.07.2023, MPSC decided to call all the candidates for interview, who have secured more than cutoff marks and has accordingly declared the list of such candidates irrespective of the fact whether or not they have approached the Maharashtra Administrative Tribunal or the Hon'ble High Court for ventilating their grievance. The applicant in the present matter has placed on record said list at page Nos. 58 to 61 of the paper book. Learned C.P.O. submitted that if the name of the present applicant is not appearing in the said list, it has to be assumed that he has not secured the cutoff marks. Learned C.P.O. submitted that in the aforesaid circumstances, no interim relief can be granted in favour of the applicant as has been sought by him.

4. On such submissions made by learned C.P.O., learned counsel for the applicant submitted that cutoff marks are declared by the MPSC only for the Open category candidates. Learned counsel submitted that the

applicant belongs to Scheduled Caste category and cutoff marks for the said category are not declared by the MPSC. Learned counsel for the applicant in the circumstances submitted that said issue can be decided finally, however, if the applicant is not allowed to appear for interview, more complications are likely to occur and the applicant will be deprived of his right to be considered for the advertised post.

5. Learned C.P.O. referring to the argument of learned counsel, submitted that the cutoff marks were declared by MPSC for the Open category candidates on 01.04.2022. Learned C.P.O. further submitted that on 16.10.2018 itself the Government while its Circular, had declared that having regard to the order passed by the Hon'ble High Court in the matter of 'reservation in promotion' and since the said order is not stayed by the Hon'ble Supreme Court, social reservation may not be applicable for the Limited Departmental Examination-2017 for the post of Deputy Education Officer and equivalent posts and all the posts would be filled in purely on the basis of merit. In the circumstances according to the learned C.P.O., contention raised on behalf of the applicant cannot be considered.

6. After having considered the submissions made as above, it does not appear to me that any case is made out for grant of interim relief as has been prayed by the applicant.

7. Learned counsel for the applicant tendered G.R. dated 07.05.2021 in order to contend that the promotional posts were also liable to be filled in as per the position of the said post as on 25.05.2004. Learned counsel also placed on record G.R. dated 25.05.2004 and submitted that both these G.Rs. if conjointly read, it cannot be said that all the promotional posts are to be filled in only on the basis of merit.

8. I have gone through the G.R. dated 07.05.2021. It cannot be interpreted to mean as has been interpreted by the learned counsel for the applicant. At this juncture, having regard to the Government Circular dated 16.10.2018 the position as on today is that the reservation has not been made applicable for the promotional post of Deputy Education Officer, to be filled in on the basis of Limited Departmental Examination-2017.

9. Admittedly, name of the present applicant is not appearing in the list, who have been called for interview, meaning thereby that he has failed in securing the cut-

off marks. In the circumstances, I see no case is made out by the present applicant for grant of any interim relief. All his contentions would be considered on merit at the time of final hearing after pleadings are complete.

10. Issue notices to the respondents, returnable on 18.08.2023.

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

12. 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.

13. 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.

14. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the

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O.A. No. 1436/2023

Registry before due date. Applicant is directed to file affidavit of compliance and notice.

15. S.O. to 18.08.2023.

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

VICE CHAIRMAN

KPB ORAL ORDER 27.07.2023

M.A. No. 323/2023 in O.A. St. No. 1393/2023
(Yogesh P. Rajale 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 : 27.07.2023

ORAL ORDER :

Heard Smt. Pooja Mundhe, learned counsel holding for Shri P.P. Uttarwar, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondent authorities.

2. The delay of 131 days has occurred in preferring the accompanying O.A.

3. For the reasons stated in the application, which according to me are just and sufficient, the delay caused in filing the accompanying O.A. is condoned.

4. Accompanying O.A. be registered and numbered in accordance with law. The M.A. No. 323/2023 stands disposed of without any order as to costs.

VICE CHAIRMAN

ORIGINAL APPLICATIN ST. NO. 1393/2023
(Yogesh P. Rajale 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 : **27.07.2023**

ORAL ORDER :

Heard Smt. Pooja Mundhe, learned counsel holding for Shri P.P. Uttarwar, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondent authorities.

2. In the present Original Application, the applicant has prayed for interim relief seeking direction against the MPSC to call him for interview, subject to outcome of the present Original Application.

3. Learned P.O. has brought to my notice that in view of the orders passed by the Hon'ble High Court, as well as, this Tribunal, the MPSC has decided to hold the interviews of all such candidates like the applicant, if they have received more than cutoff marks and their list has been published by the MPSC. Interviews of some such candidates have been conducted yesterday and are also being conducted today. Name of the present applicant is included in the said list. In the circumstances, it may not be necessary to pass any interim order.

//2// O.A. St. No. 1393/2023

4. Issue notices to the respondents, returnable on 18.08.2023.

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 18.08.2023.

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

VICE CHAIRMAN

M.A. No. 322/2023 in O.A. St. No. 1391/2023
(Bhushan Jivraj Chande 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 : 27.07.2023

ORAL ORDER :

Heard Smt. Pooja Mundhe, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondent authorities.

2. The delay of 131 days has occurred in preferring the accompanying O.A.

3. For the reasons stated in the application, which according to me are just and sufficient, the delay caused in filing the accompanying O.A. is condoned.

4. Accompanying O.A. be registered and numbered in accordance with law. The M.A. No. 322/2023 stands disposed of without any order as to costs.

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO. 1391/2023
(Bhushan Jivraj Chande 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 : **27.07.2023**

ORAL ORDER :

Heard Smt. Pooja Mundhe, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondent authorities.

2. The applicant has claimed parity with the applicant in O.A. No. 861/2023 and has therefore, claimed similar interim relief, which has been granted in favour of such candidates.

3. From the averments raised in the Original Application, there is reason to believe that the present applicant is eligible to be considered for the post of Deputy Education Officer having regard to the decision rendered by this Tribunal in O.A. No. 634/2017. Now it has to be considered whether the applicant is entitled for interim relief as has been claimed by him seeking direction against the MPSC to call him for interview. As has been argued by the learned counsel appearing for the applicant this Tribunal has earlier given such directions to the MPSC by way of interim order in some of the O.As. The applicant has therefore, prayed for similar relief in his favour.

4. It is true that in some matters this Court has passed interim orders, thereby directing the MPSC to call the applicants in the said O.As. for interview subject to outcome of the said O.As. The order passed by this Tribunal is based on the order passed by the Principal Seat of this Tribunal at Mumbai on 18.07.2023 in O.A. No. 861/2023, as well as, the order passed by Nagpur Bench of the Hon'ble High Court of Bombay in W.P. No. 5059/2022 on 23.06.2023. After passing of said order, the subsequent developments have taken place, which required to be noted. After the orders passed by the Hon'ble High Court, as well as, the Principal Seat of this Tribunal at Mumbai, MPSC took a decision to conduct the interview of all such candidates having identical claims as raised by the applicant in O.A. No. 861/2023 and who have secured more than cutoff marks. The MPSC has accordingly published the list of such candidates and have called them for interview on 26th and 27th of July, 2023.

5. It is the contentions of the applicant that since MPSC did not publish the merit list, the applicant is unaware of marks earned by him. In the circumstances, the applicant has prayed for interim relief seeking direction against the MPSC to call the applicant for interview subject to outcome of the present Original Application.

6. As noted hereinabove, MPSC has published the list of all the candidates, who have secured more than cutoff marks and has called them for interview. Name of the present applicant is not appearing in the said list. In the circumstances, inference has to be drawn that the present applicant has not received cutoff marks. In the circumstances, it is difficult to accept the request of the applicant for grant of interim relief as has been prayed by him. The contentions raised by the applicant can only be considered at the time of final adjudication of the present Original Application. Hence, the following order:-

ORDER

- (i) Issue notices to the respondents, returnable on 18.08.2023.
- (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.

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O.A. St. 1391/2023

(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 18.08.2023.

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

VICE CHAIRMAN

KPB ORAL ORDER 27.07.2023

**M.A. NO. 225/2023 IN O.A. NO. 356/2023
(Sharad P. Jare Vs. State of Maharashtra & Ors.)**

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

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

DATE : **27.07.2023**

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri K.G. Salunke, learned counsel for respondent no. 3.

2. The learned Chief Presenting Officer has submitted the minutes of the meeting as was directed by this Tribunal. The same are taken on record and copies thereof are given to other side.

3. S.O. to 22.8.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 27.07.2023

**ORIGINAL APPLICATION NO. 640/2023
(Milind D. Sonawane Vs. State of Maharashtra & Ors.)**

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

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

DATE : **27.07.2023**

ORAL ORDER :

Heard Smt. Vinaya Muley – Dharurkar, learned
counsel holding for Shri C.V. Dharurkar, learned
counsel for the applicant and Shri I.S. Thorat, learned
Presenting Officer for the respondent authorities.

2. When the present matter is taken up for
consideration, the learned counsel for the applicant on
instructions seeks leave to withdraw the present Original
Application with liberty to file revision with the
competent authority against the order passed in the
departmental appeal by the appellate authority. In view
of the submissions made, the following order is passed :-

ORDER

The Original Application stands disposed of since
withdrawn with liberty as prayed for. There shall be no
order as to costs.

VICE CHAIRMAN

ARJ ORAL ORDER 27.07.2023

**ORIGINAL APPLICATION NO. 472/2023
(Bajirao E. Godade Vs. State of Maharashtra & Ors.)**

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

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

DATE : **27.07.2023**

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O.
to 28.7.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 27.07.2023

**ORIGINAL APPLICATION NO. 431/2023
(Dr. Mohammed Ashfaque Tinmaswala Vs. State of
Maharashtra & Ors.)**

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

DATE : 27.07.2023

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. The learned Presenting Officer has sought time to file the affidavit in reply stating that since winter session of the assembly is going on the delay is occurring for receiving instructions from the authorities.

3. Considering the submissions made by the learned P.O., time granted till 9.8.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 27.07.2023

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 : 27.07.2023

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 Alkesh Jadhav, learned counsel holding for Shri Chetan Bhadane, learned counsel for respondent no. 2.

2. When the present matter is taken up for consideration, learned Chief Presenting Officer has tendered across the bar certain documents, which are already there on record. Vide the order passed yesterday, the respondents were directed to place on record the proposal, which was placed before the Civil Services Board, on which the recommendation is made by the Civil Services Board. The recommendation of the Civil Services Board is very-well on record, however, the proposal, which was considered before making the recommendation, was directed to be placed on record. The learned C.P.O. submits that he will send a special messenger and will call for the entire record in the matter for perusal of this Tribunal.

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O.A. NO. 403/2023

3. In view of the submission made by the learned C.P.O., S.O. to 2.8.2023.
4. Steno copy allowed for the use of learned C.P.O. for the respondents.

VICE CHAIRMAN

ARJ ORAL ORDER 27.07.2023

**ORIGINAL APPLICATION ST. NO. 1065/2023
(Madhamsing P. Maher Vs. State of Maharashtra & Ors.)**

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

DATE : 27.07.2023

ORAL ORDER :

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

2. The learned counsel for the applicant submits that he will file the Misc. Application for condonation of delay in view of the objection raised by the office.

3. Removed from the Board. After Misc. Application is filed, applicant may seek a fresh circulation of the matter.

VICE CHAIRMAN

ARJ ORAL ORDER 27.07.2023

ORIGINAL APPLICATION NO. 121 OF 2023

(Subhash Sundarsing Rathod Vs. the state of Maharashtra & Ors.)

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

DATE : 27.07.2023

ORAL ORDER :

Shri R.B. Ade, learned counsel for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has tendered across the bar affidavit in reply on behalf of the respondent No.4. The same is taken on record along with extra copy for the applicant. Learned P.O. sought time for filing affidavit in reply on behalf of the respondent Nos. 1 to 3. Time granted.

3. S.O. to 05.09.2023.

VICE CHAIRMAN

SAS ORAL ORDER 27.07.2023