

ORIGINAL APPLICATION NO.337/2021
(Sandip Golwal & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **28.03.2022**

ORAL ORDER :

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

2. The present applicants had applied for the post of Talathi in pursuance of the advertisement published in that regard. It is the contention of the applicants that in the examination held, the applicants have secured higher marks but the respondents have declined to include their names in the list of selected candidates. The applicants have, therefore, sought the following relief:

“IX]-B) By allowing this Original Application, kindly direct the respondent authorities to include the name of final selection list as the applicants have secured higher marks and consequently to issue appointment order in favor of the applicants forthwith.”

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3. It is the contention of the respondents that the names of the applicants have not been included in the list of selected candidates for the reason that they indulged in adopting malpractices in the examination conducted and offence has been registered against them on that count at Kotwali Police Station, Ahmednagar. The respondents have, therefore, prayed for dismissal of the O.A.

4. We have carefully considered the submissions advanced on behalf of the applicants as well as the respondents. We have also perused the documents filed on record. The documents on record reveal that, complaints were received after the examinations were held for the subject post in which the applicants have appeared. As is further revealed from the said documents, 14 candidates were found to have involved in adopting malpractices. CCTV footage and other material were examined. The Project Manager, UST Global made certain enquiries and submitted report, wherein it was stated that there was

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variance in photographs which were uploaded by the applicants while filling online applications with the photographs which were presented at the time of verification of the documents and the photographs which were taken of the candidates at the examination centre. It was also stated that, the signatures of these applicants on online application were differing from the signatures made on the attendance sheet at the examination centre and with the signature made at the time of verification of the documents. In the circumstances, respondents have not included the names of the present applicants in the list of selected candidates.

5. It appears to us that when *prima facie* evidence was there against the applicants of having indulged in malpractices in the examination and when the FIR has been registered against these applicants in that context, it was well within the competence of the respondents not to include the names of the applicants in the list of selected

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candidates. We, therefore, see no error or illegality on the part of the respondents. Applicants have failed in making out any case for granting any relief in their favour. The O.A., therefore, deserves to be dismissed and is accordingly dismissed, however, without any order as to costs.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.152/2020
(Avinash Londhe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Heard Smt. Poonam V. Bodke Patil, learned Advocate for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondents.

2. After having heard the learned Counsel for the applicant as well as the learned P.O. for some time, it is noticed that some material information is lacking and has not come on record. It is not in dispute that 25 posts were advertised wherein 5 posts were shown to have been reserved for SEBC category. It is also not in dispute that at the time when the advertisement was published the percentage for reservation for SEBC candidates was 16%. It is the matter of record that, subsequently, it was reduced to 13% and as such 5 seats which were shown to have

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been reserved for SEBC were reduced to 4, however, it should not have resulted in reducing the number of total seats to be filled in.

3. Learned Counsel for the applicant has submitted that though 25 seats were advertised, only 24 seats have been filled in. It is her further contention that if the seats which were reserved for SEBC are de-reserved, same will be available for Open as has been done in other districts. It is her further contention that if in the present matter also the Open seats are increased by 1, possibly the applicant may get a chance to be selected.

4. Neither the applicant nor the respondents have placed on record the marks secured by the candidates in the examination held though the common merit list is there on record. There is no further correct information as about the seats filled in from several categories so as to ascertain who was the last candidate selected from Open category and how much marks the said candidate has received.

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5. Respondents are, therefore, directed to place the information on the aforesaid aspects on or before the next date.

6. S.O. to 13-04-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.36/2022
(Balasaheb Patharkar Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **28.03.2022**

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 13-06-2022 for filing affidavit in reply on behalf of the respondents.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.62/2022
(Sanjay Hange Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 14-06-2022 for filing affidavit in reply on behalf of the respondents.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.78/2022
(Vaishali Tote Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.03.2022

ORAL ORDER :

Shri A.D.Gadekar, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents, are present.

2. At the request of learned Presenting Officer, S.O. to 14-06-2022 for filing affidavit in reply on behalf of the respondents.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.111/2022
(Pandurang Hande Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Ku. Megha Mali learned Advocate holding for Shri S.K.Mathpati, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. At the request of learned Presenting Officer, S.O. to 28-04-2022 for filing affidavit in reply on behalf of the respondents.

MEMBER (A)

MEMBER (J)

**M.A.NO.609/20119 IN O.A.ST.NO.2372/2019
(Radhabai Kedare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri K.B.Jadhav, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents, are present.

2. At the request of learned Advocate for the applicant, S.O. to 06-06-2022 for filing affidavit in rejoinder.

MEMBER (A)

MEMBER (J)

M.A.NO.26/2020 IN O.A.ST.NO.600/2019
M.A.NO.27/2020 IN O.A.ST.NO.601/2019
M.A.NO.28/2020 IN O.A.ST.NO.602/2019
(Shriniwas P. Karve & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **28.03.2022**

ORAL ORDER :

Shri S.M.Kulkarni, learned Advocate for the applicants is **absent**.

Shri D.R.Patil & Shri N.U.Yadav, learned Presenting Officers for the respondents, are present.

2. At the request of learned Presenting Officer, S.O. to 06-06-2022 for filing affidavit in reply on behalf of the respondents.

MEMBER (A)

MEMBER (J)

**M.A.NO.31/2020 WITH M.A.NO.15/2020 IN
T.A.NO.10/2018 (W.P.NO.1439/2018)
(Nirmal Rakh Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri A.V.Thombre, learned Advocate holding for
Shri S.S.Thombre, learned Advocate for the applicant and
Shri D.R.Patil, learned Presenting Officer for the
respondents, are present.

2. At the request of learned Presenting Officer, S.O. to
08-06-2022 for filing affidavit in reply on behalf of the
respondents.

MEMBER (A)

MEMBER (J)

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

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri A.D.Gadekar, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents, are present.

2. At the request of learned Presenting Officer, S.O. to 08-06-2022 for filing affidavit in reply on behalf of the respondents.

MEMBER (A)

MEMBER (J)

**M.A.NO.249/2020 IN O.A.NO.1009/2019
(Bharat Maher Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to
09-06-2022 for filing affidavit in reply on behalf of the
respondents.

MEMBER (A)

MEMBER (J)

M.A.NO.351/2020 IN O.A.NO.470/2018
(Mahadabai Dhulekar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.03.2022

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 09-06-2022 for filing affidavit in reply on behalf of the respondent nos.4 and 5 and also at the request of learned Advocate for the applicant for filing affidavit in rejoinder.

MEMBER (A)

MEMBER (J)

**M.A.NO.41/2021 WITH M.A.ST.NO.89/2021 WITH
M.A.ST.NO.90/2021 IN O.A.ST.NO.91/2021**

**M.A.NO.42/2021 WITH M.A.ST.NO.66/2021 WITH
M.A.ST.NO.67/2021 IN O.A.ST.NO.68/2021**

**M.A.NO.65/2021 WITH M.A.ST.NO.271/2021 WITH
M.A.ST.NO.272/2021 IN O.A.ST.NO.274/2021**

**M.A.NO.92/2021 WITH M.A.ST.NO.244/2021 WITH
M.A.ST.NO.245/2021 IN O.A.ST.NO.241/2021**

**M.A.NO.93/2021 WITH M.A.ST.NO.248/2021 WITH
M.A.ST.NO.249/2021 IN O.A.ST.NO.246/2021
(Marathwada Van Va Samaji Vanikaran Rojandari Va Kayam
Kamgar Karmachari Va Sarva Shramik Sanghatana through
its General Secretary Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri G.R.Jadhav learned Advocate holding for Shri A.S.Shelke, learned Advocate for the applicant Sanghatana, Shri M.S.Mahajan, learned Chief Presenting Officer, Shri M.P.Gude, Shri D.R.Patil, Shri S.K.Shirse and Shri V.R.Bhumkar learned Presenting Officers for the respondents in respective cases, are present.

2. S.O. 13-04-2022.

MEMBER (A)

MEMBER (J)

**M.A.NO.74/2021 IN O.A.ST.NO.293/2021
(Appasaheb Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 02-05-2022 for filing affidavit in reply on behalf of the respondents.

MEMBER (A)

MEMBER (J)

**M.A.NO.273/2021 IN O.A.ST.NO.987/2021
(Prakash Phulluke Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri S.D.Joshi, learned Advocate for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent no.2. It is taken on record. Copy thereof has been served on the other side.

3. At the request of learned Presenting Officer, S.O. to 02-05-2022 for filing affidavit in reply on behalf of other respondents.

MEMBER (A)

MEMBER (J)

**M.A.NO.324/2021 IN O.A.ST.NO.947/2021
(Dr. Sudam Mogle Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri Shamsundar B. Patil, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents, are present.

2. At the request of learned Presenting Officer, S.O. to 04-05-2022 for filing affidavit in reply on behalf of the respondents.

MEMBER (A)

MEMBER (J)

**M.A.NO.402/2021 IN O.A.ST.NO.1631/2021
(Prakash Bhamre Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri P.S.Gaikwad, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents, are present.

2. At the request of learned Presenting Officer, S.O. to 04-05-2022 for filing affidavit in reply on behalf of the respondents.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.148/2020
(Gorakhnath Bhalerao Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant as well as the learned C.P.O., S.O. to 30-03-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 543 OF 2020
(Gaurav C. Randive Vs. State of Maharashtra & Ors.)**

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri Dilip Mutalik, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 02.05.2022 for final hearing.

MEMBER (J)

**M.A. 518/2019 in M.A. 242/2019 in O.A. St. 897/2019
(Shripad K. Marakwar Vs. State of Maharashtra & Ors.)**

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

DATE : 28.03.2022

ORAL ORDER :

Shri A.S. Gandhi/P.S. Mehta, learned Advocate for the applicant (**Absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 21.04.2022.

MEMBER (J)

KPB ORAL ORDERS 28.03.2022

ORIGINAL APPLICATION NO. 126 OF 2020
(Dr. Sushilkumar B. Kendre Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

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

2. Record shows that liberty was granted to the applicant to amend the O.A. vide order dated 06.03.2020. However, the amendment is not carried out till today.

3. In view of above, S.O. to 22.04.2022 for passing necessary order.

MEMBER (J)

KPB ORAL ORDERS 28.03.2022

M.A. No. 199/2020 in O.A. St. No. 317/2020
(Shankuntala T. Suryawanshi Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Shri A.N. Nagargoje/N.S. Kadam, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 22.04.2022 for passing necessary order.

MEMBER (J)

KPB ORAL ORDERS 28.03.2022

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

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

DATE : 28.03.2022

ORAL ORDER :

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

2. Issue notice to the respondents, returnable on 27.04.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 27.04.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 274 OF 2022
(Vajinath P. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 28.04.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 28.04.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 03 OF 2021
(Sudhir S. Pathak Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Shri D.K. Rajput, learned Advocate for the applicant (**Absent**). Heard Smt. Deepal S. Deshpande, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 28.04.2022.

MEMBER (J)

KPB ORAL ORDERS 28.03.2022

**M.A. No. 149/2018 in O.A. St. No. 445/2018
(Prasad D. Mule Vs. State of Maharashtra & Ors.)**

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent No. 1. Shri S.B. Mene, learned Advocate for respondent Nos. 2 and 3 (**Leave Note**).

2. In view of leave note filed by the learned Advocate for respondent Nos. 2 & 3, S.O. to 13.04.2022.

MEMBER (J)

KPB ORAL ORDERS 28.03.2022

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

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate holding for Shri A.D. Gadekar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 25.04.2022.

MEMBER (J)

KPB ORAL ORDERS 28.03.2022

M.A. No. 407/2019 in O.A. St. No. 1458/2019
(Savita U. Gaikwad @ Sangita S. Wagh Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that though amendment in O.A. was granted by the order dated 03.02.2022; the same was not carried out till date. He submits that the applicant wants to produce on record consent letters of her two sisters for payment of pensionary benefits to the applicant and to amend the prayer clause of the O.A.

3. The applicant shall carry out the necessary amendment in the O.A. within a period of three days and to serve the amendment copy of the O.A. on the other side.

4. S.O. to 26.04.2022.

MEMBER (J)

M.A. No. 302/2020 in O.A. St. No. 968/2020
(Raosaheb S. Kshirsagar Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

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

2. The present matter is closed for orders.

MEMBER (J)

KPB ORAL ORDERS 28.03.2022

M.A. No. 325/2020 in O.A. St. No. 332/2020
(Vilas S. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Shri Prashant Deshmukh, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 28.04.2022.

MEMBER (J)

KPB ORAL ORDERS 28.03.2022

ORIGINAL APPLICATION NO. 83 OF 2021
(Ashok R. Tonde & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri G.K. Kshirsagar, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. The present matter has already been treated as part heard.
3. At the request of learned Advocate for the applicants, time is granted for filing short affidavit.
4. S.O. to 18.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 338 OF 2019
(Chandrabhan B. Thorat Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Shri O.D. Mane, learned Advocate for the applicant (**Leave Note**). Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 02.05.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 28.03.2022

ORIGINAL APPLICATION NO. 640 OF 2019
(Pradeep M. Kaushike Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 29.04.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 28.03.2022

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

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

DATE : 28.03.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 02.05.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 28.03.2022

ORIGINAL APPLICATION NO. 445 OF 2020
(Narsing N. Mudiraj Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Shri V.B. Dhage, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 03.05.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 28.03.2022

M.A. No. 08/2022 in O.A. No. 557/2021
(Dr. Vyankatesh N. Ainlod Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant in the present M.A. / respondent No. 5 in O.A., Smt. P.V. Bodkhe Patil, learned Advocate for respondent No. 1 in the present M.A. / applicant in O.A., Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 2 to 4 & 6. Shri Ashish Shinde, learned Advocate for respondent No. 5 in the present M.A./respondent No. 4 in O.A. **(absent)**.

2. At the request of learned Advocate the respondent No. 1 in the present M.A./applicant in O.A., time is granted for filing rejoinder affidavit.

3. The present matter is to be treated as part heard.

4. S.O. to 01.04.2022.

MEMBER (J)

**O.A. Nos. 379, 408, 536, 537, 538, 539, 550, 551, 656
& 704 all of 2018**
(Dr. Kanchan T. Bhorge & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.04.2022

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicants in all these O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these O.As.

2. Learned Advocate for the applicants filed short affidavit in O.A. No. 539/2018 along with annexures. Same is taken on record in order to decide the controversy and copy thereof has been served on the other side.
3. The respondents are at liberty to respond it, if necessary.
4. The present matters are to be treated as part heard.
5. S.O. to 28.04.2022.

MEMBER (J)

DATE : 28.03.2022

ORIGINAL APPLICATION NO. 287 OF 2022

(Pratibha M. Lohar Vs. The State of Maharashtra & Ors.)

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

1. Shri H.P. Jadhav, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 12.04.2022. The case be listed for admission hearing on **12.04.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

ORIGINAL APPLICATION NO. 835 OF 2018
(Sunil K. Pawara Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Shri C.V. Bhadane, learned Advocate for the applicant, is **absent**. Heard Shri D.R. Patil, learned Presenting Officer for the respondent Nos.1,2 4 & 5. None present on behalf of the respondent No.3, though duly served.

2. Record shows that the affidavit-in-reply was already filed on behalf of the respondent Nos.4 & 5. However, thereafter there is amendment in the Original Application. Hence at the request of the learned P.O., time is granted for filing affidavit-in-reply to the amended O.A.

3. S.O. to 21.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 85 OF 2019
(Mahadeo P. Ghuge Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri H.A. Joshi, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 21.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 908 OF 2019
(Shaikh Nisar Ahmed Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

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

2. Affidavit-in-reply filed on behalf of the respondent is taken on record.
3. Learned Advocate submits that he has received the copy of reply.
4. At the request of the learned Advocate for the applicant, time is granted for filing affidavit-in-rejoinder, if any.
5. S.O. to 22.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 158 OF 2020
(Jilani Ksim Mujavar Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Shri B.R. Jaybhay, learned Advocate for the applicant, is **absent**. Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 22.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 309 OF 2020
(Chandrakant Y. Bansode Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Shri M.A. Golegaonkar, learned Advocate for the applicant, is **absent**. Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Record shows that the affidavit-in-reply is already filed on behalf of the respondents and the matter was fixed for filing affidavit-in-rejoinder. However, affidavit-in-rejoinder is not filed.

3. S.O. to 02.05.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 349 OF 2020
(Prakash S. Raut Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 21.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 542 OF 2020
(Rajaram S. Shendge Vs. State of Maharashtra & Ors.)**

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the applicant does not wish to file affidavit-in-rejoinder.
3. S.O. to 21.04.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 569 OF 2020
(Tejas L. Malwadkar Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri S.S. Ware, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent Nos.1 & 2. None present on behalf of the respondent No.3, though duly served.

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

3. S.O. to 21.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 35 OF 2021
(Shaikh Mohamamad Noman Shaikh Aleem & Ors. Vs. State
of Maharashtra & Ors.)**

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri V.R. Kulkarni, learned Advocate holding for Shri Mohit R. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants received the copy of affidavit-in-reply today. He seeks time for filing affidavit-in-rejoinder. Time is granted.
3. S.O. to 22.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 131 OF 2021
(Vilas N. Shahhane Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned P.O. for the respondents submits during the course of the day he would file affidavit-in-reply on behalf of all the respondents.

3. S.O. to 22.04.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

**ORIGINAL APPLICATION NO. 138 OF 2021
(Anant R. Pande Vs. State of Maharashtra & Ors.)**

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

DATE : 28.03.2022

ORAL ORDER :

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

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

3. S.O. to 25.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.164 OF 2021
(Balu A. Chavan Vs. State of Maharashtra & Ors.)**

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

DATE : 28.03.2022

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri S.K. Shire, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time for filing affidavit-in-reply. Time is granted.

3. Learned Advocate for the applicant submits that the suspension order of the applicant is revoked but the suspension period is not regularized. She submits that she will produce the necessary documents along with the affidavit and seeks to continue the Original Application for quashment of the order of suspension.

4. S.O. to 22.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 166 OF 2021
(Suryakant V. Tatode Vs. State of Maharashtra & Ors.)**

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri Sanjay A. Wakure, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the applicant does not wish to file affidavit-in-rejoinder.
3. S.O. to 18.04.2022 for admission.

MEMBER (J)

**ORIGINAL APPLICATION NO. 175 OF 2021
(Ajay R. More Vs. State of Maharashtra & Ors.)**

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos.1 & 2. None appears on behalf of the respondent No.3 though duly served.

2. Learned P.O. submits that during the course of the day he would file affidavit-in-reply on behalf of respondent Nos.1 & 2.
3. S.O. to 21.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 269 OF 2021
(Kishor G. Narwade Vs. State of Maharashtra & Ors.)**

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

DATE : 28.03.2022

ORAL ORDER :

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

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

3. S.O.to 28.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 375 OF 2021
(Ravindra R. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Shri Prashant Deshukh, learned Advocate for the applicant, is **absent**. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of the learned C.P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 and 4.

3. S.O. to 28.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 376 OF 2021
(Hanumant S. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Shri Prashant Deshukh, learned Advocate for the applicant, is **absent**. Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 and 4.

3. S.O. to 28.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 377 OF 2021
(Vivekanand P. Dhongade Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Shri Prashant Deshukh, learned Advocate for the applicant, is **absent**. Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 and 4.

3. S.O. to 28.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 402 OF 2021
(Sudhakar N. Kamble Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Shri Prashant Deshukh, learned Advocate for the applicant, is **absent**. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1,4 & 5.

3. S.O. to 28.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 403 OF 2021
(Navnath D. Ghorpade Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Shri Prashant Deshukh, learned Advocate for the applicant, is **absent**. Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1,4 & 5.

3. S.O. to 28.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 404 OF 2021
(Jayshree P. Hambire Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Shri Prashant Deshukh, learned Advocate for the applicant, is **absent**. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of the learned C.P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 and 4.

3. S.O. to 28.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 417 OF 2021
(Ramkant D. Joshi Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Shri Prashant Deshukh, learned Advocate for the applicant, is **absent**. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of the learned C.P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 and 4.

3. S.O. to 28.04.2022.

MEMBER (J)

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

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri Suresh S. Pidgewar, learned Advocate holding for Shri N.L. Choudhari, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. S.O. to 27.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 698 OF 2017
(Jalamsing D. Valvi Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 29.04.2022.

MEMBER (J)

SAS ORAL ORDERS 28.03.2022

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

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

DATE : 28.03.2022

ORAL ORDER :

Heard Smt. Sonal Bali, learned Advocate holding for Shri H.S. Bali, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

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

3. S.O. to 27.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 389 OF 2021
(Baburao C. Mahire Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri Yoesh H. Jadhav, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent No.1. None present on behalf of the respondent Nos.2 to 5 though duly served and VAKALATNAMA also being filed.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent No.1.

3. S.O. to 21.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 406 OF 2021
(Sajed Mubasshiruddin Siddiqui Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri V.B. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 22.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 421 OF 2021
(Manohar M. Bharane Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos.1, 2 & 4 and Shri S.B. Patil, learned Advocate for the respondent No.3.

2. As per the Circular No. MAT/MUM/ESTT/732/2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Division Bench. The Original Application is pertaining to Time Bound Promotion.

3. In view of the same, the present matter be placed before the Division Bench for further hearing.

4. S.O. to 28.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 656 OF 2021
(Shrikisan M. Choure Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 25.04.2022.

MEMBER (J)

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

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

DATE : 28.03.2022

ORAL ORDER :

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

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

3. S.O. to 28.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 805 OF 2021
(Mahadev S. Koli Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri Onkar Gholap, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos.1 to 5. None appears on behalf of the respondent No.6, though duly served.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply.
3. S.O. to 22.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 806 OF 2021
(Pralhad S. Sonune Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri V.G. Salgare, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of the respondent No.4 is taken on record.
3. Learned Advocate for the applicant submits that he has received the copy of reply.
4. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 to 3 and 5.
5. S.O. to 26.04.2022.

MEMBER (J)

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

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

DATE : 28.03.2022

ORAL ORDER :

Shri S.B. Solunke, learned Advocate for the applicant, is **absent**. Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.
3. In view of absence of learned Advocate for the applicant, S.O. to 26.04.2022 for taking necessary steps.

MEMBER (J)

ORIGINAL APPLICATION NO. 25 OF 2022
(Shailesh V. Gavit Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Heard Ms. Saie Joshi, learned Advocate holding for Shri Swapnil Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed jointly on behalf of the respondent Nos.2 and 5 is taken on record.
3. Learned Advocate for the applicant has received the copy of reply.
4. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of remaining respondent Nos.1,3 and 4.
5. S.O. to 26.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 27 OF 2022
(Shaikh Hamed Sk. Hydar Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

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

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

3. S.O. to 22.04.2022.

MEMBER (J)

SAS ORAL ORDERS 28.03.2022

**M.A.NO.98 OF 2019 IN O.A.ST.NO.259 OF 2019
(Anandsing B. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 28.03.2022

ORAL ORDER :

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

2. Record shows that the affidavit-in-reply is filed only on behalf of the respondent No.4 from which office the applicant is retired.

3. No affidavit-in-reply is filed on behalf of other respondents.

4. In view of above, the matter is fixed for hearing on 20.4.2022.

MEMBER (J)

**M.A.NO.288 OF 2020 IN O.A.ST.NO.1063 OF 2020
(Pratap S. Sontakke Vs. State of Maharashtra & Ors.)**

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

DATE : 28.03.2022

ORAL ORDER :

Shri Ganesh J. Kore, learned Advocate for the applicant, is **absent**. Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply.
3. S.O. to 19.04.2022.

MEMBER (J)

M.A.NO.99 OF 2019 IN O.A.ST.NO.260 OF 2019
(Soma M. Dhangar Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri P.H. Patil, learned Advocate holding for Shri P.B. Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 20.04.2022 for hearing.

MEMBER (J)

SAS ORAL ORDERS 28.03.2022

**M.A.NO.422 OF 2021 IN O.A.ST.NO.1760 OF 2021
(Abhijeet G. Kamble Vs. State of Maharashtra & Ors.)**

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos.1 and 3 to 6. Shri S.B. Mene, learned Advocate for the respondent No.2 has filed **leave note**.

2. At the request of learned P.O., time is granted for filing affidavit-in-reply.
3. S.O. to 26.04.2022.

MEMBER (J)

**M.A.NO.338 OF 2021 IN O.A.ST.NO.1455 OF 2021
(Amol P. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 28.03.2022

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply.
3. S.O. to 26.04.2022.

MEMBER (J)

M.A.NO.217 OF 2021 IN O.A.ST.NO.598 OF 2021
(Vitthal S. Lokhande & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.03.2022

ORAL ORDER :

Heard Smt. Amruta Pansare, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of the learned C.P.O., time is granted for filing affidavit-in-reply.
3. S.O. to 29.04.2022.

MEMBER (J)

SAS ORAL ORDERS 28.03.2022

**M.A.NO.10 OF 2021 IN O.A.ST.NO.3 OF 2021
(Motiram D. Nahide Vs. State of Maharashtra & Ors.)**

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

DATE : 28.03.2022

ORAL ORDER :

Heard Smt. Amruta Pansare, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., final chance is granted for filing affidavit-in-reply.
3. S.O. to 29.04.2022.

MEMBER (J)

**M.A.NO.297 OF 2020 IN O.A.ST.NO.1203 OF 2020
(Jayant S. Bhamare Vs. State of Maharashtra & Ors.)**

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

DATE : 28.03.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned P.O. for the respondents submits that within two days he would file affidavit-in-reply.
3. S.O. to 31.03.2022.

MEMBER (J)

**M.A.NO.228 OF 2021 IN O.A.ST.NO.775 OF 2021
(Jagannath T. Mundhe Vs. State of Maharashtra & Ors.)**

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

DATE : 28.03.2022

ORAL ORDER :

Shri J.M. Murkute, learned Advocate for the applicant, is **absent**. Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Await service of notice on the respondent Nos.1 & 2.
3. In view of absence of learned Advocate for the applicant, S.O. to 29.04.2022 for taking necessary steps.

MEMBER (J)

**ORIGINAL APPLICATION NO. 389 OF 2020
(Radhika S. Khare Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Heard Shri J.M. Murkute, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The applicant is praying for considering her seniority from the date of her appointment though she has not passed departmental examination within given time and ultimately she got exemption from appearing for the said examination. Her seniority determined from the date on which exemption was granted in her favour. We have gone through the rules, which are relied upon by the applicant, we do not find any illegality committed by the respondents. No merit in the present Original Application. The same stands dismissed without any order as to costs.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 93 OF 2019
(Priyanka J. Janephalkar Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.3.2022

ORAL ORDER :

Shri J.M. Murkute, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Learned Chief Presenting Officer has sought time. Time granted by way of last chance.

3. S.O. to 1.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 209 OF 2019
(Ramesh L. Verule Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri V.V. Gujar, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicant, Shri D.R. Patil, learned Presenting Officer for respondent Nos. 1, are present. Shri S.B. Mene, learned counsel for respondent No. 2 has filed leave note.

2. At the request of learned counsel for the applicant, S.O. to 25.4.2022.

MEMBER (A)

MEMBER (J)

**M.A.NO. 348/2021 IN O.A.NO. 832/2016
(Vishal P. Gangawane Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri Ajay S. Deshpande, learned counsel for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent Nos. 1 & 3, Shri P.S. Dighe, learned counsel for respondent o. 4 in O.A. No. 832/2016 and Shri Ashish Rajkar, learned counsel for respondent No. 2 in O.A. No. 832/2016, are present.

2. Learned Presenting Officer has sought time. Time granted by way of last chance.

3. S.O. to 1.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 28.3.2022-HDD

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

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri D.T. Devane, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant seeks two weeks time so as to file second set of the present case on record. Time granted.
3. S.O. to 18.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 959 OF 2019
(Rahul D. Sathe Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri R.D. Khadap, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 6.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 86 OF 2022
(Ranjit D. Shingare Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri R.D. Khadap, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 6.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 734 OF 2019
(Shansunder R. Pande Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

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

2. No rejoinder affidavit is to be filed as stated by the learned counsel for the applicant. List the present case for hearing on 7.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 402 OF 2019
(Sayed Salim Sayed Yaqub Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri Supas P. Urgunde, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3 and Shri R.D. Khadap, learned counsel holding for Shri S.S. Thombre, learned counsel for respondent No. 4, are present.

2. The present case pertains to the year 2019. In the circumstances, last chance is granted to the respondents, who have not yet filed affidavit in reply, to file the same. S.O. to 25.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 191 OF 2022
(Balu R. Nagare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri Vinod M. Vibhute, learned Counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present.

2. Issue notices to the respondents, returnable on 4.5.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.
7. S.O. to 4.5.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 580 OF 2021
(Dr. Santram M. Rathod Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Heard Shri Ram S. Shinde, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. For filing written notes of arguments by both the parties, S.O. to 1.4.2022.

MEMBER (A)

MEMBER (J)

C.P.NO.20/2017 IN O.A.NO. 718/1998
(Subhas S. Gaikwad Vs. State of Maha. & Ors.)
WITH
C.P.NO.21/2017 IN O.A.NO. 1203/1999
(Ravji K. Bandre & Ors. Vs. State of Maha. & Ors.)
WITH
C.P.NO.22/2017 IN O.A.NO. 717/1998
(S.R. Sonar through LR. Sumati Sonar Vs. State of
Maha. & Ors.)
WITH
C.P.NO.25/2017 IN O.A.NO. 525/2002
(Nago S. Shinde Vs. State of Maha. & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **28.3.2022**

ORAL ORDER :

Heard Shri M.H. Patil, learned counsel for the petitioners in all these cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these cases.

2. When the present group of contempt petitions is taken up for consideration, learned Chief Presenting Officer has tendered across the bar the copy of communication dated 25.3.2022 received to his office along with documents annexed thereto. Learned C.P.O. submits that the directions as are given by this Tribunal in the concerned OAs have been complied with.

**:: - 2 - :: C.P.NO.20/2017 IN O.A.
NO. 718/1998 & Gr.**

3. Learned counsel for the petitioners submits that today only he has received the report of compliance and he will have to ascertain from the petitioners whether the order in question has been fully complied with or not.

4. After having gone through the documents on record, we are of the *prima facie* view that the order has been complied with. If the petitioners are any way aggrieved and feel that the order has not been appropriately complied with, it would be open for them to take legal recourse of challenging the said act of respondents by filing appropriate proceeding before appropriate forum. However, we see no reason to keep pending the present contempt petitions anymore. The present contempt petitions, therefore, stand disposed of with liberty as aforesaid to the petitioners. There shall be no order as to costs.

MEMBER (A)

MEMBER (J)

C.P.NO. 48/2019 IN O.A.NO. 933/2018
(Gajanan M. Jadhav Vs. State of Maha. & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.3.2022

ORAL ORDER :

Heard Shri L.S. Shaikh, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. The present contempt petition is arising out of the order dated 8.8.2019 passed by this Tribunal in O.A. No. 933/2018. Paragraph Nos. 4, 5 & 6 of the said order are material for deciding the present contempt petition. We, therefore, deem it appropriate to reproduce the said paragraphs herein below, which read thus: -

“4. On perusal of record, it reveals that the proposal for recording the name of the Applicant in the waiting list of the eligible candidate to be appointed on compassionate ground has been forwarded by the Respondent No.4 to the Respondent No.1 on 18.5.2018. But the Respondent No.1 has not decided the same till today without any reason.

5. In these circumstances, it is just to direct the Respondent No.1 to take appropriate decision on the proposal forwarded by the Respondent No.4 to him on 18.5.2018 as per the

G.R. and Rules, on merit within one month from today and to inform the Applicant accordingly.

6. In view of above, the Original Application is allowed. The Respondent no.1 is directed to take appropriate decision on the proposal forwarded by the Respondent No.4 on 18.5.2018 as per the G.R. and Rules, on merit within one month from today and communicate the decision to the Applicant in writing. No order as to costs.”

3. The material which has come on record reveals that the proposal forwarded by respondent No. 4 on 18.5.2018 to respondent No. 1 has been decided by the said authority. In the circumstances, *prima facie*, it does not appear to us that any contempt can be said to have been committed by the said respondents. In the circumstances, there is no other option except to dispose of the contempt petition.

4. From the submissions made by the learned counsel for the petitioner it appears that his entire O.A. is based upon the fact that in the office of Collectorate at Jalna petitioner's name was included in the waiting list and vide communication dated 26.3.2018, the Collector, Jalna has informed the Superintending Engineer, Minor Irrigation, Aurangabad to issue necessary directions for appointment to the present applicant on compassionate ground.

5. After having perused the documents on record, there is reason to believe that at the relevant time without examining issue of entitlement of the present petitioner for

:: - 3 - :: C.P. 48/19 IN O.A. 933/18

such an appointment said decision was taken. In the circumstances, though we have disposed of the present contempt petition since apparently there is no disobedience much less willful disobedience of the order passed by this Tribunal, the petitioner may pursue his request with the Collectorate at Jalna. There shall be no order as to costs.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 28.3.2022-HDD

**ORIGINAL APPLICATION NO. 409 OF 2019
(Hanumant B. Bhongale Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri Sandeep B. Gorde, learned counsel for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.

2. S.O. to 6.6.2022 for filing rejoinder affidavit by the applicant.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 445 OF 2019
(Mangal P. Musande & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri Vishnu Dhoble, learned counsel for the applicants, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 & 2 and Sri Sachin Deshmukh, learned counsel for respondent Nos. 3 & 4, are present.

2. Learned Presenting Officer for respondent Nos. 1 & 2, as well as, learned counsel for respondent Nos. 3 & 4 have sought time for filing affidavit in reply. Time granted.

3. S.O. to 16.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 446 OF 2019
(Shridevi G. Dama & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri Vishnu Dhoble, learned counsel for the applicants, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 3 and Sri Sachin Deshmukh, learned counsel for respondent Nos. 4 & 5, are present.

2. Learned Presenting Officer for respondent Nos. 1 to 3, as well as, learned counsel for respondent Nos. 4 & 5 have sought time for filing affidavit in reply. Time granted.

3. S.O. to 16.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 542 OF 2019
(Krishna B. Joshi Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri S.D. Dhongde, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondent Nos. 1 & 2. Time granted.

3. S.O. to 6.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 556 OF 2019
(Dr. Shamkant D. Gawande Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 3, are present. Shri Umesh S. Mote, learned counsel for respondent No. 4 (**absent**).

2. S.O. to 7.6.2022 for filing affidavit in reply on behalf of respondent No. 4.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 853 OF 2019
(Shriram C. Pachpute & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri R.N. Bharaswadkar, learned counsel for the applicant has filed leave note. Smt. M.S. Patni, learned Presenting Officer for the respondents, is present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondent No. 1. Time granted.

3. S.O. to 7.6.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 107 OF 2020

**(Dr. Abdul Mubashir Abdul Majid Siddiqui & Ors. Vs.
State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri M.R. Kulkarni, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondents. Time granted.
3. S.O. to 7.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 385 OF 2020
(Rajinder Sing Shobha Singh Kolhapure Vs. State of
Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri R.D. Khadap, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.
3. S.O. to 7.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 426 OF 2020
(Sunil S. Pagare Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

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

2. S.O. to 8.6.2022 for filing rejoinder affidavit, if any by the applicant.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 427 OF 2020
(Rahul B. Chaudhare Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

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

2. Await service.
3. S.O. to 8.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 446 OF 2020
(Sandip P. Jadhav Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.3.2022

ORAL ORDER :

Shri A.B. Girase, learned counsel for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondents, is present.

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

3. S.O. to 8.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 385 OF 2021
(Sachin B. Jadhav Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri Vivek Pingle, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 8.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 390 OF 2021
(Govind D. Mane Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri R.D. Khadap, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant, Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri Suhas P. Urgunde, learned counsel for respondent No. 3, are present.

2. Learned Presenting Officer for respondent Nos. 1 & 2, as well as, learned counsel for respondent No. 3 have sought time for filing affidavit in reply on behalf of respective respondents. Time granted.

3. S.O. to 9.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 398 OF 2021
(Vasant R. Medhe Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1 & 3 and Shri S.D. Dhongde, learned counsel for respondent No. 2, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondent Nos. 1 & 3. Time granted.

3. S.O. to 9.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 472 OF 2021
(Dr. Rahul R. Salve Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.3.2022

ORAL ORDER :

Shri B.R. Kedar, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

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

3. S.O. to 9.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 478 OF 2021
(Syed Mujahed Syed Qutbuddin Vs. State of Maha. &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri V.G. Pingle, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.
3. S.O. to 8.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 529 OF 2021
(Kishor N. Salve Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 9.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 569 OF 2021
(Jagannath M. Jadhav Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

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

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.
3. S.O. to 9.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 594 OF 2021
(Dr. Meena R. Jadhav Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri Kalyan V. Patil, learned counsel for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondents, is present.

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

3. S.O. to 10.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 628 OF 2021
(Swati G. Swami Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri S.P. Urgunde, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 10.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 682 OF 2021
(Ashok K. Mehetre Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.3.2022

ORAL ORDER :

Shri Sudhir Patil, learned counsel for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.
3. S.O. to 10.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 683 OF 2021
(Dhanaji A. Ugale Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.3.2022

ORAL ORDER :

Shri Sudhir Patil, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

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

3. S.O. to 10.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 706 OF 2021
(Devendra B. Bacchav Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Ms. Angha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri H.D. Gaikwad, learned counsel for respondent No. 4, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. The said request is opposed by the learned counsel for the applicant. However, in the interest of justice, last chance is granted.

3. S.O. to 13.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 707 OF 2021
(Chetan P. Kulkarni Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Ms. Angha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri H.D. Gaikwad, learned counsel for respondent No. 3, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. The said request is opposed by the learned counsel for the applicant. However, in the interest of justice, last chance is granted.

3. S.O. to 13.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 708 OF 2021
(Rahul D. Patil Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Ms. Angha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri H.D. Gaikwad, learned counsel for respondent No. 4, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. The said request is opposed by the learned counsel for the applicant. However, in the interest of justice, last chance is granted.

3. S.O. to 13.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 709 OF 2021
(Manoj D. Bagul Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Ms. Angha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri H.D. Gaikwad, learned counsel for respondent No. 4, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. The said request is opposed by the learned counsel for the applicant. However, in the interest of justice, last chance is granted.

3. S.O. to 13.6.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 747 OF 2021
(Dr. Deepak V. Vasave Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.3.2022

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

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

3. At the request of learned counsel for the applicant, S.O. to 13.6.2022 for filing rejoinder affidavit, if any.

MEMBER (A)

MEMBER (J)

**C.P. 28/2020 IN O.A. 113/2012
(Shri Bhagwat T. Kadam Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri S.G. Salunke, learned Counsel for the petitioner and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 5.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 246/2019
(Shrinivas S. Kulkarni & Ors. Vs. State of Maharashtra
& Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri S.B. Solanke, learned Counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 8.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 684/2021
(Dr. Rekha G. Gaikwad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri Pranav P. Phadnis, learned Counsel holding for Smt. Sapna D. Tangde, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. It is brought to our notice that notice was inadvertently issued to the respondent no. 5, though it has to be issued against the respondent no. 4.

3. In the circumstances, issue notice to respondent no. 4 on new address, returnable on 2.5.2022.

4. 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 2.5.2022.

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

MEMBER (A)

MEMBER (J)

**Original application no. 1065/2019
(Dr. Jahagirdar D. Nizam Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

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

2. The learned P.O. has sought time for filing affidavit in reply to the amended O.A. Time granted as a last chance.

3. S.O. to 4.5.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 231/2021
(Sushilkumar B. Jadhav & Ors. Vs. State of Maharashtra
& Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri S.B. Solanke, learned Counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. The present matter be listed for hearing on 2.5.2022.

MEMBER (A)

MEMBER (J)

**M.A. 372/2016 IN O.A. 67/2016, O.A. NOS. 368, 369 & 490/2016
(Jagdishkumar N. Shirsath & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri Sudhir B. Patil, learned Counsel for the applicants in all these matters, Shri M.S. Mahajan, learned Chief Presenting Officer and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities in all these matters and Shri Saket Joshi, learned Counsel holding for Shri A.S. Deshmukh, learned Counsel for respondent nos. 4 & 5 in O.A. No. 67/2016, are present.

2. S.O. to 11.4.2022 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 832/2017

**(Ramkrishna K. Mhaske & Ors. Vs. State of Maharashtra
& Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri K.C. Sonone, learned Counsel holding for Shri R.P. Bhumkar, learned Counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 29.4.2022 for final hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 341/2019
(Kamal R. Rathod & Ors. Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri A.M. Nagarkar, learned Counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 28.4.2022 for final hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 589/2018
(Govind G. Khatgaye Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.03.2022

ORAL ORDER :

Shri S.S. Patankar, learned Counsel for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 2.5.2022 for final hearing.

MEMBER (A)

MEMBER (J)

**O.A. 702/2018 WITH CAVEAT 64 TO 70/2018
(Dashrath G. Bhure & Ors. Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present. Shri R.N. Bharaswadkar, learned Counsel for Caveator in Caveat Nos. 64 to 70/2018 (**leave note**).

2. S.O. to 2.5.2022 for final hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 28/2020
(Anil P. Salve Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri K.G. Salunke, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 12.4.2022 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 276/2022
(Trupti K. Tayade Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **28.03.2022**

ORAL ORDER :

Shri D.R. Shinde, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 12.4.2022 for final hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 490/2020
(Vivek S. Sonawane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri V.G. Pingle, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 4.5.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 491/2020
(Rajnikant D. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri V.G. Pingle, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 4.5.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 312/2021
(Subodh B. Dhonde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri A.S. Khedkar, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 29.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 731/2021
(Sunil L. Mali Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri K.B. Jadhav, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. The learned Counsel for the applicant has filed rejoinder affidavit. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 4.5.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 288/2022
(Dr. Maya S. Kapse Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.03.2022

ORAL ORDER :

Heard Shri S.D. Joshi, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The applicant has acquired M.B.B.S. qualification in the year 1999 and she has served as Medical Officer at P.H.C., Jamb (Bk.), Tq. Mukhed, Dist. Nanded, which happens to be a difficult Public Health Centre in terms of facilities. The applicant desires to pursue Post Graduation and the process of admission for filling application forms for in-service P.G. candidates has commenced. The applicant has filled in the application form from O.B.C. category as in-service candidates after seeking the permission of Office Head.

3. It is the grievance of the applicant that she has not been given the incentive marks for which she is entitled to and that is the reason that her name has not been considered for admission. It is the further

grievance of the applicant that though the respondent no. 4 has forwarded the application of the applicant to respondent no. 3, the respondent no. 3 in turn has not forwarded the said application of the applicant to the respondent no. 2, the Director of Medical Education & Research, Mumbai, and therefore, the same has not been considered by the respondent no. 2.

4. It is contended by the learned Counsel for the applicant that the list of in-service P.G. candidates is to be finalized on or before 30.3.2022. In the circumstances, the learned Counsel has prayed for interim relief in terms of prayer clause 9(a) while issuing the notices to the respondents.

5. The learned Chief Presenting Officer has sought time to make the submissions after taking instructions from the respondents.

6. We have gone through the documents filed on record. *Prima-facie* case is certainly made out by the applicant and the documents, *prima-facie*, show entitlement of the applicant for incentive marks. In the circumstances, we are inclined to grant interim

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O.A. NO. 288/2022

relief in terms of prayer clause 9(a) of the O.A. Hence, the following order :-

ORDER

1. Issue notice to respondents, returnable on 5.4.2022, till then the respondent no. 1 shall not finalize and publish the final list in respect of in-service P.G. candidates on the basis of NEET-P.G.-2021.

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

3. 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.

4. 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.

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O.A. NO. 288/2022

5. 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.

6. S.O. to 5.4.2022.

7. The learned C.P.O. is directed to communicate this order to the respondents concerned.

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

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 349/2021
(Anil C. Hugge & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Shri R.K. Ashtekar, learned Counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 18.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**M.A. 129/2022 IN O.A. 58/2020
(Ritesh R. Kaware & Ors. Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 28.03.2022

ORAL ORDER :

Heard Shri R.K. Ashtekar, learned Counsel for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. This is an application seeking amendment in the Original Application.

3. After having perused the contents of the misc. application and more particularly the amendment sought to be made, it does not appear to us that the original nature of the O.A. may change, if such amendment is allowed. In the circumstances, we are inclined to allow the present application. Hence, the following order :-

ORDER

(i) Present Misc. Application stands allowed without any order as to costs.

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M.A. 129/2022 IN O.A. 58/2020

(ii) The applicant shall effect the necessary amendment in O.A. within a period of one week and supply amended copy of O.A. to the other side.

(iii) O.A. No. 58/2020 be listed for hearing on 18.4.2022.

(iv) The learned P.O. is directed to file addition affidavit in reply of the respondents to the amended portion of O.A.

MEMBER (A)

MEMBER (J)