

T.A.NO. 09/2022 (W.P.NO. 8518/2022)
(Laxman M. Kashid & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

Shri Ketan D. Pote, learned counsel holding for Shri A.G. Ambetkar, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time to file affidavit in reply. The request is opposed by the learned counsel for the applicants stating that due opportunities are already availed. In the interest of justice, time is granted to file affidavit in reply.

3. S.O. to 16.2.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

T.A.NO. 10/2022 (W.P.NO. 4726/2022)
(Namdev V. Shelar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

Shri Ketan D. Pote, learned counsel holding for Shri A.G. Ambetkar, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time to file affidavit in reply. The request is opposed by the learned counsel for the applicants stating that due opportunities are already availed. In the interest of justice, time is granted to file affidavit in reply.

3. S.O. to 16.2.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

ORIGINAL APPLICATION NO. 999 OF 2022
(Arun M. Bangar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

Shri Ketan D. Pote, learned counsel holding for Shri A.G. Ambetkar, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time to file affidavit in reply. The request is opposed by the learned counsel for the applicants stating that due opportunities are already availed. In the interest of justice, time is granted to file affidavit in reply.

3. S.O. to 16.2.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**M.A.NO. 54/2021 IN O.A.ST.NO. 1020/2020
(Pramila R. Shendade & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Shri D.B. Pokale, learned counsel for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicants do not wish to file any rejoinder affidavit. List the matter for hearing on 27.2.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

ORIGINAL APPLICATION NO. 642 OF 2022
(Gopal M. Wagmare Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

Heard Shri A.D. Gadekar, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant seeks leave of this Tribunal to correct the designation of respondent No. 3. Leave granted as prayed for. The necessary correction be carried out forthwith.

3. At the request of learned counsel appearing for the applicant reissue notice to respondent No. 3, returnable on 1.3.2023.

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

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

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

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

8. S.O. to 1.3.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION ST.NO. 75 OF 2023
(Ashok A. Keskar Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Shri L.K. Pradhan, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 1.3.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

ORIGINAL APPLICATION NO. 343 OF 2021
(Raosaheb B. Neharkar Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

Shri Gokul M. Shingare, learned counsel for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present.

2. In the present matter the following order was passed on 5.12. 2022: -

“It appears from the record that no one is attending the matter for the applicant. On 7.11.2022 i.e. on the last date no one was present. Prior to that i.e. on 27.9.2022 also no one was present. In the interest of justice, one more opportunity is given to the applicant and the mater stands adjourned to 13.12.2022. If no one appears for the applicant on the next date, the O.A. shall stand dismissed for want of prosecution.”

3. Today also no one has caused appearance for the applicant. It seems that the applicant has lost interest in prosecuting the matter further. Hence, the following order: -

ORDER

The Original Application stands dismissed for want of prosecution however, without any order as to costs.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 344 OF 2021
(Mohan N. Komatwar Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

Shri Gokul M. Shingare, learned counsel for the applicant (**absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. In the present matter the following order was passed on 5.12. 2022: -

“It appears from the record that no one is attending the matter for the applicant. On 7.11.2022 i.e. on the last date no one was present. Prior to that i.e. on 27.9.2022 also no one was present. In the interest of justice, one more opportunity is given to the applicant and the mater stands adjourned to 13.12.2022. If no one appears for the applicant on the next date, the O.A. shall stand dismissed for want of prosecution.”

3. Today also no one has caused appearance for the applicant. It seems that the applicant has lost interest in prosecuting the matter further. Hence, the following order: -

ORDER

The Original Application stands dismissed for want of prosecution however, without any order as to costs.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 369 OF 2021
(Naushadbee Ibrahim Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 1.3.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

ORIGINAL APPLICATION NO. 632 OF 2021
(Harishchandra G. Lohkare Vs. State of Maharashtra &
Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 15.2.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

ORIGINAL APPLICATION NO. 676 OF 2021
(Navnath J. Kachare Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

Shri Ashish B. Rajkar, learned counsel for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent authorities and Shri A.D. Gadekar, learned counsel for respondent Nos. 5 & 6, are present.

2. At the request of learned counsel for the applicant, S.O. to 1.3.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

ORIGINAL APPLICATION NO. 217 OF 2022
(Ahmed Raza Sadique Shaikh Vs. State of Maharashtra &
Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

Shri Asif Ali, learned counsel holding for Smt. A.N. Ansari, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 13.2.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**ORIGINAL APPLICATION NO. 604 OF 2022
(Rahul V. Talke Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Shri S.S. Tandale, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 3.3.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**M.A.NO. 345/2021 IN O.A.ST.NO. 1475/2021
(Anantrao V. Soudagar Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Shri Mujahed Hussain, learned counsel for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned counsel for respondent Nos. 3 & 4, are present.

2. At the request of learned counsel for the applicant, S.O. to 22.2.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**M.A.NO. 34/2022 IN O.A.ST.NO. 861/2021
(Ankush B Bedke Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Shri D.H. Jadhavar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 27.2.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**ORIGINAL APPLICATION NO. 949 OF 2022
(Gajanan P. Rohankar Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Heard Shri P.G. Rodge, learned counsel holding for Shri K.P. Rodge, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. The Government Resolution dated 22.8.2005 needs to be looked into. The same has also not been filed on record either by the respondents or by the applicant. Learned Presenting Officer undertakes to file the said G.R. on record within a week.

3. S.O. to 17.2.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**ORIGINAL APPLICATION NO. 672 OF 2019
(Mahesh D. Tipale Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Shri V.G. Salgare, learned counsel for the applicant (**absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 1.3.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**ORIGINAL APPLICATION NO. 454 OF 2021
(Dipak L. Pendkar Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

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

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted as a most last chance.

3. S.O. to 1.3.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**ORIGINAL APPLICATION NO. 631 OF 2021
(Shamsundar K. Suryawanshi Vs. State of Maharashtra &
Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

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

Shri Vinesh C. Solshe, learned counsel for respondent Nos. 2 & 3 (**absent**).

2. At the request of learned counsel for the applicant, S.O. to 1.3.2023 for filing rejoinder affidavit.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

ORIGINAL APPLICATION NO. 722 OF 2021
(Ashok K. Bhalerao & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

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

Shri Mahesh C. Swami, learned counsel for respondent Nos. 2 to 6 has filed leave note.

2. At the request of learned counsel for the applicant, S.O. to 1.3.2023 for filing rejoinder affidavit.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**ORIGINAL APPLICATION NO. 746 OF 2021
(Tilottama U. Bhatkar Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 1.3.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

T.A.NO. 04/2022 (W.P.NO. 5756/2022)
(Rushikesh D. Rokade Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

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

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 4 and the same is taken on record and copy thereof has been served on the other side.

3. At the request of learned counsel for the applicant, S.O. to 28.2.2023 for filing rejoinder affidavit, if any.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**ORIGINAL APPLICATION NO. 277 OF 2022
(Akhtar Baig Baba Baig Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Shri Azizoddin R Syed, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 1.3.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**ORIGINAL APPLICATION NO. 295 OF 2022
(Bhagwan K. Mane Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 1.3.2023 for filing rejoinder affidavit.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**ORIGINAL APPLICATION NO. 326 OF 2022
(Ulhas S. Pawar & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 28.2.2023 for filing rejoinder affidavit.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

ORIGINAL APPLICATION NO. 341 OF 2022
(Sahikh Shafiquedin Shaikh Ahmed Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

Shri P.D. Jarare, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Since nobody appears for the applicant, S.O. to 28.2.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

ORIGINAL APPLICATION NO. 440 OF 2022
(Khan Mohammed Arbaz Mohammed Kazim Khan Vs.
State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

Shri Shaikh Wajeed Ahmed, learned counsel for the applicant (**absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 28.2.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**ORIGINAL APPLICATION NO. 549 OF 2022
(Mangal S. Khetre Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 1.3.2023 for filing rejoinder affidavit.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

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

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

DATE : 27.1.2023

ORAL ORDER :

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

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 23.2.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

ORIGINAL APPLICATION NO. 781 OF 2022
(Shaikh Mohd Shahbaz Sk. Mohd. Shakil Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 3.3.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**ORIGINAL APPLICATION NO. 846 OF 2022
(Sadashv M Sawai Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

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

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 2.3.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**ORIGINAL APPLICATION NO. 847 OF 2022
(Keshav G. Lohar Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Shri A.D. Gadekar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 2.3.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**ORIGINAL APPLICATION NO. 913 OF 2022
(Varsha V Gaikwad Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

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

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 3.3.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**ORIGINAL APPLICATION NO. 989 OF 2022
(Leelavati P Kamble Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Shri P.A. Kulkarni, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 13.2.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**ORIGINAL APPLICATION NO. 1155 OF 2022
(Sagar A Zinzurde Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

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

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 8.3.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**M.A.196/21 IN M.A.ST.780/21 IN O.A.198/20
(Harishchandra B Bhujbal Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Shri Walmik S. Jadhav, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghat, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 8.3.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**M.A.NO. 320/2021 IN O.A.ST.NO. 1326/2021
(Kalpana B. Padwal Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Shri S.S. Ware, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 8.3.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**M.A.NO. 358/2021 IN O.A.ST.NO. 313/2021
(Sarita V Rode Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Shri V.S. Undre, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 9.3.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**M.A.NO. 70/2022 IN O.A.ST.NO. 1830/2021
(Uttam C. Rathod Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Shri U.B. Deshmukh, learned counsel for the applicant (**absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 2.3.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**M.A.NO. 254/2022 IN O.A.ST.NO. 626/2022
(Dr. Megha D. Deshmukh Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Smt. Priya R. Bharaswadkar, learned counsel for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. Await service.
3. S.O. to 9.3.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

**M.A.NO. 571/2022 IN O.A.ST.NO. 3060/2022
(Birendrasingh Bagul Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Shri M.D. Godhamgaonkar, learned counsel for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 9.3.2023.

VICE CHAIRMAN

ORAL ORDER 27.1.2023-HDD

ORIGINAL APPLICATION NO. 55 OF 2022

- 1. Yogesh Lahurao Shirsath**
- 2. Yuvraj Lahurao Shirsath**
Vs.
State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

Heard Shri S.D. Dhongde, learned counsel holding for Smt. Suchita Amit Dhongde, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Father of the present applicants, namely Lahurao Kishanrao Shirsath, was in the employment of respondent No. 2. He died while in service in the year 2011. Applicant No. 2 namely Yuvraj Lahurao Shirsath preferred an application on 5th March, 2012 seeking appointment on compassionate ground in place of his father. His name was included in the waiting list at Sr. No. 37 of the candidates to be considered for giving appointment on compassionate ground. Till 2017 however, no appointment came to be issued in his favour. Applicant No. 2 met with an accident in 2017 and suffered severe injuries. After having suffered the said accident the applicant No. 1 with consent of

Applicant No. 2 preferred an application with respondent No. 2 to substitute his name in place of Applicant No. 2. The respondents have rejected the said application on the ground that there is no such provision in the G.R. dated 20.5.2015 or in the G.R. dated 21.9.2017 for substitution of such name, unless the person whose name is included in the waiting list expires.

3. Learned counsel for the applicant has relied upon the judgment of the Division Bench of Hon'ble Bombay High Court in the case of **Dnyaneshwar S/o Ramkishan Musane Vs. the State of Maharashtra & Ors., W.P. NO. 6267/2018 decided on 11.3.2020**. Learned counsel submitted that the Division Bench of Hon'ble High Court in the similar set of facts and circumstances has permitted the substitution and has held the restriction imposed in the GRs dated 20.5.2015 and 21.9.2017 to be unreasonable. In view of the law laid down by the Hon'ble Bombay High Court, this Tribunal has in several matters taken a view as indicated in the judgment passed by the Hon'ble High Court and has allowed substitution in the appropriate circumstances. In the present matter if it is the case of the applicant No. 2 viz. Yuvraj that he may not be able now to serve the Government due to his physical disablement and has prayed for substitution of applicant No. 1 in his place,

the respondents should not have rejected the request on the ground that in the GRs dated 20.5.2015 and 21.9.2017, there is no such provision. I reiterate that the Hon'ble High Court has held the restriction imposed in the aforesaid GRs dated 20.5.2015 and 21.9.2017 to be unreasonable.

4. In view of the above, the Original Application deserves to be allowed and it is accordingly allowed. The respondents shall include/substitute the name of applicant No. 1 in place of applicant No. 2 and consider his candidature for giving appointment on compassionate ground as and when his turn will come, if otherwise there is no legal impediment for his such appointment.

5. The Original Application stands allowed in the aforesaid terms. There shall be no order as to costs.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 40 OF 2022
(Shri Madhav Nilawad Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

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

2. S.O. to 15.2.2023 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 27.1.2023

ORIGINAL APPLICATION NO. 56 OF 2022
(Shri Sidram M. Koli Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

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

2. S.O. to 17.2.2023 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 27.1.2023

ORIGINAL APPLICATION NO. 77 OF 2020
(Shri Mahesh Khedkar Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

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

2. S.O. to 14.2.2023 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 27.1.2023

**M.A. NO. 117/2020 IN O.A. ST. NO. 320/2020
(Pamabai D. Wanve Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Shri GJ Gore, learned counsel for the applicant (**absent**). Shri VR Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 9.3.2023 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 27.1.2023

**ORIGINAL APPLICATION NO. 77 OF 2020
(Shri Mahesh Khedkar Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

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

2. S.O. to 14.2.2023 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 27.1.2023

**ORIGINAL APPLICATION NO. 43 OF 2020
(Shri Baliram Mahadu Malhare Vs. State of Maharashtra &
Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Heard Shri Girish N. Kulkarni, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. The applicant got retired in the year 2013 on attaining the age of superannuation. His final pension papers are not processed and his final pension has not yet been determined and other retiral benefits are also not given to him on the ground that the criminal prosecution is pending against him. Now it has come on record that the applicant has been acquitted from the said criminal case, which was filed in the year 2011 for the offences punishable U/s 323 r/w 504, 506 of IPC.

3. The applicant since has been acquitted from the criminal case now there may not be any hurdle for processing the pension proposal of the applicant. Applicant has already preferred representation in the month of May, 2022 however the same has not yet been decided by the respondents.

::-2-::

O.A. NO. 43 OF 2020

4. In the circumstances, I see no difficulty in directing the respondents to process the papers for final pension payable to the applicant, as well as, to pay the admissible retiral benefits to him if there is no other impediment for paying the same. The entire exercise shall be carried out within 12 weeks from the date of this order.

5. The Original Application stands allowed in the aforesaid terms without any order as to costs.

VICE CHAIRMAN

ARJ ORAL ORDER 27.1.2023

**ORIGINAL APPLICATION NO. 950 OF 2012
(Shri Sanjeev Kadam Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

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

2. S.O. to 9.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 27.1.2023

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

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

DATE : 27.1.2023

ORAL ORDER :

Shri SD Joshi, learned counsel for the applicant (**absent**). Shri VR Bhumkar, learned Presenting Officer for the respondent authorities, is present. Shri SB Mene, learned counsel for respondent nos. 2 & 3 (**leave note**).

2. S.O. to 9.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 27.1.2023

**ORIGINAL APPLICATION NO. 581 OF 2017
(Smt. Mangal Kathar Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

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

2. S.O. to 1.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 27.1.2023

ORIGINAL APPLICATION NO. 361 OF 2019
(Smt. Jijabai Sonwane & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

Shri AD Gadekar, learned counsel for the applicants and Shri MP Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 9.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 27.1.2023

ORIGINAL APPLICATION NO. 543 OF 2019
(Shri Shivprasad Potpaliwar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

Shri Ganesh Jadhav, learned counsel for the applicants and Shri MP Gude, learned Presenting Officer for the respondent authorities, are present. Shri SB Mene, learned counsel for respondent nos. 2 & 3 (**leave note**).

2. S.O. to 14.2.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 27.1.2023

**ORIGINAL APPLICATION NO. 597 OF 2020
(Shri Amol Shidore Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Shri SR Andhale, learned counsel for the applicant (**absent**). Smt. MS Patni, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 9.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 27.1.2023

**ORIGINAL APPLICATION NO. 07 OF 2021
(Shri Arun Thakur Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Shri VB Wagh, learned counsel for the applicant and Smt. MP Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 21.2.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 27.1.2023

**ORIGINAL APPLICATION NO. 152 OF 2021
(Shri Vishnu Misal Vs. State of Maharashtra & Ors.)**

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

DATE : 27.1.2023

ORAL ORDER :

Shri KB Jadhav, learned counsel for the applicant
(**absent**). Shri VR Bhumkar, learned Presenting Officer
for the respondent authorities, is present.

2. S.O. to 8.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 27.1.2023

ORIGINAL APPLICATION NO. 677 OF 2021
(Shri Bharatlal Navgire Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 1.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 27.1.2023

ORIGINAL APPLICATION NO. 44 OF 2022
(Smt. Rekha Wagatkar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

Shri Subhash Chilarge, learned counsel for the applicants and Smt. MS Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 14.2.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 27.1.2023

ORIGINAL APPLICATION NO. 157 OF 2022
(Shri Revindra Bahadare Vs. State of Maharashtra & Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

Shri SD Joshi, learned counsel for the applicant (**absent**). Smt. MS Patni, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 10.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 27.1.2023

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

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

DATE : 27.1.2023

ORAL ORDER :

Shri HP Jadhav, learned counsel for the applicant (**absent**). Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 10.3.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 27.1.2023

ORIGINAL APPLICATION NO. 331 OF 2022
(Smt. Mahadabai Khambat Vs. State of Maharashtra &
Ors.)

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

DATE : 27.1.2023

ORAL ORDER :

Shri AD Gadekar, learned counsel for the applicant and Shri VR Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 22.2.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 27.1.2023