

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

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

**Before: - THE HON'BLE JUSTICE SHRI. P.R. BORA, VICE CHAIRMAN**

***And***

**THE HON'BLE SHRI. VINAY KARGAONKAR, MEMBER (A)**

**Date:-28/02/2024**

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
<b>Urgent Admission Matters</b>						
<b>1</b>	OASSt367/24	Dharashiv	AdvAjinkya Reddy (Dr. Trupti H Mande)	Challenging Advertisement	<b>21.03.2024</b>	
<b>Order Matters</b>						
<b>2</b>	MA277/19 In OASSt09/19	Nanded	Adv.A.D. Kaware (Kishan E Vibhute) <b><u>Adv.R.D. Kulkarni for R.No.7 in OA</u></b>	M.A. For Condonation of Delay	12.03.2024	
<b>3</b>	MA14/21 In OASSt1471/20	A'nagar	Adv.K B Borde/ Adv.NitinBhapkar (Varsha M Kalyankar)	M.A. For Condonation of Delay	Disposed of	
<b>4</b>	MA187/21 In OASSt1096/20	Nashik	Adv.S.B. Bhosale (Rakesh S Kapdne)	M.A. For Delay Condonation	03.04.2024	
<b>5</b>	MA154/22 In OASSt517/22	A'nagar	Adv.V.P. Narwade (Savita S Warale)	M.A. For Condonationof Delay	03.04.2024	
<b>6</b>	MA324/22 In OASSt1203/22	A'bad	Adv.S.S. Jadhavar (Trivin A Kulkarni)	M.A. For Condonation of Delay	14.03.2024	
<b>7</b>	MA255/23 IN MASt817/23 In OA227/23 <b>with</b>	A'bad	Adv.K.J. GhutePatil/ Adv.A.B. Rajkar <b>In MA255/23</b> (Malhari E Mane &Ors.)  Adv.Harish S Bali <b>In</b> <b>MASt817/23</b>	MA255/23 For Modification of Order  MASt817/23 For	28.03.2024	

			(Shahu L Satpal&Ors.)  Adv.H.S. Bali/ Adv.S.H. Bali <b>For Intervenor In 217/23</b> (Shahu L Satpal&Ors.)  Adv.K.J. GhutePatil/ Adv.A.B. Rajkar <b>For Intervenor In MA216/23</b> (Malhari E Mane &Ors.)  Adv.N.N. Gore/ Adv.S.R. Sapkal <b>In OA227/23</b> (Digambar S Pawar&Ors.) <b>Adv.AjayDeshpande For Special Counsel For State Respondent</b>	Modification of Order		
<b>8</b>	OA449/23	Beed	Adv. Prashant D Suryawanshi (Chandan D Kulkarni&Ors.)	Promotion	<b>28.03.2024</b>	
<b>9</b>	MA547/23 In OA917/23	Beed	Adv.Amol B Chalak <b>In MA547/23</b> (Kanad T Ugalmugle) <b><u>Adv.Mohit R Deshmukh in OA917/23</u></b> (Balasaheb S Choure)	M.A. For Vacating I.R.	28.03.2024	
<b>10</b>	MA73/24 In OA1084/24	Latur	Adv Ram S Shinde (Udhav M Jadhav)	M.A For Interim Relief/ M.A For Amendment	02.04.2024	
<b>11</b>	MA77/24 In OA1047/23	Nanded	Adv B R Kedar (Dr. Vasuda B Musale)	M.A For Amendment	04.04.2024	
<b>Due Admission Matters</b>						
<b>12</b>	OA370/20	A'bad	Adv.Avinash S Deshmukh (Shrimant M Ture)	Modification In G.R./ Revised Pay Scale	06.03.2024	

13	OA508/20	A'nagar	Adv.C.V. Dharurkar/ Adv.A.S. Mirajgaonkar (Bhojane S Prabhakar)	Appointment	07.03.2024	
14	CP29/20 In OA1014/19	Beed	Adv.C V Dharurkar (Bade R Shridhar)	Contempt Petition	15.03.2024	
15	CP29/22 In OA283/21	A'bad	Adv.H.S. Bali (Gautam A Jadhav)	Contempt Petition	19.04.2024	
16	CP42/23 In OA425/22	A'bad	Adv.K B Jadhav (Ramdas H Lohakare)	Contempt Petition	28.03.2024	
17	OA771/18	P'bhani	Adv.B.A. Dhengle (Shrihari D Ghogare) <b><u>Adv.M.V. Bharuka for R.No.4</u></b>	Selection/ Appointment	08.04.2024	
18	OA872/18	A'nagar	Adv.Arvind G Ambetkar (Arun M Gir)	Departmental Enquiry	13.03.2024	
19	OA4/19	A'nagar	Adv.A.N. Nagargoje/ Adv.A.S. Kulkarni (Govind P Gite)	Appointment	04.04.2024	
20	OA651/19	Beed	Adv.Prabhakar N Nagargoje (Chandulal D Ghule)	Discharge/ Termination	04.04.2024	
21	OA724/19	O'bad	Adv.Ajay S Deshpande (Kailas I Khandagale&Ors.)	Selection/ Appointment	07.03.2024	
22	OA946/19	P'bhani	Adv.J S Deshmukh (Dr. Subhash P Pawar) <b><u>Adv.V R Sonwalkar for R.Nos.4 &amp; 5</u></b>	Revision of Pay/ Recovery	14.03.2024	
23	OA100/20	A'bad	Adv.R S Sadaphule/ Adv.A G Jadhav (Ashok R Jagdhane)	Major Punishment	02.04.2024	
24	OA113/20	Dhule	Adv.Ashish B Rajkar (Graduate Part Time Employees Association, Dhule through its	Appointment	27.03.2024	

			President Sanjay N Brahmane(Tembhekar)			
25	OA29/21	Beed	Adv.Santosh S Dambe (Vijay N Khawane)	Appointment/ Transfer	19.03.2024	
26	OA128/21	Nanded	Adv.Ganesh V Mohekar (Pradeep M Thakkarwad)	Probation Period/ Minor Punishment	12.03.2024	
27	OA196/21	P'bhani	Adv.K B Jadhav (Sandip P More)	Termination	26.03.2024	
28	OA751/21	Hingoli	Adv. M R Jamdhade/ Adv.K R Jamdhade (Santosh N Harne)	Seniority/Wait List	07.03.2024	
29	OA774/21	P'bhani	Adv.R L Jakhade/ Adv.S A Kulkarni (Ganesh L Chavan)	Dismissal	02.04.2024	
30	OA614/22 with	Beed	Adv.V P Golewar/ Adv.A D Sugdare (Dr.Deepak N Kawale) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Recruitment Process/ Interview	29.02.2024	
31	OA666/22 with	A'bad	Adv.A D Sugdare (Dr.Archana B Dhavale) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Appointment		
32	OA693/22 with	Nanded	Adv.A D Sugdare (Dr.AayashaMunwar Mohammed Ayub) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Interview		
33	OA737/22 with	A'bad	Adv.A D Sugdare (Dr.Monali T Bhorge) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Interview		
34	OA780/22 with	A'bad	Adv.A D Sugdare/ Adv.V P Golewar (Dr.Kailash P Kagne) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Interview		

35	OA747/22 with	A'bad	Adv.Jayant S Deshmukh (Dr. Sanjyot G Giri) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Eligibility/ Interview	29.02.2024
36	OA748/22 with	Latur	Adv.J S Deshmukh (Drf.Abhijeet M Yadav) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Eligibility/ Interview	
37	OA769/22 with	Nanded	Adv.J S Deshmukh (Dr.Omprasad B Damkondwar) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Interview	
38	OA749/22 with	A'bad	Adv.V S Kadam (Dr.Sphoorti P Bende) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Eligibility/ Interview	
39	OA750/22 with	A'bad	Adv.V S Kadam (Dr.Pragati S Kadam) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Eligibility/ Interview	
40	OA751/22 with	A'bad	Adv.V S Kadam (Dr.Dipti K Bhagat) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Eligibility/ Interview	
41	OA777/22 with	J'gaon	Adv.V S Kadam (Dr.Shital S Patil) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Interview	
42	OA778/22 with	Latur	Adv.V S Kadam (Dr.Sharada U Sonkhedkar) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Interview	
43	OA787/22 with	Nanded	Adv.V S Kadam (Dr.Krishna T Pawar) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Interview (M.P.S.C.)	
44	OA788/22 with	Beed	Adv.V S Kadam (Dr.Vaibhav V Deshmukh) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Interview	
45	OA796/22 with	O'bad	Adv.V S Kadam (Dr.Amol A Kapse) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Interview (M.P.S.C.)	

46	OA803/22 with	A'bad	Adv.A D Sugdare (Dr.SyedaMunezaNasusheen Mohammad Ali) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Interview	29.02.2024	
47	OA790/22 with	A'bad	Adv.A S Deshmukh (Dr.Pravin G Ranvir) <b><u>Adv.M B Kolpe for R.Nos.2 &amp; 4</u></b>	Selection Process		
48	OA791/22 with	Latur	Adv.Vikrant S Valse (Rajshekhar L Mengule) <b><u>Adv.M B Kolpe for R.Nos.2 to 4</u></b>	Selection Process/ Interview		
49	OA832/222	Jgaon	Adv.S N Pagare (Dr. Harshal M Mahajan) <b><u>Adv.M B Kolpe For R.No.3</u></b>	Interview		
50	OA694/22	Beed	Adv.Shamsunder B Patil (Pradeep D Pawar)	Directions (Appointment)	02.04.2024	
51	OA771/22	Jalna	Adv.V S Kadam (MulaniManzuraRustum) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Interview	29.02.2024	
52	OA793/22	A'nagar	Adv.K B Jadhav (Babynanda G Gosavi)	Departmental Enquiry	07.03.2024	
53	OA821/22	Latur	Adv.Jayant S Deshmukh (Dr.Sonali B Totod) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Interview	28.03.2024	
54	OA822/22	Beed	Adv.Jayant S Deshmukh (Dr. Jyoti A Dawale) <b><u>Adv.M B Kolpe for R.No.3</u></b>	Interview	28.03.2024	
55	OA838/22	Nanded	Adv.A D Sugdare (Dr. Shrikant S Shingarwad) <b><u>Adv.M B Kolpe for R.No.2</u></b>	Interview	28.03.2024	

<b>56</b>	OA839/22	A'bad	Adv.A D Sugdare (Dr. Gorakh V Suramwad) <b><u>Adv.M B Kolpe for R.No.2</u></b>	Interview	28.03.2024	
<b>57</b>	TA13/23 WP10387/22	A'nagar	Adv.Yuvraj S Choudhari/ Adv.Jiwan J Patil (Digambar B Mule)	Advertisement	19.03.2024	
<b>58</b>	OA204/23	Jalna	Adv.Jiwan J Patil (Ashish P Paithankar)	Major Punishment	02.04.2024	
<b>59</b>	OA429/23	Latur	Adv.Preeti R Wankhade (Nagnath G Sawant)	Promotion	02.04.2024	
<b>60</b>	OA670/23	Latur	AdvPriyankaDeshpande (Abhay A Kulkarni)	Termination	13.03.2024	
<b>61</b>	OA918/23	Nanded	Adv A S Deshmukh (Bhimrao G Parodwad)	Promotion	27.03.2024	
<b>Final Hearing Matters</b>						
<b>62</b>	OA633/17	O'bad	Adv.Amol S Gandhi (Dr.Shivshankar C Harlayya)	Directions/ NPA as per 6 <sup>th</sup> Pay Commission	08.03.2024	
<b>63</b>	OA664/17	A'bad	Adv.AjayDeshpande (ShaikhKalim Sk. Mannu)	Dismissal	07.03.2024	
<b>64</b>	OA829/17 With	Latur	Adv.Vinod D Godbharle (Dattatraya D Jaybhay)	Seniority/ Deemed date of Promotion	18.03.2024	
<b>65</b>	OA830/17 With	Nanded	Adv.Vinod D Godbharle (Digambar B Chauri)	Seniority/ Deemed date of Promotion	18.03.2024	

66	OA831/17	Nanded	Adv.Vinod D Godbharle (Raju B Rathod)	Seniority/ Deemed date of Promotion	18.03.2024	
67	OA39/18	J'gaon	Adv.Sandesh R Patil (Ravi S Wankhade)	Seniority	21.03.2024	
68	OA476/18	Dhule	Adv.Sandesh R Patil (Aasha S Khairnar)	Selection	21.03.2024	
69	OA631/18	N'bar	Adv.ShrikantPatil (Chudaman D Pawar)	Departmental Enquiry	26.03.2024	
70	OA674/18	Beed	Adv.I D Maniyar (EmamNajirMirza)	Regularise Probation Period	26.03.2024	
71	OA695/18	A'bad	Adv.Avinash S Deshmukh (Prakash B Phule)	Dismissal	21.03.2024	
72	OA805/18 With	A'bad	Adv.N R Thorat (Nagorao V Karbhari) <b><u>Adv.R N Bharaswadkar</u></b> <b><u>for R.No.4, 5 &amp; 7</u></b>	Promotion	Disposed of	
73	OA806/18	A'bad	Adv.N R Thorat (Zumber K Sonawane) <b><u>Adv.AjayDeshpande for</u></b> <b><u>R.No.4</u></b>	Promotion	Disposed of	
74	OA874/18	O'bad	Adv.Shrikant G Kawade/ Adv.A.M. Nagarkar (Shashikant S Yadav)	Seniority/ Promotion	21.03.2024	
75	OA927/18	Beed	Adv.Vilas P Savant (Shamrao N Kadam&Ors.)	Seniority/ Promotion	21.03.2024	
76	OA941/18	Dhule	Adv.V B Wagh (Dr.Neeta K Hatkar)	Challenging G.R.	18.03.2024	



77	OA68/19	Latur	Adv.V B Wagh (Dr.Shripati K Shinde)	Challenging G.R.	Reserved	
78	OA281/19	P'bhani	Adv.D T Devane (Prasad B Deshmukh)	Reversion Pay Scale	26.03.2024	
79	OA277/21	Latur	Adv.K B Jadhav (Shivaji N Wagh)	Reversion	21.03.2024	
80	OA12/22	A'bad	Adv.M R Kulkarni <b><u>Adv M R Kulkarni has Filed Leave note From 28.02.2024 to 29.02.2024</u></b> (Dr. Ganesh G Kalyankar&Ors.)	Challenging Notification	02.04.2024	
81	OA279/22	Jalna	Adv.SuchitaDhongde (Indurao B Sarode) <b><u>Adv.VidyaTaksal for R.No.4</u></b>	Second Department Enquiry	02.04.2024	

Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

***And***

THE HON'BLE SHRI VINAY KARGAONKAR, MEMBER (A)

**Date: -28/02/2024**

**For Reply Board**

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
<b>Due Admission Matters</b>						
1	CP41/23 In OA712/21	A'bad	AdvShamsunder B Patil (Dr. Subhash G Kabade)	Contempt Petition	Disposed of	
2	CP57/23 In OA317/23	D'shiv	Adv.R.A. Joshi (Triyambak G Mehatre)	Contempt Petition	11.03.2024	

3	CP68/23 In OA30/21	Jalna	Adv V B Wagh (Kedarnath R Budhwant)	Contempt Petition	04.04.2024	
4	OA396/22	P'bhani	Adv.S.D. Joshi (Susrusha A Wakale)	Compassionate Appointment	<b>04.04.2024</b>	
5	OA487/22 <b>With</b>	Dhule	Adv V B Wagh (Rajesh J Gangurde)	Promotion/ Reversion	26.03.2024	
6	OA488/22	Dhule	Adv V B Wagh (Sanjay V Tadvi)	Promotion/ Reversion	26.03.2024	
7	OA569/22	Nanded	Adv.B.G. Deshmukh (Aniruddha N Jondhale)	Reversion	<b><u>28.03.2024</u></b>	
8	OA613/22	A'bad	Adv.R.D. Khadap (Rahul D Sathe) <b><u>Adv.A.S.Deshmukh</u></b> <b><u>R-6,8,11To</u></b> <b><u>13,15,17,22,24&amp; 26</u></b> <b><u>To 28 &amp;</u></b> <b><u>Adv.A.D.Sugdare</u></b> <b><u>R-03,14,16,29</u></b>	Examination/ Appointment	26.03.2024	
9	OA.842/22	Latur	Adv.Jayant S. Deshmukh (Dr.Ramdas B. Panchal) <b><u>Adv J K Kadam For</u></b> <b><u>R-4</u></b> <b><u>Adv M B Kolpe For</u></b> <b><u>R-3</u></b>	Interview	29.02.2024	
10	OA.844/22	Dhule	AdvV.B.Wagh (Padma K. Shinde)	Advertisement	10.04.2024	
11	OA857/22	Latur	Adv.J.S. Deshmukh (Dr.Chandrajyoti R Dhange) <b><u>Adv M B KolpeFor R-</u></b> <b><u>3</u></b>	Interview	<b>29.02.2024</b>	
12	OA863/22	A'bad	Adv.D.M. Hange (Dr. Vinod G Jogdand) <b><u>Adv M B Kolpe For</u></b> <b><u>R-3</u></b>	Selection Process/ Interview	28.03.2024	
13	OA988/22	Jalna	Adv J S Deshmukh (DrNitinkumar B Shah)	Eligibility/Appoi ntment	08.04.2024	
14	OA1050/22	Jalgaon	Adv Vijay B Patil	Selection/Appoi	10.04.2024	

			(Jaiprakash B Ramanand) Adv A S Deshmukh R 6	ntment		
15	OA10/23	Jalgaon	Adv A B Girase (Rahul S Chavhan)	Directions/ Appointment	27.03.2024	
16	OA102/23	A'bad	Adv.SuchitaDhongde (Baliram D Rathod)	Challenging Cause of G.R.	10.04.2024	
17	OA116/23	A'nagar	Adv S V Natu/ Adv R A Joshi (Dnyaneshwar S Andhale)	Challenging G.R	01.04.2024	
18	OA332/23	O'bad	Adv.C.V. Dharurkar (Sanjay P Jadhav)	Departmental Enquiry	10.04.2024	
19	OA548/23	O'bad	Adv C V Dharurkar (Mahamad Husain TayyabsahebInamdar)	Departmental Enquiry	10.04.2024	
20	OA594/23	Nanded	Adv.Ajinkya Reddy (Sandhya S Shinde) <b><u>Adv.A.S. Deshmukh</u></b> <b><u>For R.No.5</u></b>	Appointment	07.03.2024	
21	OA638/23	A'nagar	Adv.Dhananjay A Naik (Sambhaji M Zaware)	Selection Process	04.04.2024	
22	OA684/23	Nanded	Adv Vijay V Deshmukh (Rahul R Dhawale)	Selection Process	04.04.2024	
23	OA723/23	A'nagar	Adv S SJadhavar (Santosh C Sabale&Ors.)	Selection Process	08.04.2024	
24	OA724/23	N'bar	Adv S SJadhavar (NavnathV Sakhare&Ors.)	Selection Process	08.04.2024	
25	OA725/23	Jalna	Adv S SJadhavar		08.04.2024	

			(Suresh D Dukare&Ors.)	Selection Process		
<b>26</b>	OA894/23	Jalna	Adv A D Sugdare (Ramkisan L Jadhav)	Promotion	04.04.2024	
<b>27</b>	OA895/23	P'rbn	AdvShrikashna B Solanke (Vishwajit P Mathpati)	Appointment	04.04.2024	
<b>28</b>	OA.924/23	Hingoli	Adv.S.S.Londhe (BhaskarP.Londhe)	Departmental Enquiry	10.04.2024	
<b>29</b>	OA965/23	O'bad	Adv Rahul D Khadap (Ranjit D Shingare)	Promotion	26.03.2024	
<b>30</b>	TA03/24 WP1216/24 With Caveat 03/24	Dhule	Adv N L Choudhari (Nagej M Kandare) <b><u>CPO For Caveator</u></b> <b><u>03/24</u></b>	Selection Process	11.03.2024	
<b>31</b>	OA.70/24	A'nagar	Adv V.B.Wagh Adv.VP.Adkine (Dr.PrakashS.Lalge)	Continuation of Service	12.03.2024	
<b>32</b>	OA.96/24	A'Bad	AdvMajitS.Shaikh (SushantU.Sasane)	Challenging Notification	06.03.2024	
<b>Order Matters</b>						
<b>33</b>	MA220/23 In TA01/19 WP11496/19	A'bad	Adv.SD.Joshi (Sonali S Varwate&Ors.)	M.A. For Directions	27.03.2024	
<b>34</b>	MA266/23 In OASt941/23	N'bar	Adv A S Shelke (Sarpa K Vasave&Ors.)	M.A For Condonation of Delay	<b><u>10.04.2024</u></b>	
<b>35</b>	MA579/23 With MASt2324/23 In OASt2325/23	Beed	Adv C V Dharurkar (Pallavi S Karande&Ors.)	M.A For Condonation of Delay	15.03.2024	

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

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

**Before: -THE HON'BLE JUSTICE SHRI V. K. JADHAV, MEMBER (J)**

**Date: -28/02/2024**

**For Reply Board**

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
<b>Due Admission Matters</b>						
<b>1</b>	MA583/23 In OAs2314/23	A'bad	Adv M A Kulakarni (Venketrao K Mutyal)	MA For Condonation Delay	Await Service	28.03.2024
<b>2</b>	OA20/20	Latur	Adv J M Murkute (Shankar N Kamble)	Transfer	For Filing Affidavit in Rejoinder	05.04.2024
<b>3</b>	OA598/22	O'bad	AdvShivraj V Deshmukh (Dilipkumar R Patil)	Direction Pay all Pensionery Benefits	Reply Filed By R-1 to R-2 & R- 5 & For Filing Affidavit in Rejoinder	02.04.2024
<b>4</b>	OA1134/22	Beed	Adv.A.B. Kharosekar/ Adv.V.B. Wagh (Ramesh L Naik)	Pension	Reply Filed By R-1& R-2 & For Filing Affidavit in Rejoinder & Await Service R-3	02.04.2024
<b>5</b>	OA437/23	A'nagar	AdvPoonam B Patil (Prakash G Kamble) <b><u>AdvAvinash D Aghav</u></b> <b><u>For R-5</u></b>	Transfer	For Filing Affidavit in Rejoinder	04.04.2024
<b>6</b>	OA439/23	P'rbn	AdvPoonam B Patil (Vidyasagar R Patil) <b><u>Adv Ganesh V</u></b> <b><u>Mohekar For R-5</u></b>	Transfer	As a last chance For Filing Affidavit in Reply Ref.Order Dtd:- 30/11/2023	04.04.2024
<b>7</b>	OA440/23	Beed	AdvPoonam B Patil (Natharao N Phad)	Transfer	As a last chance For Filing Affidavit in	04.04.2024

					Reply Await Service R-2 <b>Ref.OrderDt d:-30/11/2023</b>	
8	OA442/23	Jalna	Adv Poonam B Patil (Sudhakar G Latpate) <b>Adv P V TapsePatil For R-5</b>	Transfer	As a Last chance For Filing Affidavit in Reply <b>Ref.OrderDt d:-30/11/2023</b>	04.04.2024
9	OA443/23	Nanded	Adv Poonam B Patil (Sanjay K Kasralikar) <b>Adv Yogita Thorat For R-4</b>	Transfer	As a last chance For Filing Affidavit in Reply <b>Ref.OrderDt d:-30/11/2023</b>	04.04.2024
10	OA463/23	A'bad	Adv S B Patil (Dr.Subhash G Kabade)	Benefits of T.B.P./A.C.P.S	For Filing Affidavit in Reply	03.04.2024
11	OA510/23	A'bad	Adv Kiran G Salunke (Rajendra V Marale)	Leave Period	For Filing Affidavit in Reply	03.04.2024
12	OA546/23	Hingoli	Adv S SRandive (Kamaji M Thombare) <b>Adv H P Kshirsagar For R-4</b>	Suspension / Reinstatement	As a last Chance For Filing Affidavit in Reply <b>Ref.Order Dtd:- 23/01/2024</b>	04.04.2024
13	OA623/23	P'rbn	Adv V U Rathod/ Adv S SKulkari (Taufik Ali Shaukat Ali)	Time Bound of Promotion/Ben efits of G.R	For Filing Affidavit in Rejoinder	03.04.2024
14	OA624/23	Hingoli	Adv V.U Rathod/ Adv V S Kadam Adv S SKulkarni (Sheshrao S Garole&Ors.)	Time Bound Promotion/ Benefits of G.R	For Filing Affidavit in Rejoinder	03.04.2024
15	OA625/23	Nanded	Adv V.U Rathod/ Adv V S Kadam	Time Bound Promotion/ Benefits of	For Filing Affidavit in Rejoinder	03.04.2024

			Adv S SKulkarni (Sambhaji N Honrao&Ors.)	G.R		
<b>16</b>	OA626/23	Hingoli	Adv V U Rathod (Shankar L Devkar&Ors.)	Time Bound Promotion/ Benefits of G.R	For Filing Affidavit in Rejoinder	03.04.2024
<b>17</b>	OA771/23	Jalgaon	AdvAvinash S Deshmukh (Atul U Mahajan)	Deemed Date of Promotion	Reply Filed By R-1& For Filing Affidavit in Reply R-2 &R- 3	21.03.2024

18	OA799/23	Dhule	Adv.M.R.Kulkarni <b><u>Adv M R Kulkarni has filed leave note from 28.02.2024 to 29.02.2024</u></b> (Sheetal N Ebitwar)	Transfer	Reply Filed By R-2 & Filing Affidavit in Reply Remaining Respondents.	28.03.2024
19	OA905/23	A'bad	Adv Almas Abdul Qadar/ Adv Almas RiyazShaikh (Nafis Sultana Mohammed Yusuf Shaikh)	Recovery Pension	Await Service	13.03.2024
20	OA33/24	Dharashi v	Adv B R Kedar (Mayuresh M Kendre)	Suspension	Await Service	21.03.2024
21	OA81/24	Nanded	AdvMohit R Deshmukh (Ganesh M Mupde)	Transfer	Await Service	07.03.2024
22	OA82/24	A'bad	Adv Sachin S Deshmukh (Madhukar R More)	Transfer	For Filing Affidavit in Reply	05.03.2024
<b>Order Matters</b>						
23	MA546/22 In OAS1695/22	Nanded	Adv A B Shinde (ShaukatUllah Khan Ahsan Khan)	M.A For Condonation of Delay	For Filing Affidavit in Reply	03.04.2024
24	MA199/23 In OAS752/23\	Nanded	Adv A S Deshpande (Ramnarayan L Gagrani)	M.A For Condonation of Delay	Await Service	04.04.2024
25	MA215/23 In OAS522/23	A'nagar	Adv B R Sable (Balasaheb S Gawali)	M.A For Condonation of Delay	Await Service	04.04.2024
26	MA371/23 In OAS1179/23	A'nagar	Adv A G Ambetkar (Pradip T Kamble&Ors.)	M.A For Condonation of Delay	For Filing Affidavit inReply R-3	13.03.2024
27	MA588/23 In OAS2046/23	A'bad	AdvSantosh B Bhosale (Shiva K Sharma)	M.A For Condonation Delay	Await Service	05.04.2024



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

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. When the present matter is taken up for consideration, learned counsel for the applicant has placed on record the gist of the contentions raised in the application and some particulars in the tabular format. It is taken on record and copy thereof is given to the learned Presenting Officer. Learned Presenting Officer submits that he will go through the information placed on record and will make his submissions by taking instructions from the concerned authority.

3. S.O. to 06.03.2024.

**MEMBER (A)**  
ARJ ORAL ORDER 28.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 227/2023**  
(Digambar S. Pawar & Ors. Vs. State of Maharashtra & Ors.)  
**WITH**  
**ORIGINAL APPLICATION NO. 449/2023**  
(Chandan D. Kulkarni & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Smt. N.N. Gore, learned counsel holding for Shri S.R. Sapkal, learned counsel for the applicants in O.A. No. 227/2023 and Shri Ajay S. Deshpande, learned special counsel for State authorities, are present.

Shri M.B. Kolpe, learned counsel holding for Shri P.D. Suryawanshi, learned counsel for the applicants in O.A. no. 449/2023 and Shri V.R. Bhumkar, learned counsel for respondent authorities, are present.

2. Learned counsel for the applicants seek leave to add the Rural Development Department of the State as party respondent in O.As. Leave granted. Amendment be carried out forthwith.

3. Issue notice to newly added respondent, returnable on 28.3.2024.

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

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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 28.3.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 28.02.2024

**ORIGINAL APPLICATION NO. 805/2018**  
**(Nagorao Venkatrao Karbhari Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Shri N.R. Thorat, learned counsel for the applicant, Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities and Shri R.N. Bharaswadkar, learned counsel for respondent nos. 4, 5 & 7.

2. In the present Original Application the only prayer made by the applicant is to direct the respondents to decide the application submitted by the applicant and to promote the applicant as Head Clerk.

3. When the present matter was taken up for consideration, the learned counsel for the applicant submits that the applicant is restraining his prayer only to the extent of directing the respondents to decide his representation.

4. The learned Chief Presenting Officer pointed out that the grievance of the applicant has been redressed by the authorities and certain decision is also taken. Learned C.P.O. invited our attention to the letter dated 25.4.2017 (Exhibit R-5) and more particularly the last para of the said communication. As is revealing from the said communication the respondents have informed the applicant on 25.4.2017 that a common seniority list is being prepared for the cadre of Accounts Clerk and Clerk-cum-Typist and considering the roster point, as well as, seniority, the applicant will be considered in order of his seniority as and when his turn comes. It appears to us that in view of the statement so made in the reply, the present Original Application can be disposed of. Hence, we pass the following order:-

**O R D E R**

(i) As stated in the affidavit in reply the respondents shall consider the case of the applicant for promotion on merit and by considering the roster points etc. as stated in the letter dated 25.4.2017.

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**O.A. NO. 805/2018**

(ii) The Original Application stands disposed of.  
No costs.

**MEMBER (A)**

ARJ ORAL ORDER 28.02.2024

**VICE CHAIRMAN**

**O.A.NOS. 614, 666, 693, 737, 780, 747, 748, 769,  
749, 750, 751, 777, 778, 787, 788, 796, 803, 790,  
791 & 832 ALL OF 2022**  
**(Dr. Deepak N. Kawale & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman  
AND  
Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

S/Shri A.D. Sugdare, J.S. Deshmukh, V.S. Kadam, Avinash Deshmukh, V.S. Valse and S.N. Pagare, learned counsel for the respective applicants in respective matters, Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities in all these matters and Shri M.B. Kolpe, learned counsel for respondent No. 2 in O.A. No. 790/2022, for respondent Nos. 2 & 4 in O.A. No. 791/2022 and for respondent No. 3 in other OAs, are present.

2. S.O. to 29.02.2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**  
ARJ ORAL ORDER 28.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 806/2018**  
(Zumber Kisanrao Sonawne Vs. State of Maharashtra & Ors.)

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Shri N.R. Thorat, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri Ajay S. Deshpande, learned counsel for respondent no. 4.

2. In the present matter the claim of the applicant for next promotional post was not considered for want of caste validity certificate. The learned counsel for the applicant admits that at the relevant time the applicant was not holding the caste validity certificate. If this be so, the applicant cannot raise any grievance against the respondents for not considering the applicant for promotion. We, therefore, see no substance in the present Original Application so filed by the applicant.

3. Learned counsel submits that the applicant is now holding the caste validity certificate. We doubt, that may be of any help to the applicant. However,



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**O.A. NO. 806/2018**

respondents are not precluded to consider the said fact on its own merits, if they so desire.

4. The Original Application stands disposed of, however, without any order as to costs.

**MEMBER (A)**

ARJ ORAL ORDER 28.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 751/2021**  
**(Santosh N. Harne Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Shri K.R. Jamdhade, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 7.3.2024. **Part Heard.**

**MEMBER (A)**  
ARJ ORAL ORDER 28.02.2024

**VICE CHAIRMAN**

**T.A. NO. 03/2024 (W.P. NO. 1216/2024)**  
**(Nagei Mohan Kandare Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri S.P. Dhobale, learned counsel holding for Shri N.L. Chaudhari, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. On request of learned Chief Presenting Officer time granted till 11.3.2024. It is clarified that, if the affidavit in reply is not filed on 11.3.2024, the matter will be considered on merits without reply of the respondents.

**MEMBER (A)**  
ARJ ORAL ORDER 28.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 277/2021**  
(Shivaji N. Wagh Vs. State of Maharashtra & Ors.)

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. S.O. to 21.3.2024. The interim relief granted earlier to continue till then.

**MEMBER (A)**  
ARJ ORAL ORDER 28.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NOS. 487AND 488 BOTH OF 2022**  
**(Rejesh J. Gangurde & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicants in both the matters and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities in both the matters, are present.

2. S.O. to 26.3.2024. The Status quo granted earlier in both the matters to continue till then.

**MEMBER (A)**

ARJ ORAL ORDER 28.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 196/2021**  
**(Sandip P. More Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. S.O. to 28.3.2024. The interim relief granted earlier to continue till then.

**MEMBER (A)**  
ARJ ORAL ORDER 28.02.2024

**VICE CHAIRMAN**

**MA NO. 255/2023 WITH MA ST. 817/23 IN OA 227/2023**  
(Malhari Eknath Mane & Ors. Vs. State of Maharashtra & Ors.)

**WITH**

**ORIGINAL APPLICATION NO. 449/2023**  
(Chandan D. Kulkarni & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri K.J. Ghute Patil, learned counsel for the applicants in M.A. No. 255/2023 in O.A. NO. 227/2023, Shri H.S. Bali, learned counsel for the applicants in M.A. ST. 817/2023 in O.A. No. 227/2023, Smt. N.N. Gore, learned counsel holding for Shri S.R. Sapkal, learned counsel for the applicants in O.A. No. 227/2023 and Shri Ajay S. Deshpande, learned special counsel for State authorities, are present.

Shri M.B. Kolpe, learned counsel holding for Shri P.D. Suryawanshi, learned counsel for the applicants in O.A. no. 449/2023 and Shri V.R. Bhumkar, learned counsel for respondent authorities, are present.

2. Heard learned counsel for the applicants in M.As. / intervenors, learned counsel appearing for

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**MA NO. 255/2023 WITH MA ST.  
817/23 IN OA 227/2023 WITH  
O.A. NO. 449/2023**

the applicants in O.As., we well as, learned special counsel appearing for the State authorities.

3. Applicants have raised the objection to the Deputy Education Officer, Group-B (Gazetted) in the Maharashtra Education Service, (Administrative Branch) (Recruitment) Rules, 2022 dated 28.12.2022 notified by the School Education and Sports Department, Government of Maharashtra, thereby excluding applicants' cadre from feeder cadre of Deputy Education officer.

4. On 16.3.2023 this Tribunal has granted interim relief, thereby restraining the respondents from implementing the Recruitment Rules of 2022 for granting permanent promotions to the post of Deputy Education Officer till filing the affidavit in reply by the respondents.

5. The State authorities have yet to file the affidavit in reply. It is, however, the contention of the learned counsel appearing for the intervenors that there are 03 feeder cadres for promotion to the



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**MA NO. 255/2023 WITH MA ST.  
817/23 IN OA 227/2023 WITH  
O.A. NO. 449/2023**

post of Deputy Education Officer and for each feeder cadre separate quota is provided. Learned counsel pointed out that so far as promotions from Assistant Teachers are concerned 10% posts are to be filled in from that quota. Education Inspector also is a feeder cadre and 10% promotions are to be made from that cadre. Extension Officers are also aspirants for that promotion and 10% is meant for that category. The intervenors are falling in the aforesaid 02 categories i.e. Education Inspector, as well as, Extension Officer. Even if the grievance of the applicants is considered and further it is assumed that the applicants succeed even then there seems no propriety in restraining the respondents from making promotions from cadres of Extension Officer and Education Inspector.

6. Learned special counsel has placed on record the order passed by the principal seat of this Tribunal at Mumbai in M.A. No. 607/2023 in O.A. No. 1206/2023, wherein reference is given of the interim order passed by this Tribunal. The Division Bench at the principal seat of the Tribunal though

::-4-:: **MA NO. 255/2023 WITH MA ST. 817/23 IN OA 227/2023 WITH O.A. NO. 449/2023**

had granted interim relief it is restricted to promotions from the quota meant for the Assistant Teachers. In the circumstances, we deem it appropriate to modify the interim order dated 16.3.2023 passed by us as below :-

**ORDER**

(i) The interim order dated 16.3.2023 is modified as follows :-

“The respondents are restrained from implementing the Recruitment Rules of 2022 for granting permanent promotions to the post of Deputy Education Officer from the cadre of Assistant Teachers till filing of the affidavit in reply by the respondents.”

(ii) The Misc. Applications stand disposed of. No costs.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 371 OF 2023 IN O.A.ST.NO. 1179 OF 2023  
(Pradip T. Kamble & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

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

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

3. S.O. to 13.03.2024.

**MEMBER (J)**

sas ORAL ORDER 28.02.2024

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

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Shri M.S. Bhosale, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 27.03.2024.

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

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

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

//2// O.A. 221/2024

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

7. The learned P.O. appears for all the respondents and seeks time for taking instructions.

8. S.O. to 27.03.2024.

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

**MEMBER (J)**

sas ORAL ORDER 28.02.2024

**ORIGINAL APPLICATION NO. 228 OF 2024**  
**(Sushil S. Jumde Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Shri Prashant M. Nagargoje, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that by order dated 11.12.2022, the applicant came to be transferred from B.D.S. Squad Aurangabad to Aurangabad City and further by order dated 26.02.2024, the applicant came to be transferred to Nashik City. Learned counsel for the applicant submits that the Aurangabad is not the home district of the applicant and before joining the police station at Aurangabad City in the year 2022, the applicant was attached to B.D.S Squad Aurangabad since 2019. Learned counsel for the applicant submits that under the garb of direction issued by the Election Commission of India, the applicant came to be transferred mid tenure.

//2//

O.A. 228/2024

3. It appears that the applicant has completed more than 3 years out of 4 years in Aurangabad District. Though previously he was attached to B.D.S. Squad, Aurangabd, however, presently he is holding the executive post in Aurangabad City.

4. In view of same, I am not inclined to pass any interim order, however, **even if the applicant is relieved and joined the place of transfer, the same would be subject to outcome of this O.A.**

5. Issue notice to respondents, returnable on 13.03.2024.

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

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

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

//3// O.A. 228/2024

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

10. S.O. to 13.03.2024.

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

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 229 OF 2024**  
**(Ganesh Tarachand Zalwar Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Shri B.S. Bhale, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Leave to amend the O.A. in view of the transfer order dated 21.01.2024.

3. Issue notice to respondents, returnable on 13.03.2024.

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

//2// O.A. 229/2024

(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. No case is made out for grant of any interim relief. However, **if the applicant is relieved and joined the place of transfer, the same would be subject to outcome of this O.A.**

9. The learned C.P.O. appears for all the respondents and seeks time for taking instructions.

10. S.O. to 13.03.2024.

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

**MEMBER (J)**

**ORIGINAL APPLICATION ST.NO. 347 OF 2024  
(Madhukar S. Waghmare Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Shri Sunil S. Warbhuvan, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. The office has raised the objection that the Original Application is barred by limitation.

3. Learned counsel for the applicant seeks two weeks' time to file an application seeking condonation of delay. Time granted.

4. S.O. to 13.03.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION ST.NO. 1978 OF 2023  
(Bhaskar K. Dabhade Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri Sanjay Kolhare, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits affidavit in rejoinder. The same is taken on record and copy thereof is given to other side.

3. List the matter for admission hearing on 05.04.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 732 OF 2021  
(Dashrath D. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. By consent of both the sides, S.O. to 18.03.2024 for hearing.

**MEMBER (J)**

sas ORAL ORDER 28.02.2024

**M.A.NO. 210 OF 2015 IN O.A.ST.NO. 439 OF 2015  
(Syed Sarfaraz Ahmed Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant on instructions in writing submits that the applicant is not willing to proceed with the Misc. Application seeking condonation of delay along with Original Application. The said written communication is taken in record and marked as document 'X' for the purpose of identification.

3. Learned counsel for the applicant seeks leave to withdraw the Misc. Application along with Original Application. Leave granted.

4. The Misc. Application seeking condonation of delay and Original Application are disposed of as withdrawn. No order as to costs.

**MEMBER (J)**

**M.A.NO. 213 OF 2015 IN O.A.ST.NO. 432 OF 2015  
(Vivek S. Degulkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Smt. Suchita A. Dhongde, learned counsel for the applicant and Shri A.B. Basarkar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions in writing submits that the applicant is not willing to proceed with the Misc. Application seeking condonation of delay along with Original Application. The said written communication is taken in record and marked as document 'X' for the purpose of identification.

3. Learned counsel for the applicant seeks leave to withdraw the Misc. Application along with Original Application. Leave granted.

4. The Misc. Application seeking condonation of delay and Original Application are disposed of as withdrawn. No order as to costs.

**MEMBER (J)**

**M.A.NO. 216 OF 2015 IN O.A.ST.NO. 435 OF 2015  
(Subhash K. Kale Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Smt. Suchita A. Dhongde, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions in writing submits that the applicant is not willing to proceed with the Misc. Application seeking condonation of delay along with Original Application. The said written communication is taken in record and marked as document 'X' for the purpose of identification.

3. Learned counsel for the applicant seeks leave to withdraw the Misc. Application along with Original Application. Leave granted.

4. The Misc. Application seeking condonation of delay and Original Application are disposed of as withdrawn. No order as to costs.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 251 OF 2020  
(Sandu R. Magar Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. This is a part heard matter.

3. At the request of learned counsel for the applicant, S.O. to 02.04.2024. The longer date is given as requested.

**MEMBER (J)**

sas ORAL ORDER 28.02.2024

**ORIGINAL APPLICATION NO. 404 OF 2022**  
**(Manesh D. Nagargoje Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. This is a part heard matter.

3. By judgment and order dated 07.08.2017, the Division Bench of Maharashtra Administrative Tribunal, Mumbai by relying upon the ratio laid down by the Hon'ble Supreme Court in a case of **Kunal Singh Vs. Union of India & Anr. 2003 SCC (L&S) 482** and **V. Sivamurthy Vs. State of Andhra Pradesh & Ors. (2009) 1 SCC (L&S) 335** held that the portion of G.R. dated 22.08.2005 withdrawing the concession of compassionate appointment class of dependants referred therein is contrary to the law laid down by the Hon'ble Supreme Court.

4. Government Resolution dated 21.09.2017, which has been issued consolidating all the previous G.Rs. including G.R. dated 28.03.2001 and

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O.A. 404/2022

22.08.2005 respectively, has considered and recognized the appointment on compassionate ground to meet the crisis in a family on account of death of the breadwinner while in service. However, the appointment on compassionate ground to meet the crisis in a family on account of medical invalidation of the breadwinner while in service is not considered or not taken care of. It appears that the Government has failed to give effect to the well reasoned judgment passed by the Division Bench of the Maharashtra Administrative Tribunal, Mumbai by referring the ratio laid down by the Hon'ble Supreme Court in the aforesaid two cases **Kunal Singh Vs. Union of India & Anr.** and **V. Sivamurthy Vs. State of Andhra Pradesh & Ors.** (supra).

5. Learned counsel for the applicant submits that in the service book of the father of the applicant the entry about his compulsory retirement on account of medical invalidation is taken and in the said entry the reference has been given to the medical certificate issued by the Medical Board, Swami

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O.A. 404/2022

Ramanand Terth, Rural Medical College Hospital,  
Ambajogai.

6. Learned P.O. is directed to place on record the copy of the service book of Dattatraya Govind Nagargoje and also the medical certificate issued by Medical Board, SRTR, Medical College, Ambajogai. Even the applicant is at liberty to place the aforesaid documents on record, if available with him.

7. S.O. to 13.03.2024.

**MEMBER (J)**

sas ORAL ORDER 28.02.2024

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

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Shri Ganesh J. Kore, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. By this Misc. Application the applicant is seeking condonation of delay caused in filing the accompanying Original Application.

3. There is a delay of 2 months and 19 days caused in filing the accompanying Original Application.

4. By filing the Original Application the applicant is seeking setting aside the impugned order dated 30.11.2018 passed by the Divisional Commissioner, Aurangabad in appeal to the extent of clause No. 2 withholding one increment permanently effective upon further increments.

5. Learned counsel for the applicant submits that the applicant is woman and she was suffering from various age related disease. At the time of filing of

//2// M.A.No. 117/2020 in  
O.A.St. 320/2020

Original Application, she was 55 years of age. There is no inaction on the part of the applicant. Neither there is an intentional or deliberate delay as such in filing the Original Application. Learned counsel for the applicant submits that the application seeking condonation of delay deserves to be allowed.

6. Learned P.O. submits that there is an inordinate delay caused in filing the Original Application and the applicant has not explained the delay satisfactorily. Learned P.O. submits that the Misc. Application seeking condonation of delay thus liable to be rejected with costs.

7. It appears that while in service owing to the absence on duty, applicant was subjected to departmental enquiry and she was inflicted with the punishment of stoppage of 3 increments affecting the further increments. Being aggrieved by the same, the applicant has approached to the Divisional Commissioner, Aurangabad. By judgment and order dated 30.11.2018 the Division Commissioner, Aurangabad partly allowed the said appeal and reduced the said punishment from

//3// M.A.No. 117/2020 in  
O.A.St. 320/2020

stoppage of three increments to stoppage of one increment.

8. Learned counsel for the applicant on instructions submits that the applicant has now become retired and at the time of filing of Original Application, she was near about 55 years of age. Further she was suffering from various age related disease. Therefore, the delay of 2 months and 19 days occurred in filing the O.A. There is no inaction on the part of the applicant. I do not think that there is an inaction on the part of the applicant. There is no intentional or deliberate delay as such in filing the Original Application. In view of same, the application seeking condonation of delay deserves to be allowed. However, the applicant is required to be saddled with costs. I compute the costs of Rs. 100/- (One Hundred only) on the applicant and proceed to pass the following order: -

**ORDER**

The Misc. Application No. 117/2020 is allowed in following terms:-

- (A) The delay of 2 months and 19 days caused in filing the accompanying

//4// M.A.No. 117/2020 in  
O.A.St. 320/2020

O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to costs of Rs. 100/- (One Hundred only). The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.

- (B) 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)**



**ORIGINAL APPLICATION ST.NO. 320 OF 2020  
(Pamabai D. Wanve Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Shri Ganesh J. Kore, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 05.04.2024.

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

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

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

//2// O.A.St. 320/2020

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. The learned P.O. appears for all the respondents and seeks time for taking instructions.

8. S.O. to 05.04.2024.

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

**MEMBER (J)**

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

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

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. Learned Presenting Officer submits that by order dated 02.03.2023, the respondent authorities have revoked the suspension order of the applicant dated 14.01.2022 and reinstated him in service. Learned P.O. has tendered the copy of said order dated 02.03.2023. The same is taken on record and copy thereof is given to learned counsel for the applicant.

3. Learned counsel for the applicant submits that it appears from the said order that the applicant is reinstated in service, however, the effect of reinstatement is not specifically stated in the said order dated 02.03.2023. Learned counsel for the applicant submits that the same is important in the light rule and ratio laid down by the Hon'ble Apex court in the case of **Ajay Kumar Choudhary Vs.**

//2//

O.A. 704/2022

**Union of India reported in 2015 (2) JT 487/AIR  
2015 SC 2389.**

4. Learned counsel for the applicant so also  
learned P.O. seek time. Time granted.

5. S.O. to 27.03.2024 for hearing.

**MEMBER (J)**

sas ORAL ORDER 28.02.2024

**ORIGINAL APPLICATION NO. 455 OF 2022  
(Satilal Zaga Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. By consent of both the sides, S.O. to 16.04.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 571 OF 2020  
(Madhukar R. Mapari Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. At the request of learned P.O., S.O. to 14.03.2024 for hearing.

**MEMBER (J)**

sas ORAL ORDER 28.02.2024

**ORIGINAL APPLICATION NO. 567 OF 2017**  
**(Bebabai P. Koli (Sapkale) Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri Vinod P. Patil, learned counsel for the applicant, is **absent**. Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant. Even on the last date also the applicant and her learned counsel remained absent.

3. In view of above, S.O. to 02.04.2024 as a last chance for hearing.

**MEMBER (J)**

**M.A.NO. 334 OF 2023 IN O.A.ST.NO. 744 OF 2023  
(Bansi S. Shejwal Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant seeks time to file synopsis of events. Time granted.

3. S.O. to 07.03.2024 for hearing.

**MEMBER (J)**

sas ORAL ORDER 28.02.2024



**ORIGINAL APPLICATION NO. 437 OF 2023  
(Dr. Prakash G. Kamble Vs. State of Mah. & Ors.)**

**ORIGINAL APPLICATION NO. 439 OF 2023  
(Dr. Vidyasagar R. Patil Vs. State of Mah. & Ors.)**

**ORIGINAL APPLICATION NO. 440 OF 2023  
(Dr. Nathrao N. Phad Vs. State of Mah. & Ors.)**

**ORIGINAL APPLICATION NO. 442 OF 2023  
(Dr. Sudhakar G. Latpate Vs. State of Mah. & Ors.)**

**ORIGINAL APPLICATION NO. 443 OF 2023  
(Dr. Sanjay K. Kasralikar Vs. State of Mah. & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Ms. S.S. Auti, learned counsel holding for Ms. Poonam Bodke Patil, learned counsel for the applicants in all these O.As., S/shri A.P. Basarkar, D.M. Hange & V.G. Pingle, learned Presenting Officers for the respective respondent authorities in respective O.As., Shri Avinash D. Aghav, learned counsel for respondent No. 5 in O.A. No. 437/2023 and Shri Ganesh V. Mohekar, learned counsel for respondent No. 5 in O.A. No. 439/2023, are present.

Shri P.V. Tapse Patil, learned counsel for respondent No.5 in O.A. No. 442/2023 and Smt. Yogita Thorat, learned counsel for respondent No.4 in O.A.No. 443/2023, are **absent**.

2. Even though the last chance is given, no affidavit in reply has been filed in all these O.As. except O.A. No. 437/2023.

3. List the matters for admission hearing on 04.04.2024 with liberty to the other side to file affidavit in reply, if any till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 297 OF 2023**  
**(Prashant B. Kahhawa Vs. State of Maharashtra & Ors.)**  
**WITH**  
**O.A. No. 44 OF 2023 With Caveat No. 03 of 2023**  
**(Prashant B. Kahhawa Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri K.G. Salunke learned counsel for the applicants in both the O.As. and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities in both the O.As., are present. Shri R.R. Imale, learned counsel for respondent No.4 in O.A. 297/2023, is **absent**.

2. At the request of learned Chief Presenting Officer, S.O. to 07.03.2024 for hearing in **urgent admission category**.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 22 OF 2023**  
**(Sudhakar O. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 18.03.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 28.02.2024

**ORIGINAL APPLICATION NO. 790 OF 2023 WITH  
CAVEAT NO. 29/2023**

**(Dinesh C. Maliagir Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri Viraj Parakh, learned counsel holding for Shri B.R. Waramaa, learned counsel for the applicant, Shri D.M. Hande, learned Presenting Officer for the respondent authorities and Shri Chandrakant Patil, learned counsel holding for Shri P.B. Patil, learned counsel for respondent No. 5 / caveator.

2. At the request of learned counsel for respondent No. 5 / caveator, S.O. to 15.03.2024 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**O.A. Nos. 162/2018 and 163/2018**  
**(Baliram B. Patil & Anr. Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri A.D. Sugdare, learned counsel for the applicants in both the O.As., S/shri V.G. Pingle & A.P. Basarkar, learned Presenting Officers for the respondent authorities in respective O.As. and Smt. Sunita D. Shelke, learned counsel for respondent Nos. 3 & 4 in both the O.As., are present.

2. At the request of learned Presenting Officers, S.O. to 16.04.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 28.02.2024

**ORIGINAL APPLICATION NO. 921 OF 2018**  
**(Shriram B. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel holding for Shri V.G. Salgare, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 18.03.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 922 OF 2018**  
**(Hanshraj M. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 18.03.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 923 OF 2018**  
**(Shivaji M. Shelke Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel holding for Shri V.G. Salgare, learned counsel for the applicant, Shri V.G. Pingle, learned Presenting Officer for the respondent authorities and Smt. Anuradha Mantri, learned counsel for respondent No. 4, are present.

2. At the request of learned counsel for the applicant, S.O. to 18.03.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 28.02.2024



**ORIGINAL APPLICATION NO. 924 OF 2018**  
**(Dhananjay P. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel holding for Shri V.G. Salgare, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 18.03.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 28.02.2024

**O.A. Nos. 139/2019 and 946/2018**  
(Madhukar R. Dusane & Anr. Vs. State of Maharashtra & Ors.)

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri A.D. Sugdare, learned counsel for the applicants in both the O.As., S/shri V.G. Pingle & A.P. Basarkar, learned Presenting Officers for the respondent authorities in respective O.As. and Smt. Sunita D. Shelke, learned counsel for respondent Nos. 2 & 3 in O.A. 139/2019 and for respondent No. 3 in O.A. No. 946/2018, are present.

2. At the request of learned Presenting Officers, S.O. to 16.04.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 422 OF 2019**  
**(Syed Khaja Syed Meeran Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri A.D. Sugdare, learned counsel holding for Smt. Suchita Dhongde, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 05.04.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 28.02.2024

**ORIGINAL APPLICATION NO. 653 OF 2019**  
**(Vijay B. Chavan Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 08.04.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 28.02.2024

**ORIGINAL APPLICATION NO. 835 OF 2019**  
**(Sanjay M. Churmurkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent Nos. 2 & 3, are present.

2. By consent, S.O. to 21.03.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 28.02.2024

**ORIGINAL APPLICATION NO. 1012 OF 2019**  
**(Satish N. Badade Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. By consent, S.O. to 02.04.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 28.02.2024

**ORIGINAL APPLICATION NO. 210 OF 2020**  
**(Suresh B. Hallikar Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri D.V. Khillare, learned counsel for the applicant (**Absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 01.04.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 437 OF 2020**  
**(Arjun D. Kharat Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. By consent, S.O. to 08.04.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 28.02.2024



**ORIGINAL APPLICATION NO. 23 OF 2021**  
**(Nagnath P. Telgane Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. By consent, S.O. to 08.04.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 28.02.2024

**O.A. Nos. 49/2021, 585/2021, 76/2022,  
246/2022, 265/2018 & 586/2021**

**(Vandana P. Sarode & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri D.K. Dagadkhair, learned counsel for the applicants in all these O.As. and S/shri D.M. Hange, A.P. Basarkar & V.G. Pingle, learned Presenting Officers for the respondent authorities in respective O.As., are present.

2. By consent, S.O. to 29.02.2024 for hearing in **urgent admission category.**

**MEMBER (J)**

KPB ORAL ORDER 28.02.2024

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

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

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. By consent, S.O. to 29.02.2024 for final hearing in **urgent admission category**. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 263 OF 2022**  
**(Bhaskar D. Hire Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. By consent, S.O. to 29.02.2024 for final hearing in **urgent admission category**. Interim relief granted earlier to continue till then.

**MEMBER (J)**

KPB ORAL ORDER 28.02.2024

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

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

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant on instructions submits that during pendency of the present Original Applicant, the applicant died on 12.12.2023. Learned counsel seeks time to file application for brining LRs on record. Time granted.

3. S.O. to 27.03.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 174 OF 2017**  
**(Dr. Madhav F. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. In terms of the order dated 13.03.2023, learned counsel for the applicant has placed on record the applicant's own calculation about his last drawn pay, on which the applicant is expecting his pension to be fixed. The said proposal runs into 1 to 11 pages. The respondents were also directed in the said order to file the documents so that it can be ascertained as to what was last drawn pay of the applicant, on which the pension amount can be determined. In the order dated 07.02.2024, it is recorded that the respondents have not carried out the said exercise and learned P.O. sought time as a last chance to submit the same as directed. However, even today nothing has been placed on record.

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O.A. No. 174/2017

3. In view of the changes in the team of Presenting Officers appearing before this Tribunal, at the request of learned Presenting Officer, S.O. to 14.03.2024 for compliance with the directions in terms of the aforesaid order passed by this Tribunal as a last chance.

4. S.O. to 14.03.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 28.02.2024

**ORIGINAL APPLICATION NO. 60 OF 2023**  
**(Vithal R. Motarwar & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Shri P.V. Ambade, learned counsel for the applicants and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer seeks time to comply with the order dated 24.01.2024.

3. It appears from para No. 9 of the affidavit in reply filed on behalf of respondent Nos. 4 & 5, it is specifically stated that the respondent No. 5 has already communicated by letter dated 25.11.2022 to the applicants that the Government Corrigendum dated 01.02.2020 is not applicable to them. However, the said letter dated 25.11.2022 issued by respondent No. 5 neither annexed to the affidavit in reply as referred above, nor provided to the learned Presenting Officer in compliance with the order passed by this Tribunal on 24.01.2024. Learned Presenting Officer is seeking time. Time granted. In case if the learned P.O. will not get copy of the said communication dated 25.11.2022 from respondent No. 5 till the next date of hearing, the respondent No. 5 shall remain present before this Tribunal in person.

4. S.O. to 07.03.2024 for hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 352 OF 2023**  
**(Vasundhara D. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Shri H.P. Jadhav, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. The present Original Application is disposed of with the consent of both the parties at the admission stage itself.

3. Leave to add representations along with dates submitted by the applicant for grant of interest. The applicant is permitted to amend the prayer clause-10(B) to that effect.

4. By this Original Application, the applicant is seeking direction to respondent Nos. 2 and 3 to decide his representations dated 16.02.2023, 18.07.2023 and 08.02.2023 with directions to pay pension and pensionary benefits including pension, gratuity, commutation, GIS, GPF, leave encashment in accordance with law along with interest as per the provisions of Rule 129 (A) of the Maharashtra Civil Services (Pension) Rules, 1982.

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O.A. No. 352/2023

5. In the order dated 18.12.2023, this Tribunal has recorded that learned counsel for the applicant has made statement on instruction that during pendency of the Original Application, the applicant has almost got all the benefits except the amounts of (i) Leave Encashment, (ii) Commutation amount, (iii) General Provident Fund for the period of August, 2021 to December, 2021. In view of the same, by the said order dated 18.12.2023 learned P.O. is directed to take specific instructions with regard to the aforesaid amounts till the next date of hearing.

6. Learned Presenting Officer submits that the respondent nos. 2 and 3 have filed short affidavit in compliance with the said directions and in para No. 3, it is specifically mentioned that the Accountant General, Mumbai has granted the amount of Rs. 1,22,880/- towards G.P.F. on 14.08.2023 in favour of the applicant and it is already paid to him. It is further specifically stated that so far as earlier proposal of the leave encashment rejected on 06.12.2023 is concerned, the process in respect of revised proposal of leave encashment is in progress and it will be completed very shortly. Further the

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O.A. No. 352/2023

Accountant General Mumbai has sanctioned the commutation payment order of Rs. 8,39,308/- on 13.12.2023 in favour of the applicant. Learned counsel for the applicant on instruction submits that the applicant has received the commutation amount and GPF amount, however, yet to be received leave encashment amount. Learned P.O. submits that the revised proposal with regard to the leave encashment is under process and very shortly the applicant will get the said amount.

7. Learned counsel for the applicant submits that the applicant has also prayed for grant of interest and has also submitted his representations dated 16.02.2023, 08.02.2023 and 18.07.2023 with a direction to pay all these retiral benefits. However, so far as interest part is concerned, his representations may be decided in terms of Rule 129 (A) of the Maharashtra Civil Services (Pension) Rules, 1982.

8. In view of above, so far as other retirement benefits are concerned such as commutation amount, GPF and other retirement benefits, the said benefits have been paid to the applicant except leave encashment. Thus, the present Original

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O.A. No. 352/2023

Application can be disposed of by giving directions to the respondents to decide the representations submitted by the applicant dated 16.02.2023, 08.02.2023 and 18.07.2023 in terms of the provisions of Rule 129 (A) of the Maharashtra Civil Services (Pension) Rules, 1982 and further the respondents shall also be paid the leave encashment as per the revised proposal as expeditiously as possible and preferably within a period of eight weeks from the date of this order. Hence, the following order :-

**ORDER**

- (i) The Original Application is hereby partly allowed.
- (ii) The respondents are hereby directed to decide the representations submitted by the applicant dated 16.02.2023, 08.02.2023 and 18.07.2023 in terms of the provisions of Rule 129 (A) of the Maharashtra Civil Services (Pension) Rules, 1982.
- (iii) The respondents are further directed to pay the leave encashment as per the revised proposal

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O.A. No. 352/2023

as expeditiously as possible and preferably within a period of eight weeks from the date of this order.

- (iv) In the circumstances, there shall be no order as to costs.
- (v) Original Application accordingly disposed of.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1050 OF 2022**  
**(Jaiprakash Bharna Ramanand Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Shri A.R. Dhore, learned counsel holding for Shri Vijay B. Patil, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri Avinash S. Deshmukh, learned counsel for respondent No. 6.

2. Learned counsel appearing for the applicant prays for issuance of fresh notices to respondent Nos. 1 & 2. Request is accepted. Issue fresh notices to respondent Nos. 1 & 2, returnable on 10.04.2024.

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

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

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

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 10.04.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 277/2019 IN O.A.ST.NO. 9/2019**  
**(Kishan Eranna Vibhute Vs. State of Maharashtra & Ors.)**

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Shri A.D. Kaware, learned counsel for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent authorities.

Shri R.D. Kulkarni, learned counsel for respondent No. 7 in O.A. (**absent**).

2. The Original Application is filed along with the M.A. for condonation of delay. Application for condonation of delay has not yet been decided. Learned counsel seeks leave of this Tribunal to amend the O.A.

3. In view of the fact that, no notices are yet issued to the respondents, we are inclined to allow the request of the applicant. Hence, the following order: -

**ORDER**

(i) The applicant may amend the O.A. and add necessary pleadings as well as prayer/s as desired within two weeks.

(ii) Copy of the amended O.A. be placed on record.

(iii) S.O. to 12.03.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST. NO. 367 OF 2024**  
**(Dr. Trupti Harishchandra Mande Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Shri Ajinkya Reddy, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Office objection is raised as about the previous application bearing O.A. No. 99/2024, which has been summarily dismissed by this Tribunal. Learned counsel has pointed out that now the cause of action has arisen and, as such, the application is liable to be considered. We are convinced with the submission so made. The office objection stands overruled.

3. The applicant is presently working on the post of Assistant Professor in Microbiology at Government Medical Collge, Dharashiv. Learned counsel pointed out that another post which is on the establishment of the said college is also not vacant and in spite of that the Maharashtra Public Service Commission has recommended two candidates for appointment on the said post. Learned counsel submitted that apprehending this the applicant had



approached this Tribunal earlier by filing O.A. No. 99/2024, but at that time for want of cause of action the said application was not entertained by this Tribunal. Learned counsel further pointed out that the Den of the College has specifically communicated to all concerned that there are no vacancies for the post of Assistant Professor in Microbiology, in spite of that the advertisement was issued and now the recommendations are made. In the circumstances, learned counsel has prayed for interim relief restraining the respondents from making any appointment on the post on which the applicant is presently working.

4. Learned Chief Presenting Officer seeks time to take instructions and make submissions accordingly. Learned C.P.O. further submits that he will verify the aspect involved in the present matter.

5. After having considered the submissions made by learned counsel for the applicant and after having gone through the documents filed on record, we are convinced that the applicant has made out a *prima facie* case. She is working on the post against which the recommendation seems to have been made. The letter written by the Dean is quite clear on the issue, wherein he has informed about having no vacancy for the post of

Assistant Professor in Microbiology, in spite of that the orders seem to have been issued. In the circumstances, we deem it appropriate to pass the following order: -

**ORDER**

(i) Issue notices to the respondents, returnable on 21.03.2024. **Till then the respondents shall not issue the order of appointment on the post on which the applicant is working.**

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

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

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

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

(vi) S.O. to 21.03.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 128 OF 2021**  
**(Pradeep M. Thakkarwad Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri Ganesh V. Mohekar, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has tendered across the bar Notification dated 30<sup>th</sup> October, 2000 issued by the Public Health Department, Mantralaya, Mumbai, which is containing the Medical Officer in Maharashtra Medical and Health Services Group-A (Recruitment) Rules, 2000 and the same is taken on record and marked as document 'X' for the purpose of identification.

3. List the matter for hearing on 12.03.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 68 OF 2019**  
**(Dr. Shripati Kondiram Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. Arguments of both the sides are heard at length.  
Reserved for orders.

**MEMBER (A)**

**VICE CHAIRMAN**

**C.P.NO. 41/2023 IN O.A.NO. 712/2021**  
**(Dr. Subhash Ganpatrao Kabade Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant on instructions, seeks leave of this Tribunal to withdraw the present contempt petition. Learned counsel submits that the order passed by this Tribunal in O.A., contempt of which is alleged in the present matter, has been complied with by the respondents. In view of the submissions so made, the following order is passed: -

**ORDER**

The contempt petition stands disposed of since withdrawn. There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 77/2024 IN O.A.NO. 1047/2023**  
**(Dr. Vasuda Baburao Musale Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

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

2. The subsequent events are sought to be brought on record by way of amendment with the contextual prayers since are inconsonance with the pleadings in the O.A., we are inclined to allow the present application. Hence, the following order: -

**ORDER**

- (i) The Misc. Application is allowed. The necessary amendment be carried out within one week.
- (ii) Copy of the amended O.A. be supplied to the other side.
- (iii) There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 429 OF 2023**  
(Nagnath Gangadhar Sawant Vs. State of Maharashtra & Ors.)

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Ms. Preeti Wankhade, learned counsel for the applicant (**absent**). Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, is present.

2. Learned Chief Presenting Officer has submitted communication dated 3.2.2024 received to the office of CPO from the Special Inspector General of Police (Headquarter), Prisons & Correctional Services, M.S. Pune. The same is taken on record. Copy be given to the learned counsel for the applicant.

3. From the contents of the communication it is revealed that the applicant has been given deemed date in the promotional post as 1.7.2019. Learned counsel in view of the aforesaid decision prayed for disposal of the present O.A. However, learned counsel for the applicant has left the Court by taking next date in the matter.

4. List the matter for hearing on 02.04.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 266/2023 IN O.A.ST.NO. 941/2023**  
**(Sarpa Kagda Vasave Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Shri Ganesh Jadhav, learned counsel holding for Shri A.S. Shelke, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicant, issue fresh notice to the respondents in M.A., returnable on 10.04.2024.

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

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

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

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 10.04.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 613 OF 2022**  
**(Rahul Devrao Sathe Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri R.D. Khadap, learned counsel for the applicant, Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, Shri Avinash Deshmukh, learned counsel for respondent Nos. 8, 15, 17, 22, 24 & 26 to 28 and Shri A.D. Sugdare, learned counsel for respondent No. 29, are present.

2. State authorities have filed affidavit in reply. Some of the private respondents have also filed affidavit in reply. Today, no request is made on behalf of the remaining respondents seeking time for filing affidavit in reply. In the circumstances, list the matter for hearing on 26.03.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 547/2023 IN O.A.NO. 917/2023**  
**(Kanad Tatyaram Ugalmugle Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri Amol B. Chalak, learned counsel for the applicant in M.A., Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent authorities and Shri S.S. Sarda, learned counsel holding for Shri Mohit R. Deshmukh, learned counsel for the applicant in O.A., are present.

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

3. S.O. to 28.03.2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 508 OF 2020**  
**(Bhojane Sangita Prabhakar Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri A.S. Mirajgaonkar, learned counsel holding for Shri C.V. Dharurkar, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. At the request of learned Chief Presenting Officer, S.O. to 07.03.2024. The present case has already been treated as part heard.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 579/2023 IN M.A.ST. NO. 2324/2023 IN O.A. ST.  
NO. 2325/2023  
(Pallavi S. Karande & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman  
AND  
Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri A.S. Mirajgaonkar, learned counsel holding for Shri C.V. Dharurkar, learned counsel for the applicants and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. The present matter is wrongly shown in await service category. Service affidavit is filed.

3. At the request of learned Chief Presenting Officer, S.O. to 15.03.2024 for filing affidavit in reply.

**MEMBER (A)**

**VICE CHAIRMAN**

M.A.NO.441/2023            IN            O.A.NO.659/2021  
M.A.NO.442/2023            IN            O.A.NO.661/2021  
M.A.NO.443/2023            IN            O.A.NO.183/2022  
M.A.NO.444/2023            IN            O.A.NO.185/2022  
M.A.NO.445/2023 IN O.A.NO.186/2022  
(Sushilkumar B. Rakh & Ors. Vs. State of  
Maharashtra & Ors.)

O.A.NOS.878/2022,        907/2022,        908/2022,  
909/2022,    910/2022,    911/2022,    912/2022,  
1101/2022, 1103/2022, 1104/2022, 1105/2022,  
986/2022, 998/2022, 1054/2022, 1076/2022,  
167/2023, 985/2022, 1077/2022, 1078/2022,  
63/2023,    707/2022,    658/2021,    660/2021,  
182/2022,    184/2022,    187/2022,    391/2022,  
428/2022, 429/2022,  
(Sushilkumar B. Rakh & Ors. Vs. State of  
Maharashtra & Ors.)

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Shri M.S. Karad, learned counsel for the applicants in all these matters (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in all these matters, is present.

2. The present matters are not on board. They are taken on board at the request of learned Presenting Officer appearing for the respondent authorities.

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3. Learned P.O. has submitted the pursis in the present matters along with communication dated 27.02.2024. The same is taken on record. The copy be given to the learned counsel appearing for the applicants.

**MEMBER (A)**

ORAL ORDER 28.02.2024-HDD

**VICE CHAIRMAN**

**M.A.NO. 73/2024 IN O.A.NO. 1084/2022**  
**(Udhan Manikrao Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Shri Ram S. Shinde, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. The applicant has filed the present M.A. seeking addition of the parties as party respondents, who are likely to be affected by the decision, which may be rendered in the O.A. In the present M.A. the applicant has also prayed for interim relief.

3. In the Original Application the applicant has raised the objection as about the final seniority list of Circle Officer in Latur District published by respondent No. 3 on 12.09.2022 and Divisional seniority list published on 19.10.2022 by respondent No. 2. It is the contention of the applicant that in the provisional seniority list his position was rightly shown, however, in the Divisional seniority list published on 19.10.2022 juniors to him are shown above him in the said seniority list. Learned counsel submits that the promotions are likely to be effected since information has been called from some of the junior persons to the applicant. The objection raised by the applicant and the reply given to the said

**:: - 2 - :: M.A. 73/2024 IN O.A. 1084/2022**

objections are brought to our notice. From the reply it is difficult to ascertain exactly for what reasons the applicant has been pushed down. *Prima facie*, it appears that when the applicant had cleared the Revenue Qualifying Examination in 2008 in first attempt, as such, persons who have passed the said examination thereafter cannot be put above the applicant. However, reply from the respondents will be necessary clarifying aforesaid position. In the circumstances, we deem it appropriate to pass the following order: -

**ORDER**

- (i) The Misc. Application is allowed in terms of prayer clause 'B'. The necessary amendment be carried out within one week.
- (ii) It is further directed that during pendency of the O.A. if the appointments by promotion are made, all such appointments shall be subject to outcome of the present O.A.
- (iii) M.A. stands disposed of with the aforesaid terms. There shall be no order as to costs.
- (iv) The O.A. to come up for hearing on 02.04.2024.

**MEMBER (A)**

**VICE CHAIRMAN**



**M.A.NO. 14/2021 IN O.A.ST.NO. 1471/2020**  
**(Varsha Madhukar Kalyankar Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 28.02.2024**

**ORAL ORDER :**

Heard Shri K.B. Borde, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Applicant has filed the present application seeking condonation of delay, which has occasioned in filing the Original Application by him.

3. The Original Application is filed seeking declaration that the application dated 13.8.2010 seeking voluntary retirement shall be deemed to have been accepted and the applicant be treated to be deemed to have been retired as on 28.09.2010.

4. It is the contention of the applicant that till the year 2015 the application so submitted by the applicant was under process and correspondence had taken place between the applicant and the respondents as about the discrepancies noticed in the application filed by the applicant and subsequent rectification of the said mistake by the applicant.

5. It is further contended that after 2015 also the applicant was consistently pursuing the request of her voluntary retirement with the respondent authorities, however, when there was no response from the State authorities, the applicant had earlier approached this Tribunal by filing the O.A. St. No. 1405/2019. The said O.A. was withdrawn by the present applicant. It is the further contention of the applicant that she thereafter filed W.P. before the Hon'ble Bombay High Court, Bench at Aurangabad and the said W.P. has been disposed of by giving liberty to the applicant to approach the appropriate forum. Thereafter, the applicant has filed the present O.A. as well as M.A.

6. In the M.A. the applicant has narrated about the correspondence which had occurred between her and the respondents up to the year 2015. It is further contended that the delay which has occasioned is unintentional and for bona-fide reasons and, as such, the prayer is made for condonation of the delay.

7. Request so made is opposed by the respondents. Respondent No. 3 has filed the affidavit in reply opposing the contentions raised and the prayer made in the M.A. According to the respondents, inordinate delay which has occurred in approaching the Tribunal has not been

properly explained by the applicant. The respondents have, therefore, prayed for rejecting the application.

8. Learned counsel appearing for the applicant submitted that till the year 2015 since the efforts were being taken at the departmental level, there was no occasion for the applicant to approach this Tribunal as she was hopeful that the department will take appropriate action on her request. However, after realizing that the department is not taking any action, she filed the O.A. St. No. 1405/2019 with the only prayer therein that the respondents be directed to decide the representation/s made by her seeking voluntary retirement. The said application was however, withdrawn and thereafter the applicant approached the Aurangabad Bench of Hon'ble Bombay High Court and by taking liberty from the Hon'ble High Court the present application is filed before this Tribunal.

9. Learned counsel submitted that the delay which has occasioned in approaching this Tribunal has been sufficiently explained by the applicant. It is further argued that the delay caused is for bona-fide reasons and unintentional. In the circumstances, according to the learned counsel, opportunity needs to be given to the applicant to prosecute her matter on merits.

10. Learned Chief Presenting Officer has opposed the submissions made on behalf of the applicant. Learned C.P.O. submitted that the cause of action had arisen in fact in the year 2011 itself. However, the applicant did not approach the Tribunal and made representations one after another. Learned C.P.O. submitted that mere submission of repeated representations may not save the limitation. Learned C.P.O. further argued that considerate delay has occurred in approaching this Tribunal and perhaps on apprehension that the Tribunal is not likely to condone the delay caused in approaching the Tribunal the said application was unconditionally withdrawn by the applicant. Learned C.P.O. submitted that the prayers which are made in the present OA could have been made even in the earlier O.A. Learned C.P.O. further submitted that from the last communication if the case of the applicant is to be considered that correspondence was in progress. Last communication was made in the year 2015 and 04 years delay has been already committed by the applicant in approaching the Tribunal in the year 2019. He further argued that now the said period is exceeded to more than 09 years in approaching this Tribunal for which the applicant has not provided any satisfactory explanation. Learned C.P.O. further submitted that the delay has to be counted from the year 2010 till the year 2021 for which

the M.A. for condonation of delay has been filed. Learned C.P.O. submitted that for want of any sufficient cause made out by the applicant explaining the delay, which has occasioned in approaching the Tribunal, the delay cannot be condoned and the application deserves to be rejected in limine.

11. We have carefully considered the submissions made on behalf of the applicant, as well as, the State authorities. From the pleadings in the O.A. it is quite evident that the cause of action for filing the present O.A. had in fact arisen in the year 2010 onwards and at the most in the year 2011 the applicant must have approached the Tribunal. Though it had been contended by the learned counsel for the applicant that representations were made and they were being considered by the authorities even that may not save the period of limitation. Making of repeated representations and their pendency cannot be a ground for condoning the delay. Only for the sake of arguments even if it is accepted that up to the year 2015 there was some response from the respondents meaning thereby that the request of voluntary retirement of the applicant was under consideration, the applicant has failed in explaining the delay during the period between 2015 and 2019. Insofar as this 04 years is concerned there is

absolutely no explanation from the side of the applicant. CORONA Pandemic started in the year 2020 i.e. March, 2020 onwards. Before that, period of at least 04 years was available with the applicant, but she did not make any attempt to approach the Tribunal.

12. There is substance in the argument of learned C.P.O. that the prayers, which are made in the present O.A. could have been made in the earlier O.A. also. As per the provisions of law all the reliefs as far as possible are to be prayed at the first approach to the Court or Tribunal. In the O.A. previously filed by the applicant the only prayer was to decide the representation submitted by the applicant praying for voluntary retirement. In the said O.A. it is not explained by the applicant why prayers which are made in the present O.A. were not made in the earlier O.A., for the reason that the time of more than 9 years has already lapsed from submitting the application for the voluntary retirement. It is further significant that the said O.A. was withdrawn by the applicant unconditionally. The question remains as to why for the said O.A. was withdrawn and why the O.A. was not amended incorporating the pleas which are raised in the present O.A. Unconditional withdrawal of the said application in fact appears fatal for the applicant. Practically the same

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relief has been sought by the applicant in the present O.A. also. The reasons which are assigned by the applicant are only restricted to the representations made by the applicant with the authorities. The reasons which are assigned in the application, according to us, are insufficient to condone the delay of the huge period of 09 years from the date of cause of action. Even if it is assumed that the cause of action arisen after 2015 for the reason that the proposal was under active consideration of the respondents, the delay, which has occasioned thereafter till filing of the O.A. also has not been properly explained.

13. In the circumstances, according to us, the present application deserves to be rejected for want of sufficient reasons. It has to be stated that if the delay is properly explained even the delay for longer period also can be condoned vice-versa delay of shorter period cannot be condoned if the reasons are not properly explained or the reasons are not sufficient. Hence, the following order: -

**ORDER**

The Misc. Application is rejected. Consequently, O.A. on stamp number also stands disposed of. There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

