

M.A.NO.131/2024 IN O.A.ST.NO.762/2024
(Anand D. Kadam & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice P.R. Bora, Vice Chairman

DATE : 27.03.2024

ORAL ORDER :

Heard Shri Vijay A. Dhakne, learned counsel for the applicants and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Since the prayers made and reliefs sought by the applicants are identical in nature and are agitating for the similar cause, to avoid multiplicity of litigation, M.A. for sue jointly is allowed and disposed of.

3. O.A. be registered and numbered in accordance with rules after removal of office objections, if any.

VICE CHAIRMAN

YUK ORAL ORDER 27.03.2024

ORIGINAL APPLICATION NO.386/2024
(Anand D. Kadam & Anr. Vs. State of Maharashtra & Ors.)

ORIGINAL APPLICATION NO.362/2024
(Chhotya N. Mavchi Vs. State of Maharashtra & Ors.)

ORIGINAL APPLICATION NO.363/2024
(Sujata S. Gaikwad Vs. State of Maharashtra & Ors.)

ORIGINAL APPLICATION NO.365/2024
(Anil G. Kawade Vs. State of Maharashtra & Ors.)

CORAM : Justice P.R. Bora, Vice Chairman

DATE : 27.03.2024

ORAL ORDER :

Heard Shri Vijay A. Dhakne, learned counsel for the applicants in O.A.No.386/2024, Shri Ashish Hajare, learned Counsel holding for Shri Amol B. Chalak, learned Counsel for the applicant in O.A.No.362/2024, Shri Ajay Deshpande, learned Counsel for applicant in O.A.No.363/2024 and Shri G.V.Mohekar, learned Counsel for applicant in O.A.No.365/2024, Shri M.B.Bharaswadkar, learned Chief Presenting Officer, Shri V.G.Pingle & Shri V.R. Bhumkar, learned Presenting Officers for the respondent authorities in respective cases.

2. Since all these applications are pertaining to recruitment to the posts of Senior Research Officer in Tribal Development Department, I have heard all these applications together and deem it appropriate to pass the common order.

=2= O.As.386, 362, 363 & 365 all of 2024

3. These applicants have applied in pursuance of the advertisement issued by Maharashtra Public Service Commission (MPSC) for the post of Senior Research Officer in Tribal Development Department. The qualification and experience for the aforesaid post have been prescribed as follows:

“४.४ शैक्षणिक अर्हता – The candidates must Possess Post – Graduate degree in Social Science or Anthropology

AND THEREAFTER

४.५ अनुभव – Possess practical experience for a period of not less than three years in any field of tribal, social welfare or tribal research.”

4. The candidates who are applicants in O.A.No.386/2024 have been held not eligible on the ground of not possessing the required experience as prescribed in the advertisement. Applicant in O.A.No.362/2024 has been held ineligible on the ground of not holding the educational qualification as prescribed in the advertisement. Applicant in O.A.No.363/2024 has also been held ineligible on the ground of not holding the prescribed educational qualification. Applicant in O.A.No.365/2024 has been held ineligible on the ground of not possessing

=3= O.As.386, 362, 363 & 365 all of 2024

the requisite experience as prescribed in the advertisement.

5. As has been argued by the learned Counsel appearing for the applicants in O.A.No.386/2024, both the applicants are working in the Tribal Development Department on the post of Superintendent and the documents filed on record by them apparently reveal that they are holding the experience of working on the said post for more than 3 years. Applicant Balaji Jadhav is working at Ambegaon whereas another applicant, namely, Anand Kadam is working at Shahapur. As noted above, they have been held ineligible for not having experience as prescribed in the advertisement. I have reproduced hereinabove the clauses in the advertisement in respect of experience and educational qualification. If the experience clause is read, it requires practical experience for a period of not less than 3 years in any field of tribal, social welfare or tribal research. Neither in the advertisement nor in the recruitment rules for the present posts anywhere it has been defined or explained what can be said to be a practical experience. In absence of any such specific

=4= O.As.386, 362, 363 & 365 all of 2024

provision or explanation, it can be broadly said that the candidates who have worked in any of the departments dealing with the tribal development can be held eligible if they possess experience of 3 years of working in the said department. Both the applicants in O.A.No.386/2024 are admittedly working in Tribal Development Department. Nothing specific has been stated while declaring both these applicants ineligible, on the ground of experience, as to what was the expectation so far as the experience clause is concerned. In the circumstances, both these applicants have certainly made out a *prima facie* case.

6. Applicants in O.A.No.362/2024 and 363/2024 have been held ineligible for want of required educational qualification as prescribed in the advertisement. Applicant in O.A.No.362/2024 possesses the qualification of M.A. (Political Science) and M.A. (History) whereas applicant in O.A.No.363/2024 possesses the qualification of M.A. (Political Science). Learned Counsel appearing for the applicants in O.A.No.362/2024 and 363/2024 have invited my attention to the recruitment rules

=5= O.As.386, 362, 363 & 365 all of 2024

and more particularly the clause providing educational qualification. Learned Counsel submitted that, if recruitment rules are perused post graduate degree in "Social Sciences" is the prescribed educational qualification which is a very broad term used therein and in absence of any further explanation/clarification provided, candidates possessing the post graduate degree in the subjects which may fall in the category of "Social Sciences" are eligible for applying to the subject post. Learned Counsel referring to UGC documents submitted that the scope of Social Sciences is broad and post graduate degree in Political Science or in History will fall in the category of Social Sciences. As such, according to the learned Counsel both the post graduate degrees are appropriate educational qualification for the subject post, and as such, according to them applicants in O.A.No.362/2024 and 363/2024 could not have been declared ineligible.

7. As mentioned hereinabove, in absence of any concrete material before this Tribunal on behalf of MPSC at this stage, having regard to the information

=6= O.As.386, 362, 363 & 365 all of 2024

revealing from the UGC brochure, it *prima facie* appears that, candidates holding the post graduate degree in Political Science or in History may be held eligible and may satisfy the criteria of educational qualification as prescribed in the advertisement. I clarify that all these are *prima facie* conclusions and after substantial material is placed before the Tribunal, the final conclusions can be recorded.

8. In so far as the last candidate i.e. applicant in O.A.No.365/2024 is concerned, he is also working in Tribal Development Department itself. As such, I see no reason for not considering his experience as requisite experience for the subject post.

9. After considering the facts and circumstances as aforesaid, it appears to me that all these applicants have made out a *prima facie* case. It is brought to my notice that interviews are scheduled tomorrow i.e. on 28-03-2024 at 9.00 am at Mumbai. Yesterday, two O.As. on similar grounds were filed before this Tribunal wherein interim orders are passed and thereby MPSC has been directed to call upon those applicants also for interview subject to

=7= O.As.386, 362, 363 & 365 all of 2024

decision of the said O.As. Same course require to be adopted in the present matters.

10. I reiterate that, on the basis of material brought to my notice, I am convinced that, *prima facie* case is made out in favour of all these applicants. As noted above, final conclusions can only be recorded after the entire material and reply of the respondents are placed on record.

11. Since the interviews are scheduled tomorrow, interim orders are required to be passed in all these matters. For the reasons stated above, following order is passed:

ORDER

12. Issue notices to respondents in all the O.As., returnable on 29-04-2024. **In the meanwhile, MPSC shall call the applicants in all these O.As. for interview, if possible, tomorrow on the scheduled date i.e. on 28-03-2024, and if it is not possible tomorrow, then on any other date which may be specifically communicated to these applicants for their interviews.** Learned CPO to communicate this order to MPSC by fastest mode of communication.

=8= O.As.386, 362, 363 & 365 all of 2024

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

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

15. 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.

16. 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.

17. S.O. to 29-04-2024.

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

VICE CHAIRMAN

C.P.NO.25/2023 IN O.A.NO.205/2021
(Ramesh Y. Gunjal Vs. State of Maharashtra & Ors.)

CORAM : Justice P.R. Bora, Vice Chairman

DATE : 27.03.2024

ORAL ORDER :

Heard Shri I.S.Thorat, learned Counsel holding for Shri S.D.Joshi, learned counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned P.O. on instructions received from Shri Rajendra Govindrao Kate, Revenue Assistant, Revenue Branch, Collector Office, Ahmednagar makes a statement that within one month from today the amount of leave encashment will be remitted in favour of the applicant.

3. In view of the statement so made, matter stands adjourned to 29-04-2024.

VICE CHAIRMAN

YUK ORAL ORDER 27.03.2024

M.A.NO.81/2020 IN O.A.ST.NO.2435/2019
(Dipali N. Kulkarni Vs. State of Maharashtra & Ors.)

CORAM : Justice P.R. Bora, Vice Chairman

DATE : 27.03.2024

ORAL ORDER :

Shri A.D.Gadekar, learned counsel for the applicant and Shri V.G.Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Counsel for the applicant submits that applicant is not intending to submit any rejoinder.
3. List the matter for hearing on 17-04-2024.

VICE CHAIRMAN

YUK ORAL ORDER 27.03.2024

C.P.NO.09/2024 IN O.A.NO. 218/2023
(Sandip T. Jogdand Vs. State of Maharashtra & Ors.)

CORAM : Justice P.R. Bora, Vice Chairman

DATE : 27.03.2024

ORAL ORDER :

Shri R.D.Khadap, learned counsel for the applicant and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned CPO seeks time to file affidavit in reply on behalf of the respondents. Time is granted till 23-04-2024.

VICE CHAIRMAN

YUK ORAL ORDER 27.03.2024

M.A.NO.220/2023 IN T.A.NO.01/2019
(W.P.NO.11496/2019)
(Sonali Varwate & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice P.R. Bora, Vice Chairman

DATE : 27.03.2024

ORAL ORDER :

Shri S.D.Joshi, learned counsel for the applicant and Shri M.B.Bharaswadkar, learned Presenting Officer for the respondent authorities, are present.

2. Pleadings are complete. Present matter be listed for hearing on 16-04-2024.

VICE CHAIRMAN

YUK ORAL ORDER 27.03.2024

ORIGINAL APPLICATION NO.1017/2023
(Sunil R. Rathod Vs. State of Maharashtra & Ors.)

CORAM : Justice P.R. Bora, Vice Chairman

DATE : 27.03.2024

ORAL ORDER :

Heard Shri Saket G. Joshi, learned counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned Counsel on instructions seeks leave to withdraw the present O.A. Hence, the following order:

ORDER

O.A. stands disposed of since withdrawn without any order as to costs.

VICE CHAIRMAN

YUK ORAL ORDER 27.03.2024

ORIGINAL APPLICATION NO.355/2024
(Sanjay P. Mirajkar Vs. State of Maharashtra & Ors.)

CORAM : Justice P.R. Bora, Vice Chairman

DATE : 27.03.2024

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned counsel for the applicant and Shri V.G.Pingle, learned Presenting Officer for the respondent authorities.

2. After having heard the learned Counsel for the applicant and having perused the prayers in the O.A., it appears that matter would lie before the learned Single Bench.

3. Hence, the matter be listed before the learned Single Bench tomorrow i.e. on 28-03-2024.

VICE CHAIRMAN

YUK ORAL ORDER 27.03.2024

M.A.NO.504/2023 IN O.A.NO.579/2021
(Sunanda P. Khobragade Vs. Siddharth R. Pandurnikar & Ors.)

CORAM : Justice P.R. Bora, Vice Chairman

DATE : 27.03.2024

ORAL ORDER :

Shri G.R.Jadhav, learned Counsel holding for Shri A.S.Shelke, learned counsel for the applicant, Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities and Shri Ajay Deshpande, learned Counsel for applicant in O.A./ respondent no.1 in M.A., are present.

2. S.O. to 12-04-2024. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

YUK ORAL ORDER 27.03.2024

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

CORAM : Justice P.R. Bora, Vice Chairman

DATE : 27.03.2024

ORAL ORDER :

Shri Ajay Deshpande, learned counsel for the applicant and Shri V.G.Pingle, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 15-04-2024. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

YUK ORAL ORDER 27.03.2024

ORIGINAL APPLICATION NO.590/2023
(Rajendra A. Shirsat Vs. State of Maharashtra & Ors.)

CORAM : Justice P.R. Bora, Vice Chairman

DATE : 27.03.2024

ORAL ORDER :

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

2. S.O. to 16-04-2024. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

YUK ORAL ORDER 27.03.2024

ORIGINAL APPLICATION NO. 360/2024
(Krishna N. Dhole & Ors. Vs. State of Maharashtra & Ors.)

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

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

DATE : 27.03.2024

ORAL ORDER :

Heard Shri K.B. Jadhav, learned counsel for the applicants and Shri Mahesh Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. The Status quo is operating in the present matter and the said order was to be remained in force till today. Today certain submissions are made and certain documents are brought to my notice. Learned Chief Presenting Officer however has sought time to file affidavit in reply on behalf of the respondents. He has sought one week's time. Time granted as prayed for.

3. At the request of learned counsel for the applicant re-issue notices to the respondents, returnable on 08.04.2024.

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

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

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

8. S.O. to 08.04.2024. Till then the order passed on 26.03.2024 shall remain in force.

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

VICE CHAIRMAN

T.A.NO. 19 OF 2023 (W.P.NO. 8273/2023)
(Santosh P. Raut Vs. State of Maharashtra & Ors.)

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

DATE : 27.03.2024

ORAL ORDER :

Shri U.P. Giri, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 19.04.2024.

MEMBER (J)

sas ORAL ORDER 27.03.2024

**M.A.ST.NO. 1656/2023 IN O.A.ST.NO. 1657/2023
(Ganpat S. Rathod & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

Shri A.G. Talhar, learned counsel for the applicants, is **absent**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. Even though the last chance is given, none present for the applicants. It seems that the applicants are not interested in prosecuting the matter. Hence, the present matter is dismissed in default. No costs.

MEMBER (J)

sas ORAL ORDER 27.03.2024

**M.A.ST.NO. 1690/2023 IN O.A.ST.NO. 1691/2023
(Ramakant D. Panchal & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

Shri A.G. Talhar, learned counsel for the applicants, is **absent**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. Even though the last chance is given, none present for the applicants. It appears that the applicants are not interested in prosecuting the matter. Hence, the present matter is dismissed in default. No costs.

MEMBER (J)

sas ORAL ORDER 27.03.2024

**M.A.NO. 125 OF 2024 IN O.A.ST.NO. 660 OF 2024
(Naresh S. Chavriya Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. Issue notice to respondents in M.A., returnable on 12.06.2024.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

//2// M.A.125/2024 in
O.A.St. 304/2024

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 12.06.2024.

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

MEMBER (J)

sas ORAL ORDER 27.03.2024

**ORIGINAL APPLICATION NO. 339 OF 2024
(Dilip W. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

Heard Shri A.D. Sonar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 29.04.2024.

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

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

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

//2// O.A. 339/2024

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. Learned Presenting Officer is directed to call the record and proceedings in connection with the case of the applicant.

8. **After perusal of record and proceedings, learned counsel for the applicant will be heard on the point of interim relief.**

9. S.O. to 29.04.2024.

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

MEMBER (J)

**ORIGINAL APPLICATION NO. 303 OF 2014
(Prakash N. Shrivastav Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. This is a part heard matter.

3. Learned counsel for the applicant seeks adjournment. Granted.

4. Learned P.O. placed on record the copy of judgment delivered in O.A.No. 406/2015 and copy thereof is given to learned counsel for the applicant.

5. S.O. to 08.04.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 278 OF 2022
(Anwar Khan Azizkhan Pathan Vs. State of Maharashtra & Ors.)

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

DATE : 27.03.2024

ORAL ORDER :

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

2. This is a part heard matter.

3. In the part heard matter, surprisingly the learned Presenting Officer submits that the record is missing. It is very difficult to accept. Learned P.O. has not complied with the directions given by this Tribunal in the order dated 08.02.2024.

4. Learned Chief Presenting Officer shall take note of it and make the appropriate arrangement with regard to missing record, hopefully, in the part heard matters. This should not be repeated again.

//2// O.A.278/2022

5. Learned counsel for the applicant placed on record the G.R. dated 02.06.2003 about the delegation of powers and copy thereof is given to learned P.O.

6. S.O. to 19.04.2024 for further hearing.

MEMBER (J)

sas ORAL ORDER 27.03.2024

**ORIGINAL APPLICATION NO. 1113 OF 2022
(Dinesh U. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. This is a part heard matter.

3. At the request of learned P.O., S.O. to 03.05.2024 for further hearing.

4. The interim relief granted earlier to continue till then.

MEMBER (J)

**M.A.NO. 278 OF 2023 IN O.A.ST.NO. 877 OF 2023
(Sunita S. Pophale Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. In view of absence of learned counsel for the applicant, S.O. to 14.06.2024 for hearing.

MEMBER (J)

sas ORAL ORDER 27.03.2024

**ORIGINAL APPLICATION NO. 618 OF 2019
(Dhondiram G. Kamble Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

Shri P.A. Bharat, learned counsel holding for Shri Uddhav L. Momale, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 03.05.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 85 OF 2022
(Madhav B. Nilawad Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. In view of absence of learned counsel for the applicant, S.O. to 01.07.2024 for hearing.

MEMBER (J)

sas ORAL ORDER 27.03.2024

**ORIGINAL APPLICATION NO. 105 OF 2022
(Amar J. Raut Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. It appears that the applicant has been reinstated in service during pendency of this Original Application. Thus there is no urgency in the matter since the departmental enquiry initiated against the applicant is still pending and so also criminal proceedings.

3. S.O. to 26.04.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1055 OF 2022
(Hemantkumar M. Sonawani & Ors. Vs. State of
Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicants and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

Shri A.S. Dhongde, learned counsel for respondent Nos. 4 & 6, is **absent**.

2. Even though the last chance is granted, no affidavit in reply has been filed on behalf of respondent Nos. 1 & 2.

3. S.O. to 06.05.2024 for hearing with liberty to respondent Nos. 1 & 2 to file reply, if any, till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 519 OF 2023
(Dr. Kalidas V. Niras Vs. State of Maharashtra & Ors.)

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

DATE : 27.03.2024

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant, Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities and Shri G.V. Mohekar, learned counsel for respondent No.4, are present.

2. Learned P.O. submits that during course of the day the affidavit in reply on behalf of respondents will be filed.

3. S.O. to 24.04.2024 for hearing. Status quo granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 520 OF 2023
(Dr. Abasaheb A. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 27.03.2024

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri G.V. Mohekar, learned counsel for respondent No.4, are present.

2. S.O. to 24.04.2024 for hearing. Status quo granted earlier to continue till then.

MEMBER (J)

**ORIGINAL APPLICATION NO. 980 OF 2023
(Smita P. Gavit Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. Learned counsel for the applicant seeks one week's time to file withdrawal pursis. Time granted.

3. S.O. to 08.04.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 395 OF 2017
(Shobha R. Pathak Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant, Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent Nos. 2 & 3, are present.

2. At the request of learned counsel for the applicant, S.O. to 12.06.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1162 OF 2022
(Bhimrao N. Kokate Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

Shri Vishal Rathod, learned counsel holding for Shri S.B. Patil, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time to file affidavit in rejoinder. Time granted.

3. S.O. to 18.06.2024.

MEMBER (J)

**ORIGINAL APPLICATION NO. 866 OF 2023
(Nana P. Ingle Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. Learned P.O. submits the affidavit in reply on behalf of respondent Nos. 5 & 6 along with spare copy for other side.

3. S.O. to 29.04.2024 for filing affidavit in rejoinder, if any and for admission hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 514 OF 2022
(Madhukar S. Dudhgaonkar Vs. State of Maharashtra &
Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

Heard Shri K.B. Bhise, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Part heard.
3. S.O. to 19.04.2024 for further hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 682 OF 2022
(Bhimrao N. Doiphode Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 07.05.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 704 OF 2022
(Prakash S. Aghav Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 14.06.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1019 OF 2022
(Indrakant H. Shendurkar Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 18.06.2024.

MEMBER (J)

sas ORAL ORDER 27.03.2024

**ORIGINAL APPLICATION NO. 1025 OF 2023
(Sangita B. Lonari Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

Shri N.N. Bhagwat, learned counsel for the applicant, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Shri S.R. Wani, learned counsel holding for Shri G.V. Wani, learned counsel for respondent No.4, are present.

2. Learned counsel for respondent No.4 submits the affidavit in reply on behalf of said respondent. The same is taken on record and copy thereof is given to learned counsel for applicant and learned P.O.

3. S.O. to 30.04.2024 for filing affidavit in rejoinder, if any and for admission hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1077 OF 2023
(Dr. Yashwant B. Khose Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. Even though the last chance is granted, no reply has been filed.

3. List the matter for admission hearing on 06.05.2024 with liberty to other side to file affidavit in reply, if any, till then.

MEMBER (J)

**M.A.NO. 472 OF 2023 IN O.A.ST.NO. 1915 OF 2023
(Dr. Jyoti S. Deshmukh Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. Even though the last chance is granted, no reply has been filed.

3. List the matter for hearing on 14.06.2024 with liberty to other side to file reply, if any, till then.

MEMBER (J)

sas ORAL ORDER 27.03.2024

**M.A.NO. 393 OF 2023 IN O.A.ST.NO. 1664 OF 2023
(Dwarkabai R. Kumkar Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. At the request of learned P.O., time granted as a last chance for filing affidavit in reply on behalf of respondents to M.A.

3. S.O. to 16.04.2024.

MEMBER (J)

sas ORAL ORDER 27.03.2024

ORIGINAL APPLICATION NO. 221 OF 2024
(Abdul G. Gazi Vs. State of Maharashtra & Ors.)

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

DATE : 27.03.2024

ORAL ORDER :

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

2. At the request of learned P.O., time granted as a last chance for filing affidavit in reply on behalf of respondents.

3. S.O. to 29.04.2024.

MEMBER (J)

**ORIGINAL APPLICATION NOS. 29 TO 31 ALL OF 2024
(Umakant N. Koli & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. At the request of learned P.O., time granted for filing affidavit in reply on behalf of respondents in all these O.As.

3. S.O. to 06.05.2024.

MEMBER (J)

**ORIGINAL APPLICATION NO. 57 OF 2023
(Shaikh Mohd Aslam Rahimshamiya Vs. State of
Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. Part heard.
3. S.O. to 19.04.2024 for further hearing.

MEMBER (J)

sas ORAL ORDER 27.03.2024

**ORIGINAL APPLICATION NO. 221 OF 2024
(Abdul G. Gazi Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. At the request of learned P.O., time granted as a last chance for filing affidavit in reply on behalf of respondents.

3. S.O. to 29.04.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 706 OF 2023
(Kishan I. Waghmare Vs. State of Maharashtra & Ors.)

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

DATE : 27.03.2024

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicant, is **absent**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 01.07.2024 for hearing.

MEMBER (J)

sas ORAL ORDER 27.03.2024

**ORIGINAL APPLICATION NO. 709 OF 2023
(Deepak R. Chavan Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for respondent No.6, are present.

2. Learned P.O. seeks leave to file affidavit in reply on behalf of respondent No.4 during course of the day. Leave granted.

3. S.O. to 25.04.2024 for filing affidavit in rejoinder, if any /for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 292 OF 2023
(Sameer H. Umralkar Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 16.04.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 210 OF 2023
(Ganesh D. Chhabilwad Vs. State of Maharashtra & Ors.)

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

DATE : 27.03.2024

ORAL ORDER :

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

2. At the request of learned P.O., time granted for filing additional affidavit as directed in order dated 19.12.2023.

3. S.O. to 16.04.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 425 OF 2023
(Dinesh R. Choudhari Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 10.06.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 829 OF 2023
(Dr. Devidas Vamanrao Ade Vs. State of Mah. & Ors.)

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

DATE : 27.03.2024

ORAL ORDER :

Heard Ms. Vijaya Adkine, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. It appears that this matter is listed for hearing without affidavit in reply of the respondents. Learned Presenting Officer submits that despite communication, respondent Nos. 1 & 2 have not sent para-wise reply.

3. In view of above, respondent No. 2 is directed to remain present before this Tribunal on the next date of hearing, in case if the reply is not filed till that time.

4. S.O. to 08.05.2024.

MEMBER (J)

**ORIGINAL APPLICATION NO. 47 OF 2023
(Anil Rambhau Waghmare Vs. State of Mah. & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. Learned counsel for the applicant has filed copies of judgments delivered by the Hon'ble Supreme Court and the same are taken on record and copies thereof have been given to the other side.

3. At the request of learned Presenting Officer, S.O. to 08.04.2024.

MEMBER (J)

ORAL ORDER 27.03.2024-SB-HDD

**ORIGINAL APPLICATION NO. 166 OF 2023
(Sunil Ramdas Kharat Vs. State of Mah. & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

Shri Joslyn Menezes, learned counsel holding for Smt. Amruta Paranjape-Menezes, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has placed record and proceedings before this Tribunal as directed by it by order dated 11.03.2024.

3. S.O. to 01.04.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 968 OF 2023
(Rambhau D. Chavan & Ors. Vs. State of Mah. & Ors.)

WITH

ORIGINAL APPLICATION NO. 115 OF 2024
(Vijay B. Nikalje & Ors. Vs. State of Mah. & Ors.)

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

DATE : 27.03.2024

ORAL ORDER :

Heard S/Shri Ajay S. Deshpande & Avinash S. Deshmkh, learned counsel for the applicants in O.A. Nos. 968/2023 & 115/2024 respectively and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities in both the OAs.

2. Arguments advanced on behalf of both the sides are heard for some time.

3. It appears that in both these matters the respondent Superintendent of Police concerned has filed affidavit in reply stating therein that the applicants have not been relieved for the reason that no vacancy was available. However, there is no further clarification in the affidavit in reply as to on what basis respondent, Superintendent of Police, Jalna has concluded to the said extent. I find substance in the submissions made on behalf of the applicants that the respondent, Additional Director

:: - 2 - :: O.A.968/23 & O.A.115/24

General of Police (Transport), is the appropriate authority to inform about availability or non-availability of the vacancies in Highway Police, in Aurangabad range. Moreover, in some of the cases the period on deputation prescribed as '06' months, whereas it is prescribed as '01' year in other cases.

4. In view of above, learned Presenting Officer is directed to take specific instructions in this regard and file short affidavit on behalf of the Additional Director General of Police (Transport) on the next date.

5. The present case be treated as part heard.

6. S.O. to 08.04.2024.

MEMBER (J)

ORAL ORDER 27.03.2024-SB-HDD

**ORIGINAL APPLICATION NO. 611 OF 2017
(Nagnath Gyanba Jadhav Vs. State of Mah. & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

None appears for the applicant. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 12.06.2024.

MEMBER (J)

ORAL ORDER 27.03.2024-SB-HDD

**ORIGINAL APPLICATION NO. 517 OF 2020
(Nandkishor Kishan Gupta Vs. State of Mah. & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

Smt. Vidya Taksal, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities, Shri U.B. Bondar, learned counsel for respondent No. 3 and Shri R.V. Naiknaware, learned counsel for respondent No. 5, are present.

2. S.O. to 14.06.2024.

MEMBER (J)

ORAL ORDER 27.03.2024-SB-HDD

**M.A.NO. 604/2019 IN O.A.ST.NO. 2158/2019
(Venkat S. Mundhe Vs. State of Mah. & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. S.O. to 25.04.2024.

MEMBER (J)

ORAL ORDER 27.03.2024-SB-HDD

**ORIGINAL APPLICATION NO. 3 OF 2021
(Sudhir Suresh Pathak Vs. State of Mah. & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. S.O. to 14.06.2024.

MEMBER (J)

ORAL ORDER 27.03.2024-SB-HDD

**ORIGINAL APPLICATION NO. 106 OF 2021
(Manoj Chandrakant Salgar Vs. State of Mah. & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. S.O. to 18.06.2024.

MEMBER (J)

ORAL ORDER 27.03.2024-SB-HDD

M.A.NO. 94/2021 IN O.A.NO. 1060/2019
(Devidas Dhanraj Patil Vs. State of Mah. & Ors.)

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

DATE : 27.03.2024

ORAL ORDER :

Shri S.V. Suryawanshi, learned counsel for the applicant in M.A. and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

Shri D.B. Thoke, learned counsel for the applicant in O.A. No. 1060/2019 (**absent**).

2. S.O. to 12.06.2024.

MEMBER (J)

ORAL ORDER 27.03.2024-SB-HDD

**ORIGINAL APPLICATION NO. 144 OF 2021
(Vithal Tulshiram Jadhav Vs. State of Mah. & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. S.O. to 18.06.2024.

MEMBER (J)

ORAL ORDER 27.03.2024-SB-HDD

**ORIGINAL APPLICATION NO. 384 OF 2021
(Shripatrao B. Gaikwad Vs. State of Mah. & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. S.O. to 19.06.2024.

MEMBER (J)

ORAL ORDER 27.03.2024-SB-HDD

**ORIGINAL APPLICATION NO. 601 OF 2021
(Ramesh M. Darekar Vs. State of Maharashtra & Ors.)**

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

DATE : 27.03.2024

ORAL ORDER :

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

2. S.O. to 19.06.2024.

MEMBER (J)

ORAL ORDER 27.03.2024-SB-HDD