

**M.A.NO.157/2020 IN O.A.NO.850/2019**  
**(Shrikant Madilwar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri K.N.Farooqui, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents, are present.

2. The applicant has sought to amend the O.A. so as to bring on record the subsequent events occurred during the pendency of the O.A. Similarly, the contents as regards to non-payment of TA & DA after the applicant was transferred from Saja Bhadegaon, Tq. & Dist. Hingoli to Saja Saapatgaon, Tq. Sengaon, Dist. Hingoli are also sought to be added.

3. Learned P.O. has submitted for passing appropriate order.

4. Amendment so far as to bring on record the subsequent events is concerned that has to be allowed. The other contents which are sought to be added in the O.A. are pertaining to non-payment of the TA & DA amount which may not change the nature of the O.A.

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I am, therefore, inclined to allow the M.A. Hence, following order:

ORDER

- (i) Necessary amendment to be carried out within two weeks and it would be open for the respondents to file reply to the amended portion.
- (ii) M.A. is allowed and disposed of accordingly with no order as to costs.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.850/2019  
(Shrikant Madilwar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri K.N.Farooqui, learned Advocate for the applicant  
and Shri N.U.Yadav, learned Presenting Officer for the  
respondents, are present.

2. S.O. to 04-08-2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.80/2020**  
**(Dr. Md. Ashfaque Ashraf Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri Shamsundar B. Patil, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents, are present.

2. Learned Counsel for the applicant tendered across the bar copy of the representation submitted by him to the respondent no.1 as well as copies of the relevant G.Rs. Copy of the representation as well as copies of the G.Rs. are taken on record. Copies thereof are supplied to the other side.

3. Learned Counsel for the applicant invited my attention to the last G.R. dated 16-12-2021. The learned Counsel submitted that in view of the said G.R. the applicant has made a representation to respondent no.1 on

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O.A.NO.80/2020

18-01-2022. Learned Counsel submits that in light of the G.R. dated 16-12-2021, representation dated 18-01-2022 made by the applicant deserves to be considered by the respondents. Learned Counsel submitted that though five months' period has lapsed, representation has not been considered by the respondent no.1. Learned Counsel further submitted that for not considering the representation, the reason assigned by the respondents is pendency of the O.A. before this Tribunal. Learned Counsel in the circumstances has prayed for directing the respondents to decide the representation dated 18-01-2022 on its own merit and having regard to the guidelines given in the G.R. dated 16-12-2021.

4. Learned PO has opposed for granting any such prayer stating that the affidavit in reply has already been filed and the matter has ripen for hearing and whatever grievance raised by the applicant can be decided by this Tribunal.

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5. Affidavit in reply is admittedly filed prior to issuance of G.R. dated 16-12-2021. It appears to me that in view of the last G.R. issued in this regard if the authorities can consider the request of the applicant on its own merit perhaps this Tribunal may not require to decide the present O.A. I am, therefore, inclined to accept the request of the applicant and pass the following order:

ORDER

Respondent no.1 shall decide the representation dated 18-01-2022 made by the applicant on its own merit within a period of one month from the date of this order.

6. S.O. to 08-08-2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.136/2020**  
**(Rameshwar Kadam Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri P.D.Suryavanshi, learned Advocate for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondents, are present.

2. Learned P.O. submits that the affidavit in reply will be filed within a week. Time is granted as a last chance.
3. S.O. to 05-07-2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.370/2020  
(Shrimant Ture Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

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

2. S.O. to 08-08-2022.

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO.430/2020  
(Ashok Talde & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri Saket Joshi, learned Advocate holding for Shri A.S.Deshmukh, learned Advocate for the applicant, Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities, Shri R.O.Awasarmol, learned Advocate for respondent nos.13, 14, 19, 21, 24, 28, 42 & 61, and Shri D.S.Pagare, learned Advocate for respondent nos.26, 30, 32, 37, 56 & 59, are present.

2. Learned P.O. files affidavit in reply on behalf of respondent no.4. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 08-08-2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.785/2021  
(Ashok Godbole Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri G.K.Muneshwar, learned Advocate for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents, are present.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 to 3. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 07-08-2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.230/2021**  
**(Vaidya Minal Thosar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri S.G.Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents, are present.

2. On request of learned Advocate appearing for the applicant re-issue notices to the respondents, returnable on 11.08.2022.

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.

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O.A.NO.230/2021

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 11.08.2022.

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

**VICE CHAIRMAN**

YUK ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO.385/2021  
(Sachin Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri Vivek Pingle, learned Advocate for the applicant  
and Shri M.P.Gude, learned Presenting Officer for the  
respondents, are present.

2. Learned Advocate for the applicant files affidavit in  
rejoinder. It is taken on record. Copy thereof has been  
served on the other side.

3. S.O. to 06-07-2022 for hearing.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.818/2021**  
**(Dr. Ashwini Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri S.D.Joshi, learned Advocate for the applicant, Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, Shri G.M.Ghongde, learned Advocate holding for Shri S.G.Chapalgaonkar, learned Advocate for respondent no.6, Shri S.G.Kulkarni, learned Advocate for respondent no.8, Shri Amol Jagtap, learned Advocate for respondent no.9 and Shri Akshay H. Joshi, learned Advocate for respondent no.7, are present.

2. Respondent no.6 submits that affidavit in reply on behalf of the said respondent will be filed during the course of the day.

3. Learned Counsel for respondent no.9 has sought time to file affidavit in reply. Time is granted.

4. S.O. to 02-08-2022.

**VICE CHAIRMAN**

**T.A.NO.04/2021 IN W.P.NO.8018/2020**  
**T.A.NO.05/2021 IN W.P.NO.8019/2020**  
**T.A.NO.06/2021 IN W.P.NO.8020/2020**  
**(Pratik Phutane & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri P.A.Rathod, learned Advocate holding for  
Shri Abhay Rathod, learned Advocate for the applicants  
and Shri M.S.Mahajan, learned Chief Presenting Officer for  
the respondents, are present.

2. S.O. to 29-07-2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.523/2022**  
**(Gajanan Bansode Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri S.A.Deshmukh, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Issue notices to the respondents, returnable on 11.08.2022.

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)



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O.A.NO.523/2022

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 11.08.2022.

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

**VICE CHAIRMAN**

YUK ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO.542/2022**  
**(Nagnath Popalwar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri S.A.Deshmukh, learned Advocate holding for Shri S.N.Janakwade learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Issue notices to the respondents, returnable on 12.08.2022.
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)

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O.A.NO.542/2022

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 12.08.2022.

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

**VICE CHAIRMAN**

YUK ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO.562/2021  
(Alka Naigaonkar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri S.D.Joshi, learned Advocate for the applicant  
and Smt. Sanjivani Ghate, learned Presenting Officer for  
the respondents, are present.

2. S.O. to 12-07-2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.634/2021  
(Shankar Waghmare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri I.D.Maniyar, learned Advocate holding for  
Shri V.S.Panpatte, learned Advocate for the applicant and  
Smt. Deepali Deshpande, learned Presenting Officer for the  
respondents, are present.

2. Last chance is granted for filing affidavit in reply on  
behalf of respondents. If reply is not filed on or before the  
next date, the matter will be heard without reply.

3. S.O. to 12-08-2022.

**VICE CHAIRMAN**

**C.P.NO.27/2019 IN O.A.NO.260/2017**  
**(Bhagwat Bedke Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri R.P.Bhumkar, learned Advocate for the applicant  
and Shri S.K.Shirse, learned Presenting Officer for the  
respondents, are present.

2. S.O. to 21-07-2022.

**VICE CHAIRMAN**

**C.P.NO.36/2019 IN O.A.NO.229/2015**  
**C.P.NO.37/2019 IN O.A.NO.230/2015**  
**(Dr. Bhaskar Borgaonkar & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri P.R.Tandale, learned Advocate for the applicants and Shri N.U.Yadav & Shri V.R.Bhumkar, learned Presenting Officers for the respondents, are present.

2. S.O. to 21-07-2022.

**VICE CHAIRMAN**

**C.P.NO.02/2021 IN O.A.NO.984/2018**  
**(Jaiprakash Waghmare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Smt. Anita Gadekar, learned Advocate for the applicant, Shri M.P.Gude, learned Presenting Officer for the respondent authorities and Shri S.D.Dhongde, learned Advocate for respondent no.4, are present.

2. S.O. to 22-07-2022.

**VICE CHAIRMAN**

YUK ORAL ORDERS 27.06.2022



**ORIGINAL APPLICATION NO.758/2019  
(Dr. Satish Totawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri J.S.Deshmukh, learned Advocate for the  
applicant and Smt. Sanjivani Ghate, learned Presenting  
Officer for the respondents, are present.

2. S.O. to 22-07-2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.39/2020  
(Anil Nikam Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri Saket Joshi, learned Advocate holding for  
Shri A.S.Deshmukh, learned Advocate for the applicant  
and Smt. Deepali Deshpande, learned Presenting Officer for  
the respondents, are present.

2. S.O. to 25-07-2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.164/2020  
(Hemant Chhajer Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri A.M.Hajare, learned Advocate for the applicant  
and Shri I.S.Thorat, learned Presenting Officer for the  
respondents, are present.

2. S.O. to 26-07-2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.501/2020**  
**(Dr. Prashant Shamkumar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri V.G.Pingle, learned Advocate for the applicant  
and Shri M.S.Mahajan, learned Chief Presenting Officer for  
the respondents, are present.

2. S.O. to 28-07-2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.09/2021  
(Ulhas Kawade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri H.U.Dhage, learned Advocate for the applicant  
and Shri S.K.Shirse, learned Presenting Officer for the  
respondents, are present.

2. S.O. to 28-07-2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.54/2021**  
**(Umesh Shahane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri P.N.Sonpethkar, learned Advocate for the  
applicant and Shri N.U.Yadav, learned Presenting Officer  
for the respondents, are present.

2. S.O. to 29-07-2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.141/2021  
(Shubham Pagare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri S.D.Dhongde, learned Advocate for the applicant  
and Shri V.R.Bhumkar, learned Presenting Officer for the  
respondents, are present.

2. S.O. to 29-07-2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.275/2021 & 276/2021  
(Parmeshwar Pawar & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri D.B.Bhange, learned Advocate for the applicants  
and Shri M.P.Gude, learned Presenting Officer for the  
respondents, are present.

2. S.O. to 11-08-2022.

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO.478/2021  
(Syed Mujahed Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman**  
(This case is placed before Single Bench due  
to non-availability of Division Bench)

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri V.G.Pingle, learned Advocate for the applicant  
and Smt. Sanjivani Ghate, learned Presenting Officer for  
the respondents, are present.

2. Learned Advocate for the applicant has filed affidavit  
in rejoinder. It is taken on record. Copy thereof has been  
served on the other side.

3. S.O. to 06-07-2022.

**VICE CHAIRMAN**

**M.A. No. 85/2021 in O.A. St. No. 348/2021  
(Laxmibai Shankar Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**O R D E R**

1. This Misc. Application is made by the applicant seeking condonation of delay of about 2 years and 6 months caused in filing the accompanying O.A. seeking refund of amount of Rs. 1,01,611/- paid to the original application as excess payment in view of the guidelines issued by the Hon'ble Apex Court in **Civil Appeal No. 11527/2014 arising out of S.L.P. (C) No. 11684/2012 & Ors. (State of Punjab and others etc. Vs. Rafiq Masih (White Washer) etc.)** reported at **AIR 2015 SC 596.**

2. The present applicant is the widow of original deceased application viz. Shankar Fulsing Pawar, who was a Government servant. He filed the present matter contending that he was working in Police Department. He retired from the post of Assistant Sub-Inspector (A.S.I.) on superannuation on 30.09.2017 from the office of respondent No. 3 i.e. Superintendent of Police, Nanded. The post of A.S.I. comes under Group-C (Class-III) category.

//2// MA 85/2021 in  
OA St. 348/2021

3. It is his contention that before his retirement, the respondent No. 3 issued order of pay fixation, thereby revised / re-fixed the pay scale of the applicant w.e.f. 01.09.2000 to 31.01.2016 and directed to recover the excess payment from the applicant, which was paid to the applicant due to wrong pay fixation during the said period. The said order was not served to the applicant by the respondent No. 3. The said recovery is in excess of five years before the order of recovery and before one year of his retirement. Hence, according to the decision of the Hon'ble Apex Court in **Civil Appeal No. 11527/2014 arising out of S.L.P. (C) No. 11684/2012 & Ors. (State of Punjab and others etc. Vs. Rafiq Masih (White Washer) etc.)**, the said recovery is impermissible. According to the applicant, the total amount recovered was Rs. 1,01,611/-. Out of that amount, an amount of Rs. 46,611/- was recovered from monthly salary of the applicant while he was in service during April, 2016 to September, 2017 and remaining amount of Rs. 55000/- was recovered from gratuity amount.

4. There is delay of 2 years and 6 months in filing the accompanying O.A. for the relief of refund of

//3// MA 85/2021 in  
OA St. 348/2021

excess amount. The said delay is not deliberate or intentional. The applicant is a layman and did not know niceties of law. Moreover, during the year 2018-19, the original applicant was ill and therefore, he could not file the Original Application in time. Hence, the present Misc. Application.

5. Affidavit in reply is filed on behalf of respondent Nos. 1 to 3 by one Archana Dattatrya Patil, working as Deputy Superintendent of Police (Home), Nanded, Dist. Nanded; thereby she denied all the adverse contentions raised in the application. It is specifically contented that no sufficient evidence is produced on record by the applicant to substantiate the ground of illness. In view of the same, no sufficient cause is shown by the applicant for condonation of inordinate delay. Hence, the present Misc. Application is liable to be rejected.

6. I have heard the arguments advanced by Shri K.B. Jadhav, learned Advocate for the applicant on one hand and Shri N.U. Yadav, learned Presenting Officer for the respondents on the other hand.

7. During pendency of the present Misc. Application, the original applicant died on 10.05.2021.

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OA St. 348/2021

The present applicant, who is widow, is brought on record as heir and legal representative of the original applicant, who has continued the proceedings.

8. The alleged wrong pay fixation resulted into recovery said to have been issued before April 2016. The amount of Rs. 46,611/- said to have been recovered from the monthly salary of the original applicant during the period of April 2016 to September, 2017. The applicant stood retired on superannuation on 31.09.2017. Thereafter, remaining excess amount of Rs. 55,000/- said to have been recovered from the gratuity amount payable to the applicant on 26.07.2017. The Original Application along with the present Misc. Application is filed on or about 16.03.2021. Considering the facts on record, the cause of action arose for filing the O.A. in April, 2016. In these circumstances, there is delay of about 4 years in filing the accompanying O.A. and not 2 years and 6 months as sought to be contended by the applicant.

9. Undisputedly, the applicant at the time of retirement was holding the post of A.S.I., which is the Group-C post. Prima-facie, it is evident that as per the

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OA St. 348/2021

decision of the Hon'ble Apex Court in **Civil Appeal No. 11527/2014 arising out of S.L.P. (C) No. 11684/2012 & Ors. (State of Punjab and others etc. Vs. Rafiq Masih (White Washer) etc.)**, the recovery of excess amount paid on account of pay fixation is impermissible in the case of Group-C and Group-D employees. In such circumstances, the applicant has good case on merits.

10. The applicant has stated ground of illness and in that regard he has produced some documents on record, which would show that the applicant is a diabetic patient. No doubt, some negligence can be attributed on the part of applicant in not filing the accompanying O.A. in time, but the said delay cannot be said to be intentional or deliberate one, thereby the applicant had nothing to gain.

11. It is a settled principle of law that the expression "sufficient cause" is to be construed liberally. In the case in hand, refusing to condone the delay is likely to defeat the cause of justice at the threshold. In view of the same, in my considered opinion, this is a fit case to condone the delay by imposing the moderate costs

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of Rs. 1500/- on the applicant. Hence, I proceed to pass following order :-

**ORDER**

The Misc. Application No. 85/2021 is allowed in following terms:-

- (i) The delay of 4 years caused for filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 1500/- by the applicant. The amount of costs shall be deposited in the Registry of this Tribunal by the applicant within a period of one month from the date of this order.
- (ii) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

**MEMBER (J)**

**M.A. No. 337/2019 in O.A. St. No. 1116/2019  
(Gopal Mahadeo Waghmare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**O R D E R**

1. By this Misc. Application, the applicant is seeking condonation of delay of about 4 years, 4 months and 15 days caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985, seeking refund of recovered amount of Rs. 2,20,344/- from the applicant as excess payment from the retirement gratuity of the applicant by the respondent No. 3 to the applicant in view of the judgment delivered by the Hon'ble Apex Court in **Civil Appeal No. 11527/2014 arising out of S.L.P. (C) No. 11684/2012 & Ors. (State of Punjab and others etc. Vs. Rafiq Masih (White Washer) etc.).**

2. The applicant superannuated from the Government service w.e.f. 30.06.2012 while holding the post of Assistant Project Officer, which is Class-III post. After retirement of the applicant, alleged excess payment of Rs. 2,20,344/- is deducted on 22.08.2013 from the gratuity amount payable to the applicant



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stating that earlier due to wrong pay fixation, the excess amount was being paid.

3. It is contended that after retirement, the applicant was suffering from serious illness of Kidney disease. He has undergone treatment and one kidney was removed on 12.12.2014 by performing surgery on him. Thereafter, also treatment was continued. In view of the same, the applicant could not file the O.A. in time. There is delay of about 4 years, 4 months and 15 days caused in filing the accompanying O.A. and the same is not deliberate or intentional. Hence, the present Misc. Application.

4. The affidavit in reply is filed on behalf of respondent No. 2 by one Shri Madhukar S/o Dharmanath Avhad, working as Junior Administrative Officers in the office of Deputy Director of Education, Aurangabad Region, Aurangabad, thereby he denied all the adverse contentions raised by the applicant. It is specifically contended that there is huge delay of more than 4 years in filing the accompanying O.A. and no sufficient cause has been shown by the applicant. He relied upon the decision of the Hon'ble Supreme

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Court in the case of **Brijesh Kumar & Ors. Vs. State of Haryana and Ors.** in **Special Leave Petition (Civil) Nos. 6609-6613 of 2014**, decided on 24.03.2014. In the said citation it is held as follows :-

*“12. It is also a well settled principle of law that if some person has taken a relief approaching the Court just or immediately after the cause of action had arisen, other persons cannot take benefit thereof approaching the court at a belated stage for the reason that they cannot be permitted to take the impetus of the order passed at the behest of some diligent person.”*

In these circumstances, there is no merit in the case of the applicant, as pleaded by the applicant and therefore, the present M.A. is liable to be dismissed.

5. The applicant filed rejoinder affidavit and denied all the adverse contentions raised in the affidavit in reply filed by the respondent No. 2. It is specifically contended that he has produced on record sufficient medical papers to substantiate the ground of illness.

6. I have heard the arguments advanced by Shri A.D. Gadekar, learned Advocate for the applicant on one hand and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents on the other hand.

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7. Basically, the applicant has pleaded ground of illness for condonation of delay. To substantiate the said ground, the applicant has produced on record medical papers at Annexure M-1 collectively. Perusal of the said documents would show that in or about October, 2013, it was detected that the applicant was suffering from Kidney disease. The applicant was operated on or about 12.12.2014 and one Kidney was removed and thereafter treatment was continued till about March 2019. In view of the same, ground of illness pleaded by the applicant cannot be just ignored.

8. It is the contention of the applicant that he has a good case on merits, as he belongs to Group-C category employee and recovery of excess amount paid due to wrong pay fixation is impermissible. It is the contention of the applicant that his case is required to be examined on merit and that can be done by hearing the Original Application.

9. Considering the facts and circumstances of the case, it cannot be said that the applicant was grossly negligence. It can be said that the due to suffering of

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serious Kidney disease, he was prevented from approaching the Tribunal seeking redressal of grievances in time. Considerable time said to have been consumed in his illness. The delay cannot be said to be deliberate or intentional one, thereby the applicant had nothing to gain.

10. It is a settled principle of law that the expression “sufficient cause” is to be construed liberally. In this regard, learned Advocate for the applicant has relied upon the following case laws :-

(i) AIR 1987 Supreme Court 1353 in the matter of Collector, Land Acquisition, Anantnag and Anr. Vs. Mst. Katiji and Ors. In this decision, it is held that the courts should adopt liberal approach.

(ii) 2011 (2) Mh.L.J. 603 in the matter of Kailas Dinkar Wani Vs. Agrasen Urban Co-operative Credit Society Ltd. Jalgaon and Others. In this citation, it is held as follows :-

*“ In every case of delay, there can be some lapse on the part of litigant concerned. That alone is not enough to turn down his plea and to shut the door against him. If the explanation*

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*does not smack of mala fides or it is not put forth as part of a dilatory strategy the Court must show utmost consideration to the suitor. Hence, liberal approach is required to be adopted while considering the application for condonation of delay where sufficient cause for the delay condonation, as contemplated under [Section 5](#) of the Limitation Act, is pleaded and proved. However, while condoning delay the Court should not forget the opposite party altogether. It must be borne in mind that he is a loser and he too would have incurred quite a large litigation expenses and therefore, opposite party deserves to be reasonably compensated while condoning delay after quashing and setting aside the impugned order.”*

11. In the circumstances as above, refusing to condone the delay is likely to defeat the cause of justice at the threshold. This is a fit case to give an opportunity to the applicant to be heard in the matter. In view of the same, in my considered opinion, this is a fit case to condone the delay by imposing the moderate costs of Rs. 1500/- on the applicant. Hence, I proceed to pass following order :-

**ORDER**

The Misc. Application No. 337/2019 is allowed in following terms:-

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OA St. 1116/2019

- (i) The delay of 4 years, 4 months & 15 days caused for filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 1500/- by the applicant. The amount of costs shall be deposited in the Registry of this Tribunal by the applicant within a period of one month from the date of this order.
- (ii) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

**MEMBER (J)**

**Review 01/2021 in O.A. No. 21/2021  
(Laxman B. Choudhari Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 06.07.2022.

**MEMBER (J)**

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**O.A. No. 76/2020**  
**(Shantabai G. Kulkarni Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri R.B. Deshmukh, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. S.O. to 07.07.2022.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022



**ORIGINAL APPLICATION NO. 583 OF 2021**  
**(Jitendra M. Panje Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri Swaraj Tandale, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Record shows that affidavit in reply is filed only on behalf of respondent Nos. 2 and 3. Record further shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf respondent No. 1. Hence, the matter will be proceeded further in accordance with law.

3. Learned Advocate for the applicant filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.

4. S.O. to 15.07.2022 for admission.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 542 OF 2021**  
**(Dr. Sunil K. Palhal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 and 2. Shri P.K. Ippar / S.S. Shine, learned Advocate for respondent No. 5, **absent**. None present for respondent Nos. 3 & 4, though duly served.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1 & 2.

3. S.O. to 18.07.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 298 OF 2022**  
**(Baban G. Tadvi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri Swaraj Tandale, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted as last a last chance for filing affidavit in reply on behalf of respondent Nos. 1 and 2.

3. S.O. to 14.07.2022.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO. 332 OF 2021**  
**(Suraj B. Mundhe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri S.T. Chalkwar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.
3. S.O. to 18.07.2022 for admission.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO. 267 OF 2022**  
**(Subhash B. Selukar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri R.P. Bhumkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, issue fresh notice to the respondent No. 5, returnable on 19.07.2022.
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 19.07.2022.
9. Steno copy and Hamdast is allowed to both parties.

**MEMBER (J)**

**M.A. No. 197/2018 in O.A. St. No. 945/2018**  
(Musaddia Ahmed Masood Ahmed Madni Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri Deelip Mutalik, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 19.07.2022.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO. 407 OF 2020**  
**(Dr. Yashwant S. Chavan Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 11.07.2022 for final hearing.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO. 188 OF 2019**  
**(Nilkanth R. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri P.B. Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 3 & 4. Same is taken on record and copy thereof has been served on the other side.

3. At the request of learned Advocate for the applicant, S.O. to 21.07.2022 for final hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 981 OF 2019**  
**(Ravindra K. Deshmukh Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri G.V. Mohekar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. The present matter has already been treated as part heard.
3. Learned Advocate for the applicant placed on record a copy of communication dated 13.03.2019. Same is taken on record and marked as document 'X' for the purpose of identification.
4. At the request of learned Presenting Officer, S.O. to 04.07.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 50 OF 2021**  
**(Ravindra K. Deshmukh Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri G.V. Mohekar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 04.07.2022 for final hearing.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO. 567 OF 2020**  
**(Rajendra V. Marale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Smt. Amruta Paranjape-Menezes, learned Advocate holding for Shri P.M. Nagargoje, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

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

3. S.O. to 12.07.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 82 OF 2021**  
**(Deepak S. Zinjurde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Smt. Amruta Paranjape, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. S.O. to 12.07.2022.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**M.A. No. 24/2020 in O.A. St. No. 1607/2019  
(Ashok K. Ghuge Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Smt. Amruta Paranjape-Menezes, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Record shows that in spite of grant of opportunities, the respondents have not filed the affidavit in reply. Hence, the matter is proceeded further in accordance with law.

3. S.O. to 05.07.2022.

**MEMBER (J)**

**M.A. No. 503/2019 in O.A. St. No. 2016/2019**  
**(Maheboob Bandegisab Naubash Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate holding for Shri Ashish Rajkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 11.07.2022.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO. 66 OF 2022**  
**(Nathu N. Khartade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Pleadings are complete. The present matter is pertaining to deemed date of promotion. Hence, the O.A. is admitted and it be kept for final hearing on 15.07.2022.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO. 602 OF 2021**  
**(Pravin N. Nemade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri H.V. Patil, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Pleadings are complete. The present matter is pertaining to recovery / pension & pensionary benefits. Hence, the O.A. is admitted and it be kept for final hearing on 18.07.2022.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022



**ORIGINAL APPLICATION NO. 411 OF 2021**  
**(Bharat L. Bhillare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Pleadings are complete. The present matter is pertaining to recovery. Hence, the O.A. is admitted and it be kept for final hearing on 20.07.2022.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**M.A. St. No. 570/2022 in O.A. St. No. 571/2022  
(Ashok G. Jondhale & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri H.V. Patil, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicants, time is granted for taking necessary steps to remove the office objection/s.

3. S.O. to 18.07.2022.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION ST. NO. 357 OF 2020  
(Sanjay D. Bobade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri S.G. Kulkarni, learned Advocate for the applicant (**Absent**). Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 01.07.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 844 OF 2019**  
**(Raviraj R. Darak Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri P.V. Suryawanshi, learned Advocate holding for Shri Vivek Bhavthankar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. The present matter has already been treated as part heard.

3. At the request of learned Advocate for the applicant, S.O. to 06.07.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 697 OF 2021**  
**(Dr. Santosh Bhagwan Naikwade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri P.A. Bharat, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. On instructions learned Advocate for the applicant seeks permission to withdraw the present Original Application.

3. I have no reason to refuse the permission. Hence, permission to withdraw the present O.A. is granted. The O.A. stands disposed of as withdrawn with no order as to costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 343 OF 2022**  
**(Dr. Satish F. Rathod Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 to 3 and Smt. Anuradha S. Mantri, learned Advocate for respondent Nos. 4 & 5.

2. Await service of notice on the respondents.

3. At the request of learned Advocate for the applicant, S.O. to 22.07.2022 for taking necessary steps.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO. 364 OF 2022**  
**(Laxmibai U. Potdar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri A.V. Patil (Indrale), learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.

3. As none present for the applicant, S.O. to 22.07.2022 for taking necessary steps.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 484 OF 2022**  
**(Jayendra P. Ahire Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri S.U. Chaudhari, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.
3. As none present for the applicant, S.O. to 19.07.2022 for taking necessary steps.

**MEMBER (J)**



**M.A. No. 286/2020 in O.A. St. No. 1059/2020  
(Prabhakar M. Kawathekar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri G.J. Kore, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time granted as one more last chance for filing affidavit in reply on behalf of respondents in M.A.
3. S.O. to 06.07.2022.

**MEMBER (J)**

**M.A. No. 287/2020 in O.A. St. No. 1061/2020  
(Bhalchandra P. Dharurkar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri G.J. Kore, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent No. 1 in M.A. Same is taken on record. He has also deposited one additional copy of the affidavit in reply of respondent No. 1 for the applicant.

3. S.O. to 06.07.2022.

**MEMBER (J)**

**M.A. No. 289/2020 in O.A. St. No. 1065/2020  
(Pandharenath B. Dhorge Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri G.J. Kore, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time granted as one more last chance for filing affidavit in reply on behalf of respondents in M.A.
3. S.O. to 06.07.2022.

**MEMBER (J)**

**M.A. No. 290/2020 in O.A. St. No. 1067/2020  
(Vilas V. Sathe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri G.J. Kore, learned Advocate for the applicant (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 06.07.2022 for filing rejoinder affidavit, if any.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**M.A. No. 291/2020 in O.A. St. No. 1070/2020**  
**(Jilani Azimoddin Shaikh Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri G.J. Kore, learned Advocate for the applicant (**Absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent No. 1 and Shri S.D. Dhongde, learned Advocate for respondent No. 2.

2. At the request of learned Advocate for respondent No. 2, time granted as one more last chance for filing affidavit in reply in M.A.

3. S.O. to 06.07.2022.

**MEMBER (J)**

**M.A. No. 292/2020 in O.A. St. No. 1072/2020**  
**(Shaikh Rahim Shaikh Chand Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri G.J. Kore, learned Advocate for the applicant  
(**Absent**). Heard Smt. Sanjivani K. Deshmukh-Ghate,  
learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to  
06.07.2022 for filing rejoinder affidavit, if any.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**M.A. No. 312/2020 in O.A. St. No. 1351/2020**  
**(Ajgar Ali Mohiddin Shaikh Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri G.J. Kore, learned Advocate for the applicant  
(**Absent**). Heard Shri M.S. Mahajan, learned Chief  
Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to  
06.07.2022 for filing rejoinder affidavit, if any.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**M.A. No. 158/2021 in O.A. St. No. 593/2021  
(Kishor J. Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri N.J. Patil, learned Advocate for the applicant (**Absent**). Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Chief Presenting Officer, time granted for filing affidavit in reply on behalf of respondents in M.A.
3. S.O. to 19.07.2022.

**MEMBER (J)**



**M.A. No. 195/2021 in O.A. St. No. 727/2021  
(Pathan Maheeb Ahemad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri M.K. Bhosale, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Record shows that in spite of opportunities granted to the respondents, the respondents have not filed the affidavit in reply in M.A. Hence, the present matter will be proceeded further in accordance with law.

3. S.O. to 21.07.2022.

**MEMBER (J)**

**M.A. No. 399/2021 in O.A. St. No. 1725/2021  
(Sunanda B. Maske & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri H.P. Jadhav, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time granted for filing affidavit in reply on behalf of respondents in M.A.
3. S.O. to 20.07.2022.

**MEMBER (J)**

**M.A. No. 139/2022 in O.A. St. No. 495/2022  
(Vinod V. Bandale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri S.B. Jadhav, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time granted for filing affidavit in reply on behalf of respondents in M.A.
3. S.O. to 20.07.2022.

**MEMBER (J)**

**M.A. No. 228/2021 in O.A. St. No. 775/2021  
(Jagannath T. Mundhe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri J.M. Murkute, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.
3. As none present for the applicant, S.O. to 21.07.2022 for taking necessary steps.

**MEMBER (J)**

**M.A. No. 231/2021 in O.A. St. No. 782/2021  
(Raju T. Kamble Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri P.B. Jadhav, learned Advocate holding for Shri S.P. Chate, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 22.07.2022 for taking necessary steps.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**M.A. No. 288/2021 in O.A. St. No. 491/2019  
(Satish S. More Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri J.M. Murkute, learned Advocate for the applicant (**Absent**). Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.
3. As none present for the applicant, S.O. to 21.07.2022 for taking necessary steps.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**M.A. No. 143/2022 in O.A. St. No. 75/2022**  
**(Sudhir S. Bramhne & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri A.B. Kale, learned Advocate for the applicants (**Absent**). Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.
3. As none present for the applicant, S.O. to 22.07.2022 for taking necessary steps.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**M.A. No. 146/2022 in O.A. St. No. 652/2018  
(Indira A. Maind Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri D.K. Dagadkhari, learned Advocate for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents in M.A.
3. S.O. to 29.07.2022.

**MEMBER (J)**



**M.A. No. 152/2022 in O.A. St. No. 346/2021  
(Suryakant S. Bhalerao Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri P.V. Suryavanshi, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents in M.A.
3. S.O. to 18.07.2022.

**MEMBER (J)**

**M.A. No. 155/2022 in O.A. St. No. 600/2022  
(Deepak G. Kulkarni Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Smt. Supriya Bhilegaonkar-  
Bharaswadkar, learned Advocate for the applicant and  
Shri V.R. Bhumkar, learned Presenting Officer for the  
respondents.

2. At the request of learned Presenting Officer, time  
is granted for filing affidavit in reply on behalf of  
respondents in M.A.

3. S.O. to 19.07.2022.

**MEMBER (J)**

**M.A. No. 162/2022 in O.A. St. No. 608/2022  
(Nandkishor A. Awile Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri P.V. Suryawanshi, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents in M.A.
3. S.O. to 18.07.2022.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO. 386 OF 2019**  
**(Gautam R. Fasale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri R.N. Bharaswadkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The present matter has already been treated as part heard.
3. At the request of learned Presenting Officer, S.O. to 29.06.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 532 OF 2007**  
**(Amir Khand Ibrahim Khan Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Smt. A.N. Ansari, learned Advocate for the applicant (**Absent**). Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 07.07.2022 for final hearing.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO. 328 OF 2022**  
**(Ashok B. Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.
3. S.O. to 21.07.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 294 OF 2022**  
**(Ganpat K. Sidam Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri S.D. Munde, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Await service of notice on behalf of respondent No. 5.
3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1 to 4.
4. S.O. to 22.07.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 285 OF 2022**  
**(Shashikant D. Guntoorkar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri M.A. Golegaonkar, learned Advocate for the applicant (**Absent**). Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.
3. As none present for the applicant, S.O. to 21.07.2022 for taking necessary steps.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 273 OF 2022**  
**(Pradeep P. Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri H.P. Jadhav, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.
3. S.O. to 21.07.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 99 OF 2022**  
**(Rohit C. Mote Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.
3. S.O. to 19.07.2022.

**MEMBER (J)**

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

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri R.A. Joshi, learned Advocate holding for Shri K.G. Salunke, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit.
3. S.O. to 15.07.2022.

**MEMBER (J)**

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

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.

3. At the request of learned Advocate for the applicant, S.O. to 22.07.2022 for taking necessary steps.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO. 422 OF 2021**  
**(Satish A. Trimukhe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri Vijay Deshmukh, learned Advocate for the applicant (**Absent**). Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 22.07.2022 for filing rejoinder affidavit, if any.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO. 413 OF 2021**  
**(Pandhari S. Ahankare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri J.M. Murkute, learned Advocate for the applicant (**Absent**). Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Await service of notice on the respondents.

3. As none present for the applicant, S.O. to 22.07.2022 for taking necessary steps.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO. 409 OF 2021  
(Govind R. More Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri R.N. Bharaswadkar, learned Advocate holding for Smt. Priya R. Bharaswadkar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.
3. At the request of learned Advocate for the applicant, S.O. to 04.07.2022 for taking necessary steps.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 386 OF 2021**  
**(Chandrashekhar R. Chopdar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri Harish Bali, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 29.07.2022.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022



**ORIGINAL APPLICATION NO. 383 OF 2021  
(Siddharth Y. Bhalerao Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri A.M. Hajare, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

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

3. S.O. to 06.07.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 379 OF 2021**  
**(Ravindra B. Rathod Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri N.L. Chaudhari, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 21.07.2022.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO. 830 OF 2021  
(Sanjay V. Pardikar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.
3. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 & 2. Same is taken on record and copy thereof has been served on the other side.
4. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit.
5. S.O. to 22.07.2022.

**MEMBER (J)**

**M.A. No. 80/2022 in O.A. St. No. 1811/2021  
(Vilas K. Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri P.R. Tandale, learned Advocate for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents in M.A.
3. S.O. to 22.07.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 163 OF 2022**  
**(Dr. Suhas S. Sonawne Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri Avinash Deshmukh, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri R.S. Pawar, learned Advocate for respondent No. 4.

2. The impugned order of relieving the applicant dated 09.09.2021 (Annexure A-1) issued by the respondent No. 4 i.e. the Chief Executive Officer, Zilla Parishad, Dhule is under challenge in this O.A..

3. Learned Advocate for the applicant submits that the applicant is not getting the salary since he is relieved.

4. From the submissions of both the sides, it appears that no steps have been taken by the respondent Nos. 1 to 3 to give posting to the applicant, since the order of relieving of the applicant which is under challenge.

5. Learned Presenting Officer for the respondent Nos. 1 to 3 and learned Advocate for respondent No. 4

//2//

O.A. NO. 163/2022

have submitted that the matter will be dealt with in accordance with law and they are not in a position to make statement about salary of the applicant. In spite of passing of order by this Tribunal seeking reasons for non-payment of salary, nothing is placed on record on behalf of respondents.

6. In view of the same, the respondent Nos. 1 to 3 are directed to take the necessary steps to pay the salary, which is due to the applicant within a period of three weeks from the date of this order.

7. Record shows that in spite of grant of opportunities to the respondent Nos. 1 to 3, they have failed to file affidavit in reply. Hence, the matter will proceed further in accordance with law.

8. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit.

9. S.O. to 20.07.2022 for admission.

**MEMBER (J)**

**M.A. No. 147/2022 in O.A. No. 76/2022**  
**(Shantabai G. Kulkarni Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri Prashant Sukale, learned Advocate holding for Shri R.B. Deshmukh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. The present Misc. Application is filed by the applicant seeking amendment in the Original Application by way of challenging the impugned communication dated 01.10.2019 (Annexure-C in the O.A.) issued by the respondent No. 4, whereby the claim of the applicant for pensionary benefits was denied stating that the applicant is being second wife is not entitled for family pension.

3. In the O.A., it is the contention of the applicant that the applicant is second wife being married with the deceased Ganpatrao Kulkarni on or about 16.02.1954. The first wife viz. Tarabai predeceased Ganpatrao Kulkarni being died on 16.03.2019 and Ganpatrao Kulkarni died on 11.11.2018.

//2//

MA 147/22 in OA 76/22

4. In view of above, it is evident that the proposed amendment is not going to change the nature of original proceedings. In fact, the proposed amendment is just and necessary to determine the real question of controversy between the parties. Hence, I proceed to pass following order :-

**ORDER**

- (i) The M.A. No. 147/2022 is allowed.
- (ii) The applicant shall carry out the necessary amendment in the O.A. within a period of two weeks and to serve the amended copy of the O.A. on the other side.
- (iii) Accordingly, M.A. No. 147/2022 stands disposed of with no order as to costs.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 01 OF 2020**  
**(Seema S. Dalavi & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri M.R. Kulkarni, learned Advocate holding for Shri Mujahed Hussain, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Record shows that already two last chances were granted for filing affidavit in reply, but till today no affidavit in reply is filed by the respondents. Hence, prayer for filing affidavit in reply is rejected. The present matter will proceed further in accordance with law.

3. S.O. to 18.07.2022 for admission.

**MEMBER (J)**

**MA 176/22 in MA 341/21 in MA 341/21 in OA 77/20  
(Mahesh S. Khedkar & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri C.T. Jadhav, learned Advocate for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. The Original Application No. 77/2020 is made by the son of deceased Suresh Khedkar for compassionate appointment. The father of the applicant i.e. Suresh Khedkar died in harness on 07.10.2008, while working on the post of Police Head Constable with the respondent No. 3. Thereafter, the mother of the applicant viz. Nirmala Suresh Khedkar made application for compassionate appointment on 09.09.2009. By letter dated 10.05.2019, the respondent No. 3 communicated to her that her name was taken in the waiting list of Class-4 at Sr. No. 6. The applicant said to have attained the age of majority in the year 2019. He made application dated 22.07.2019 seeking compassionate appointment. The applicant's mother also made application dated 27.02.2019 seeking compassionate appointment to her son i.e. the applicant. As per the communication

//2// MA 176/22 in MA 341/21  
in MA 341/21 in OA 77/20

dated 10.05.2019 (page No. 55 in O.A.), the application filed by the applicant's mother dated 27.02.2019 was filed thereby refusing to take name of the applicant in place of his mother contending that there is no policy to that effect.

3. The affidavit in reply is filed on behalf of respondent No. 3 in the O.A. and the said letter dated 10.05.2019 is produced at page No. 55. No specific order on the application dated 22.07.2019 made by the applicant said to have been passed.

4. In view of above, the applicant has taken out M.A. No. 340/2021 seeking permission to sue the respondents jointly by son and mother and M.A. No. 341/2021 is taken out for seeking amendment in O.A. more particularly challenging the impugned communication dated 10.05.2019 (page No. 55 in O.A.), as well as, at page No. 12 of the paper book in O.A. issued by the respondent No. 3. The proposed amendment in the prayer clause challenging the impugned communication dated 10.05.2019 is beyond limitation. Therefore, the M.A. No. 176/2022 is taken out for condonation of delay.

//3// MA 176/22 in MA 341/21  
in MA 341/21 in OA 77/20

5. Considering the facts on record as above, it is evident that there is mention of the impugned communication dated 10.05.2019 in the O.A. and the copy of the same is produced at page No. 12 of the paper book. However, the applicant at that point of time did not challenge the said communication. Hence, at the time of seeking amendment in prayer cause in that respect became time barred. However, when already pleadings are therein in that respect, it cannot be said that the proposed amendment is going to change the nature of original proceedings. In fact, the proposed amendment is just and necessary to determine the real question of controversy between the parties.

6. In view of above circumstances, it would also be just and proper in order to have opportunity to the applicant and his mother to raise necessary contention. Moreover, the impugned communication dated 10.05.2019, which is sought to be impugned in the O.A. is addressed to the mother of the applicant. In these circumstances, it would be just and proper to allow the applicant's mother to join as co-applicant and to give permission to the applicants to sue the

//4// MA 176/22 in MA 341/21  
in MA 341/21 in OA 77/20

respondents jointly. The cause of action and reliefs prayed for are pertaining to the alleged right of the applicant in seeking compassionate appointment. Hence, I proceed to pass following order :-

**ORDER**

1. M.A. No. 176/2022 is allowed. The delay of about 1 year, 5 months and 8 days is hereby condoned.
2. M.A. No. 341/2021 is allowed. The applicant shall carry out the necessary amendment in the O.A. within a period of two weeks and to serve the amended copy of the O.A. on the other side.
3. M.A. No. 340/2021 is allowed. The applicants are allowed to sue the respondents jointly, subject to payment of court fee stamps, if not paid.
4. Accordingly, M.A. Nos. 340/2021, 341/2021 & 176/2022 stand disposed of with no order as to costs.

**MEMBER (J)**

**O.A. No. 77/2020**

**(Mahesh S. Khedkar & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri C.T. Jadhav, learned Advocate for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. S.O. to 18.07.2022.

**MEMBER (J)**

KPB ORAL ORDERS 27.06.2022

**Date : 27.6.2022**

**ORIGINAL APPLICATION NO. 549/2022**

**(Smt. Mangal S. Khetre V/s State of Maharashtra &  
Ors.)**

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

1. Shri Vivek Pingle, learned Advocate for the applicant and Shri M.S. Mahajan, learned C.P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on **21.7.2022**. The case be listed for admission hearing on **21.7.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**

**ORIGINAL APPLICATION NO. 960/2018**  
**(Shri Sunil B. Gaikwad Vs. State of Maharashtra & Ors.)**

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

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

**DATE :** **27.6.2022**

**ORAL ORDER :**

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

2. The learned counsel has tendered across the bar the  
additional affidavit of the applicant. It is taken on record  
and copy thereof has been supplied to the learned C.P.O.

3. S.O. to 4.8.2022 for hearing.

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 501/2019**  
**(Shri Kashinath G. Kadam Vs. State of Maharashtra & Ors.)**

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

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

**DATE :** **27.6.2022**

**ORAL ORDER :**

Shri Amol G. Gandhi, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 4.8.2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 920/2019**  
**(Dr. Datta M. Dhanve Vs. State of Maharashtra & Ors.)**

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

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

**DATE :** **27.6.2022**

**ORAL ORDER :**

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

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

3. S.O. to 5.8.2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 40/2020**  
**(Shri Shankar P. Dange Vs. State of Maharashtra & Ors.)**

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

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

**DATE :** **27.6.2022**

**ORAL ORDER :**

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

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

3. S.O. to 5.8.2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 24/2021**  
**(Dr. Vaishali S. Garjewar Vs. State of Maharashtra & Ors.)**

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

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

**DATE :** **27.6.2022**

**ORAL ORDER :**

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

2. The learned counsel has sought time for filing rejoinder affidavit of the applicant. Time granted.

3. S.O. to 27.7.2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 32/2021**  
**(Shri Mukinda T. Bhalerao Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 27.6.2022**

**ORAL ORDER :**

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

2. The learned counsel has sought time for filing rejoinder affidavit of the applicant. Time granted.

3. S.O. to 10.8.2022.

**VICE CHAIRMAN**

**O.A. NO. 165/2021 WITH O.A. NO. 680/2021  
(Shri Anil Y. Rokade Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 27.6.2022**

**ORAL ORDER :**

Shri R.A. Joshi, learned counsel for the applicant in both the matters, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities in both the matters and Shri Shamsunder B. Patil, learned counsel for respondent nos. 2 & 3 in both the matters, are present.

2. The learned counsel has sought time for filing rejoinder affidavits of the applicant in respective matters. Time granted.

3. S.O. to 11.8.2022.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.6.2022

**ORIGINAL APPLICATION NO. 307/2021**  
**(Smt. Vaishali K. Korde Vs. State of Maharashtra & Ors.)**

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

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

**DATE :** **27.6.2022**

**ORAL ORDER :**

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

2. The learned counsel has sought time for filing rejoinder affidavit of the applicant. Time granted.

3. S.O. to 11.8.2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 645/2021**  
**(Shri Ulhas D. Chavan Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 27.6.2022**

**ORAL ORDER :**

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

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

3. S.O. to 12.8.2022.

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 646/2021**  
**(Shri Ulhas D. Chavan Vs. State of Maharashtra & Ors.)**

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

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

**DATE :** **27.6.2022**

**ORAL ORDER :**

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

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

3. S.O. to 12.8.2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 653/2021**

**(Soni A. Mulange @ Soni U. Devane Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 27.6.2022**

**ORAL ORDER :**

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

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

3. S.O. to 17.8.2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 300/2022**  
**(Dr. Santosh R. Kote Vs. State of Maharashtra & Ors.)**

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

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

**DATE :** **27.6.2022**

**ORAL ORDER :**

Smt. Premila Giri, learned counsel holding for Smt. Pratibha J. Bharad, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 17.8.2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 397/2022**  
**(Smt. Prajakta D. Khairnar Vs. State of Maharashtra & Ors.)**

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

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

**DATE :** **27.6.2022**

**ORAL ORDER :**

Smt. Premila Giri, learned counsel holding for Smt. Pratibha Bharad, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Await service of notice upon the respondents.
3. S.O. to 17.8.2022.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 403/2022**  
**(Shri Pandit S. Tiparse Vs. State of Maharashtra & Ors.)**

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

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

**DATE :** **27.6.2022**

**ORAL ORDER :**

Shri Dhananjay Mane, 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 sought time for filing affidavit in reply of the respondents. Time granted.
3. S.O. to 18.8.2022.

**VICE CHAIRMAN**

**M.A. 35/2018 IN O.A. ST. 97/2018**  
**(Shri Nilesh R. Tagad Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 27.6.2022**

**ORAL ORDER :**

Shri P.G. Tambde, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. The learned counsel for the applicant has sought time for filing application for amendment. Time granted.

3. S.O. to 29.7.2022.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.6.2022

**M.A. 99/2020 IN O.A. ST. 283/2020**  
**(Smt. Swati S. Maknikar Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 27.6.2022**

**ORAL ORDER :**

Shri R.D. Biradar, learned counsel for the applicant  
and Shri S.K. Shirse, learned Presenting Officer for the  
respondent authorities, are present.

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

3. S.O. to 29.7.2022.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.6.2022

**ORIGINAL APPLICATION NO. 76/2016**  
**(Shri Pramod S. Patil Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 27.6.2022**

**ORAL ORDER :**

Smt. Kirti Deshpande, learned counsel holding for Shri M.M. Bhokariker, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. The learned counsel has filed affidavit of the applicant. It is taken on record and copy thereof has been supplied to the learned P.O.

3. The Division Bench is not available.

4. S.O. to 1.8.2022 for final hearing.

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 510/2016**  
**(Shri Vijaykumar H. Gade Vs. State of Maharashtra & Ors.)**

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

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

**DATE :** **27.6.2022**

**ORAL ORDER :**

Shri Manoj U. Shelke, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, are present. Shri M.S. Shaikh, learned counsel for respondent no. 3 (**absent**).

2. The Division Bench is not available.
3. S.O. to 2.8.2022 for final hearing.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 587/2016**  
**(Shri Vijaysing H. Bagul Vs. State of Maharashtra & Ors.)**

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

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

**DATE :** **27.6.2022**

**ORAL ORDER :**

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

2. The Division Bench is not available.
3. S.O. to 3.8.2022 for final hearing.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 626/2016**  
**(Smt. Savita U. Hame Vs. State of Maharashtra & Ors.)**

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

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

**DATE :** **27.6.2022**

**ORAL ORDER :**

Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. The Division Bench is not available.
3. S.O. to 4.8.2022 for final hearing.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 899/2017**  
**(Dr. Vandana S. Shinde Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 27.6.2022**

**ORAL ORDER :**

Shri G.N. Kanzode, learned counsel for the applicant  
and Smt. M.S. Patni, learned Presenting Officer for the  
respondent authorities, are present. None for respondent  
no. 4.

2. The Division Bench is not available.

3. S.O. to 5.8.2022 for final hearing.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 08/2018**  
**(Shri Devendra S. Jade Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 27.6.2022**

**ORAL ORDER :**

Smt. Premila Giri, learned counsel holding for Smt. Pretibha Bharad, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. The Division Bench is not available.
3. S.O. to 8.8.2022 for final hearing.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 189/2018**  
**(Shri Dhiraj A. Salve Vs. State of Maharashtra & Ors.)**

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

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

**DATE :** **27.6.2022**

**ORAL ORDER :**

Shri Rahul Awsarmal, learned counsel for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri V.B. Wagh, learned counsel for the respondent nos. 4 to 8, are present.

2. The Division Bench is not available.
3. S.O. to 10.8.2022 for final hearing.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 399/2018**  
**(Shri Kantilal K. Golwal Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 27.6.2022**

**ORAL ORDER :**

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

2. The Division Bench is not available.
3. S.O. to 11.8.2022 for final hearing.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 472/2018**  
**(Shri Kishor G. Lalsare Vs. State of Maharashtra & Ors.)**

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

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

**DATE :** **27.6.2022**

**ORAL ORDER :**

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

2. The Division Bench is not available.
3. S.O. to 12.8.2022 for final hearing.

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 477/2018**  
**(Shri Santosh U. Mandage & Ors. Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 27.6.2022**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. The Division Bench is not available.
3. S.O. to 12.8.2022 for final hearing.

**VICE CHAIRMAN**

**M.A.NO. 210/2015 IN O.A.ST. NO. 439/2015 WITH  
M.A.NO. 212/2015 IN O.A.ST. NO. 441/2015 WITH  
M.A.NO. 213/2015 IN O.A.ST. NO. 432/2015 WITH  
M.A.NO. 214/2015 IN O.A.ST. NO. 451/2015 WITH  
M.A.NO. 215/2015 IN O.A.ST. NO. 443/2015 WITH  
M.A.NO. 216/2015 IN O.A.ST. NO. 435/2015 WITH  
M.A.NO. 217/2015 IN O.A.ST. NO. 437/2015 WITH  
M.A.NO. 227/2015 IN O.A.ST. NO. 455/2015 WITH  
M.A.NO. 228/2015 IN O.A.ST. NO. 453/2015 WITH  
M.A.NO. 240/2015 IN O.A.ST. NO. 957/2015 WITH  
M.A.NO. 241/2015 IN O.A.ST. NO. 955/2015 WITH  
M.A.NO. 242/2015 IN O.A.ST. NO. 960/2015 WITH  
M.A.NO. 202/2014 IN M.A.ST. NO. 447/2014 IN  
O.A.ST.NO. 449/2014**

**(Syed Sarfaraz Ahmed & Ors. Vs. State of Maha. & Ors.)**

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

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

**DATE : 27.6.2022**

**ORAL ORDER :**

Smt. Suchita A. Dhongde, learned counsel for the applicants in all these cases, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent No. 1 in all these cases and Shri Sham Patil, learned Counsel for himself and holding for Shri G.N. Patil, learned Counsel for respondent Nos. 2 to 4 in M.A. Nos. 240/15, 241/15, 242/15 and respondent Nos. 2 / 2 to 4 in M.A. Nos. 210, 213, 215, 217, 227, 228 all of 2015 & 202/2014 respectively, are present.

2. The Division Bench is not available.
3. S.O. to 12.8.2022 for hearing.

**VICE CHAIRMAN**

**M.A. 25/2021 WITH M.A. 206/2020 IN O.A. 1100/2019  
(Shri Yogesh S. Shinde & Ors. Vs. State of Maharashtra &  
Ors.)**

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

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

**DATE : 27.6.2022**

**ORAL ORDER :**

Shri. G.K. Kshirsagar, learned counsel for the applicants in M.A. No. 25/2021 & for respondent Nos. 85 to 101 in M.A. No. 206/2020 (**absent**), Shri Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for applicant in M.A. No. 206/2020, Shri S.D. Joshi, learned counsel for respondent Nos. 102 to 105 in M.A. No. 206/2020 and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities in all these cases, are present.

Shri Sachin Randive, learned counsel for respondent No. 18, 19, 22, 23, 24, 28 to 32, 34 to 37, 38, 40 & 42 in M.A.NO. 206/2020, Shri Amol P. Ghule Patil, learned counsel for respondent Nos. 81 to 84 in M.A. No. 206/2020 & Shri S.S. Tope, learned counsel for respondent Nos. 12 & 15 in M.A. No. 206/2020, **are absent**,

2. The Division Bench is not available.
3. S.O. to 5.8.2022 for hearing.

**VICE CHAIRMAN**

**M.A. 222/2019 IN O.A. ST. 851/2019**  
**(Shri Namdeo M. Bawiskar Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 27.6.2022**

**ORAL ORDER :**

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

2. The Division Bench is not available.
3. S.O. to 4.8.2022 for hearing.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 27.6.2022

**M.A. 194/2021 IN O.A. 497/2019**  
**(Shri Ravindra N. Turukmane Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 27.6.2022**

**ORAL ORDER :**

Shri Shritej Surve, learned counsel holding for Shri Hemant Surve, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. The Division Bench is not available.
3. S.O. to 5.8.2022 for hearing.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.89 OF 2018**  
**(Sayeda Khalida Md. Naeem Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos.1 & 2 and Shri S.R. Pande, learned Advocate for the respondent No.3.

2. During the course of arguments learned Advocate for the respondent No.3 submitted that only short affidavit-in-reply was filed by the respondent No.3 reserving his right to file his detailed reply.

3. It appears that at the time of admission of this Original Application, the respondent No.3 did not find fit to mention the said fact.

4. Learned Advocate for the respondent No.3 now seeks leave of this Tribunal to file detailed affidavit-in-reply.

5. Learned P.O. for the respondent Nos.1 & 2 submits that respondent Nos.1 & 2 have no say on

this aspect. In this regard learned Advocate for the applicant opposed.

6. In the facts and circumstances and more particularly the contentions raised by the respondent No.3 in his earlier affidavit-in-reply, leave is granted to the respondent No.3 to file detailed affidavit-in-reply.

7. Learned Advocate for the respondent No.3 submits that he will serve the copy of affidavit-in-reply in advance to the other side.

8. The present matter be treated as part heard.

9. S.O. to 30.06.2022.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.626 OF 2018**  
**(Dilip S. Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri Sanket N. Suryawanshi, learned Advocate for the applicant, is **absent**. Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 22.07.2022 for final hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO.721 OF 2019**  
**(Bhagwan W. Landge Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The present matter be treated as part heard.
3. By consent of both the sides, S.O. to 05.07.2022.

**MEMBER (J)**

SAS ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO.731 OF 2019**  
**(Bhalchandra H. Bangar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The present matter be treated as part heard.
3. By consent of both the sides, S.O. to 07.07.2022.

**MEMBER (J)**

SAS ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO.56 OF 2020  
(Anil S. Barkul Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri Kishor D. Khade, learned Advocate for the applicant, is **absent**. Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 15.07.2022 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.233 OF 2020  
(Arun A. Ghate Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri V.G. Pingle, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos.1 to 3 and Shri S.B. Mene, learned Advocate for the respondent No.4.

2. By consent of all the parties, S.O. to 15.07.2022 for final hearing.

**MEMBER (J)**

SAS ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO.302 OF 2020**  
**(Rajesh M. Choudhary Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri I.D. Maniyar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 15.07.2022 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.317 OF 2020**  
**(Eman Najir Mirza Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri I.D. Maniyar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 15.07.2022 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.5 OF 2021**

**(Dr. Kalimoddin Ajit Shaikh Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri I.D. Maniyar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 15.07.2022 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.236 OF 2021**  
**(Vikram B. Garje Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri V.G. Pingle, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 12.07.2022 for final hearing.

**MEMBER (J)**

SAS ORAL ORDERS 27.06.2022



**ORIGINAL APPLICATION NO.393 OF 2021**  
**(Anjanabai M. Ingale & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, learned Advocate for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 20.07.2022 for final hearing.

**MEMBER (J)**

SAS ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO.467 OF 2021**  
**(Dr. Mohan P. Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos.1 to 4. Shri Vinayak P. Narwade, learned Advocate for the respondent No.5, is **absent**.

2. By consent of both the sides, S.O. to 14.07.2022 for final hearing.

**MEMBER (J)**

SAS ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO.536 OF 2021**  
**(Dnyaneshwar S. Andhale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri R.A. Joshi, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 19.07.2022 for final hearing.

**MEMBER (J)**

SAS ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO.287 OF 2022**  
**(Pratibha M. Lohar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri H.P. Jadhav, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. The present matter be treated as part heard.
3. By consent of both the sides, S.O. to 08.07.2022.

**MEMBER (J)**

SAS ORAL ORDERS 27.06.2022

**ORIGINAL APPLICATION NO.286 OF 2021**  
**(Sayyed Ubed Sayyed Asif & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**

**DATE : 27.06.2022**

**ORAL ORDER :**

Shri N.K. Tungar, learned Advocate for the applicants, is **absent**. Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicants, S.O. to 07.07.2022 for final hearing.

**MEMBER (J)**

SAS ORAL ORDERS 27.06.2022

**CHAMBER APPEAL NO. 12 OF 2022**  
**(Gulab H. Imale Vs. State of Maharashtra & Ors.)**

**CORAM : JUSTICE P.R. BORA, VICE CHAIRMAN**

**DATE : 27.06.2022**

**ORAL ORDER :**

Heard Shri R.R. Imale, learned counsel for the applicant.

2. Vide order dated 14.03.2022 the Registrar of this Tribunal was pleased to refuse the registration of O.A. St. No. 265/2022 under Rule 5 (4) of Maharashtra Administrative Tribunal (Procedural) Rules, 1988. On 08.02.2022 the office has raised the following office objection.

1) In view of applicant's first representation dated 27.1.2017, O.A. appears to be barred by limitation.

3. Vide office note dated 09.03.2022 Registrar of this Tribunal at Aurangabad Bench noted that nobody appeared for the applicant in O.A. and office objection is not removed.

4. The applicant has made prayer for condonation of delay of about 76 days caused in filing Chamber Appeal No. 12/2022.

5. The learned Advocate for the applicant appeared today. He undertakes to remove the office objection in O.A. within reasonable period.

6. Technically, the Registrar was right in refusing the registration since nobody appeared for the applicant in view of the objection in spite of repeated chances. The fact that the O.A. is filed for seeking benefits of ACP Scheme and in order to give an opportunity to the applicant to prove his claim on merits, it will be in the Interest of justice to allow the appeal by condoning delay of about 76 days caused in filing this Chamber Appeal as the applicant shall not suffer for the negligence of his Advocate. Hence, the following order:-

**ORDER**

(i) Delay caused in filing Chamber Appeal stands condoned. Consequently, the Chamber Appeal No. 12/2022 is allowed as the applicant undertakes to remove the office objection in O.A. within a reasonable period.

(ii) Registrar of this Tribunal Bench at Aurangabad is directed to register the O.A. after removing the office objection by the learned Advocate for the applicant and place the same before the appropriate bench for hearing.

**VICE CHAIRMAN**