

M.A.NO.200/2021 IN O.A.ST.NO.751/2021
(Smt. Anjanabai Ingle & Anr. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.07.2021

ORAL ORDER :

Heard Shri A.S.Deshmukh, learned Advocate for the applicants and Shri D.R.Patil, learned Presenting Officer for the respondents.

2. It was brought to the notice of learned Advocate for the applicants that applicant No.1 is nominator and applicant no.2 is the nominee under provisions of Clause 4(vk) of Annexure A to the Government Resolution dated 21st September, 2017 (Ref. page 53 of paper book of Original Application St. No.751/2021). Therefore, how can it be said that the facts and circumstances of the case are same for the two applicants ?

3. The learned Advocate of the applicants clarified that applicant no.2 had been joined to obviate any technical deficiency in the Original Application.

4. As the instant matter may require scrutiny of facts of the case in the light of provision of Clause 7-B of

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M.A.NO.200/2021 IN O.A.ST.NO.751/2021

Annexure-A of Government Resolution dated 26th October, 1994 (page 38-39 of O.A.St.No.751/2021) and Clause 5(b) of Annexure A to Government Resolution dated 21st September, 2017 (page 54 of O.A.) there is prima facie a valid ground of joining of applicant no.2 in the Original Application.

5. Therefore, M.A. is allowed in terms of prayer clause A. Accordingly, applicants are allowed to sue the respondents jointly. There shall be no order as to costs. The M.A. stands disposed of.

6. O.A. be registered and numbered after removal of office objections, if any.

MEMBER (A)

O.A.ST.NO.751/2021

(Smt. Anjanabai Ingle & Anr. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.07.2021

ORAL ORDER :

Heard Shri A.S.Deshmukh, learned Advocate for the applicants and Shri D.R.Patil, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 01-09-2021.

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

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

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

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O.A.ST.NO.751/2021

Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 01-09-2021.

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

MEMBER (A)

YUK ORAL ORDERS 28.07.2021

M.A.NO.203/2021 IN O.A.ST.NO.825/2021
(Smt. Rekha Mohite & Anr. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.07.2021

ORAL ORDER :

Heard Shri A.S.Deshmukh, learned Advocate for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondents.

2. It was brought to the notice of learned Advocate for the applicants that applicant No.1 is nominator and applicant no.2 is the nominee under provisions of Clause 4(vk) of Annexure A to the Government Resolution dated 21st September, 2017 (Ref. page 40 of paper book of Original Application St. No.825/2021). Therefore, how can it be said that the facts and circumstances of the case are same for the two applicants ?

3. The learned Advocate of the applicants clarified that applicant no.2 had been joined to obviate any technical deficiency in the Original Application.

4. As the instant matter may require scrutiny of facts of the case in the light of provision of Clause 7-B of

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M.A.NO.203/2021 IN O.A.ST.NO.825/2021

Annexure-A of Government Resolution dated 26th October, 1994 and Clause 5**(b)** of Annexure A to Government Resolution dated 21st September, 2017 (Annexure A-6 to O.A.), therefore, there is prima facie a valid ground for joinder of applicant no.2 to the Original Application.

5. Therefore, M.A. is allowed in terms of prayer clause A. Accordingly, applicants are allowed to sue the respondents jointly. There shall be no order as to costs. The M.A. stands disposed of.

6. O.A. be registered and numbered after removal of office objections, if any.

MEMBER (A)

YUK ORAL ORDERS 28.07.2021

O.A.ST.NO.825/2021

(Smt. Rekha Mohite & Anr. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.07.2021

ORAL ORDER :

Heard Shri A.S.Deshmukh, learned Advocate for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 01-09-2021.

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

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

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.

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O.A.ST.NO.825/2021

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 01-09-2021.

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

MEMBER (A)

YUK ORAL ORDERS 28.07.2021

ORIGINAL APPLICATION NO.609/2021
(Baburao Mahire Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.07.2021

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 01-09-2021.
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

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O.A.No.609/2021

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 01-09-2021.

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

MEMBER (A)

YUK ORAL ORDERS 28.07.2021

ORIGINAL APPLICATION NO.162/2021
(Abhiman Shindane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.07.2021

ORAL ORDER :

Heard Shri S.G.Kulkarni, learned Advocate holding for Shri S.N.Suryavanshi 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, S.O. to 30-08-2021.

MEMBER (A)

YUK ORAL ORDERS 28.07.2021

ORIGINAL APPLICATION NO.283/2021
(Gautam Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.07.2021

ORAL ORDER :

Shri H.S.Bali, learned Advocate for the applicant is **absent.**

Shri S.K.Shirse, learned Presenting Officer for the respondents is present.

2. Learned P.O. files affidavit in reply on behalf of respondent no.2. It is taken on record. He undertakes to serve copy of the reply on the other side.

3. S.O. to 02-09-2021.

MEMBER (A)

M.A.NO.36/2020 IN O.A.NO.940/2019
(Ashok Phadnis Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.07.2021

ORAL ORDER :

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

2. Learned P.O. prays for adjournment. Adjournment is granted.
3. S.O. to 30-08-2021.

MEMBER (A)

YUK ORAL ORDERS 28.07.2021

**ORIGINAL APPLICATION NO.931/2018
(Manik Darade Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.07.2021

ORAL ORDER :

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

2. On the request of both the sides, S.O. to 12-08-2021.

MEMBER (A)

YUK ORAL ORDERS 28.07.2021

ORIGINAL APPLICATION NO.629/2019
(Masrat Begum w/o. Late Mohd. Mazrul Haq
Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.07.2021

ORAL ORDER :

Heard Shri Vivek Pingle, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents.

2. Respondent nos.2 and 3 have already filed affidavit in reply on record. Learned P.O. states that reply of respondent nos.1 and 4 is not necessary.
3. Learned Advocate for the applicant has already received copy of reply filed by respondent no.3 and copy of reply of respondent no.2 is being served today.
4. S.O. to 30-08-2021 for filing rejoinder, if necessary.

MEMBER (A)

ORIGINAL APPLICATION NO. 372 OF 2021
(Sanjay N. Deshpande Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.07.2021

ORAL ORDER :

Heard Shri V.G. Kodale, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The applicant is challenging the impugned termination order dated 24.06.2021 (part of Annexure A-5 collectively). The applicant has further prayed for stay to the implementation of the said impugned termination during pendency of the present Original Application.

3. Learned Advocate for the applicant submitted that the applicant has done excellent work and has received appreciation letter (Annexure A-2). The services of the applicant terminated without following due process of law and without being charge sheeted. During arguments, he tendered copy of the letter dated 13.07.2021 allegedly written by the H.O.D. of Gynecology Department of respondent No. 4 to the respondent No. 5 stating that some official is required

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O.A. No. 372/2021

to be deputed by the respondent No. 5 in order to take charge of the applicant after his termination. Said letter is not marked to the applicant. He has submitted that the applicant has received this letter from some Clerk working in the office of respondent No. 4. In view of the same, learned Advocate for the applicant submits that when the applicant has not handed over the charge and the impugned termination order is challenged and the said order is said to be illegal, therefore, he prays for interim relief.

4. On the other hand, learned Presenting Officer opposed the submissions advanced on behalf of the applicant and submitted that the termination order is effect of the enquiry report and letter dated 12.07.2021 (Annexure A-7) would show that the applicant has admitted that he is being terminated from his present post.

5. In the background of the facts in the Original Application, if the letter dated 13.07.2021 is considered, in our opinion it is internal correspondence relating to lack of infrastructure and on the basis of the same, if impugned termination

order is stayed it may amount to regularization of working period of the applicant after termination order. Moreover in the background of the averments made seeking relief, reply of the respondents would be necessary to consider the grievance of the applicant. In view of the same, in our opinion, this is not a fit case to grant ad-interim stay to the impugned termination order at this stage.

6. Hence, issue notices to the respondents, returnable on 01.09.2021.

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

8. 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.

9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal

//4// O.A. No. 372/2021

(Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

10. 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.

11. S.O. to 01.09.2021.

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

13. The present matter be placed on separate board.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 872 OF 2018
(Arun M. Gir Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.07.2021

ORAL ORDER :

Heard Shri K.D. Pote, learned Advocate holding for Shri A.G. Ambetkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that he will take necessary instructions as regards jurisdiction aspect of the matter.
3. S.O. to 10.08.2021.

MEMBER (A)

MEMBER (J)

C.P. No. 20/2017 in O.A. No. 718/1998
(S.S. Gaikwad & Ors. Vs. State of Maharashtra & Ors.)

WITH

C.P. No. 21/2017 in O.A. No. 1203/1999
(Ravji K. Bandre & Ors. Vs. State of Maharashtra & Ors.)

WITH

C.P. No. 22/2017 in O.A. No. 717/1998
(S.V. Sonar through LRs Snmati S. Sonar Vs. State of Maharashtra & Ors.)

WITH

C.P. No. 25/2017 in O.A. No. 525/2002
(N.S. Shinde through LRs. S.N. Shinde Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.07.2021

ORAL ORDER :

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

2. Learned Chief Presenting Officer has placed on record a copy of communication dated 27.07.2021 received from the respondent No. 4, whereby it is stated that the service books of four applicants viz. S/shri S.V. Bhadage, S.R. Sonar, M.O. Panse and A.M. Marathe are not traceable in the office and they are trying to get duplicate service books by approaching the said applicants. He further submits that other four applicants viz. S/shri A.P. Shinde, R.B. Gaikwad, B.S. Wagh and Smt. K.P. Wankhede are not available on their last known addresses.

//2// C.P. 20/2017 in O.A.
No. 718/1998 & Ors.

3. Learned Advocate for the applicants to take note of it and approach the respondents, so that the respondents can comply the order in question effectively.

4. S.O. to 14.09.2021.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 28.07.2021

ORIGINAL APPLICATION NO. 666 OF 2018
(Laxmi S. Gadage Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.07.2021

ORAL ORDER :

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

2. Record shows that pleadings up to rejoinder affidavit are complete. The present matter pertains to promotion.

3. In view of above, the present matter is admitted and it be kept for final hearing on 15.09.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 181 OF 2020
(Rajesh H. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.07.2021

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri A.P. Basarkar, learned Advocate for respondent Nos. 3 to 5.

2. Record shows that the present matter is being circulated by the respondent Nos. 1 and 2. No specific reason is mentioned in the circulation note, but the letter dated 26.07.2021 received from the respondent No. 2 i.e. the Collector, Nanded is annexed, stating that short date may be obtained for making application for vacation of stay granted in the present O.A.

3. Learned Presenting Officer submits that the entire recruitment process of the candidates from SEBC category is being hampered due to interim stay granted in the present O.A.

//2// O.A. No. 181/2020

4. Record shows that on 07.07.2021 cognizance of said submissions was taken and on the said date, the present matter was already fixed for hearing at the stage of admission and it is posted on 17.08.2021.
5. So, S.O. on due date i.e. on 17.08.2021.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 28.07.2021

ORIGINAL APPLICATION NO. 268 OF 2021
(Raosaheb R. Borade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.07.2021

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that the applicant seeks permission to withdraw the present Original Application, as he has been promoted to the post of Police Sub-Inspector.

3. In view of the same, permission is granted for withdrawal of the present O.A., as the grievance is already redressed and nothing remains to be decided in the same. Hence, the present O.A. stands disposed of as withdrawn with no order as to costs.

MEMBER (A)

MEMBER (J)

M.A. No. 212/2021 in O.A. No. 694/2018
(Somnath S. Reddy Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.07.2021

ORAL ORDER :

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

2. The present Misc. Application is filed by the applicant specifically seeking interim relief in view of certain developments.

3. Learned Advocate for the applicant has invited our attention to the earlier order dated 21.01.2020 passed in O.A. No. 694/2018, whereby learned C.P.O. had made a statement that the respondents are not going to promote anybody who are juniors to the present applicant. In view of the same, learned Tribunal passed the order to the effect that the respondents are permitted to promote the eligible officers on the post of Deputy Director (Statistics) subject to outcome of this Original Application.

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M.A. 212/2021 in
O.A. 694/2018

4. Learned Advocate for the applicant further submits that despite the modified interim order, the respondents are considering the promotions on the basis of only provisional seniority list, which is prepared in contravention of new Rules issued on 21.06.2021.

5. Learned Chief Presenting Officer submits that he will file affidavit in reply and seeks time. Time is granted.

6. S.O. to 09.08.2021.

MEMBER (A)

MEMBER (J)

M.A.NO. 333/2020 IN O.A.NO. 797/2016
(Gaurav Anil Chavan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.7.2021

ORAL ORDER :

Shri C.V. Thombre, learned Advocate for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, present.

2. Await service.
3. S.O. to 30.8.2021.
4. The present matter be placed on separate board.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 28.7.2021-HDD

M.A. 163/21 IN REV.ST.371/21 IN T.A. 1/16
(M.P.S.C. through its Secretary Vs. Abhay G. Sanap & Anr.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.7.2021

ORAL ORDER :

Heard Shri M.B. Kolpe, learned Advocate for the present applicant (Respondent No. 2 in C.P. No. 8/21), Shri S.D. Munde, learned Advocate for respondent No. 1 in the present M.A. (applicant in C.P. No. 8/21) and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent No. 2 in the present M.A. (Respondent No. 1 in C.P. No. 8/21).

2. Shri S.D. Munde, learned Advocate for respondent No. 1 in the present M.A. has filed affidavit in reply on his behalf and the same is taken on record and copy thereof has been served on the other side.

3. At the request and by consent of both the parties, S.O. to 17.8.2021.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 28.7.2021-HDD

**C.P. NO. 8/2021 IN T.A. 1/2016 (W.P. 115/2016)
(Abhay G. Sanap Vs. State of Maharashtra & Anr.)**

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

DATE : 28.7.2021

ORAL ORDER :

Heard Shri S.D. Munde, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent No. 1 and Shri M.B. Kolpe, learned Advocate for respondent No. 2.

2. Shri M.B. Kolpe, learned Advocate for respondent No. 2 has filed affidavit in reply on his behalf and the same is taken on record and copy thereof has been served on the other side.

3. At the request and by consent of both the parties, S.O. to 17.8.2021.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 28.7.2021-HDD

ORIGINAL APPLICATION NO. 422 OF 2020
(Nilesh R. Tagad & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.7.2021

ORAL ORDER :

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

2. Record shows that affidavit in reply of respondent No. 3 i.e. M.P.S.C. is filed on record, but it is agreed by both the parties that affidavit in reply of respondent Nos. 1 and 2 is necessary. Hence, at the request of learned C.P.O. the present case was kept today for filing affidavit in reply.

3. Today also learned C.P.O. seeks time for filing affidavit in reply on behalf of respondent Nos. 1 & 2. Time is granted as a last chance.

4. S.O. to 13.8.2021.

5. The present matter be placed on separate board.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 105 OF 2017
(Nagesh S. Mapari Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.7.2021

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondent Nos. 1 & 2. Shri S.G. Kawade, learned Advocate for respondent Nos. 4, 5 & 10 (**absent**). None appears for respondent Nos. 3, 6 to 9 and 11 to 15.

2. Part heard. At this stage, learned Presenting Officer has placed on record a copy of letter dated 27.7.2021 received from the respondent No. 2 i.e. the Maharashtra Public Service Commission, who submits that the present O.A. can be taken up for final hearing after decision of the Hon'ble High Court in Contempt Petition No. 336/2018 in W.P. No. 5868/2014 filed by one Bhausahab Karekar. The copy of aforesaid letter dated 27.7.2021 is taken on record and marked as document 'X' for the purpose of identification.

3. Learned Presenting Officer submits that no steps have been taken by the respondents to stay hearing of this matter by making any application in the said contempt petition. The present O.A. is of 2017 in respect of selection

:: - 2 - :: O.A. NO. 105 OF 2017

process of the year 2010. The applicant is seeking relief on the basis of his merit in the selection process undertaken by the respondent No. 2 i.e. the MPSC. Hence, in our opinion, it is not desirable to stay further hearing of this matter.

4. In view of above, S.O. to 3.8.2021.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 28.7.2021-HDD

ORIGINAL APPLICATION NO. 537 OF 2019
(Narendra R. Thakur Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.7.2021

ORAL ORDER :

Heard Ms. Madhavi Ayyappan, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has placed on record copies of citations and same are taken on record.
3. At the request and by consent of both the parties, S.O. to 26.8.2021 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 941 OF 2019
(Dr. Shukracharya G. Dudhal Vs. State of Maha. & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.7.2021

ORAL ORDER :

Heard Ms. Madhavi Ayyappan, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has placed on record copies of citations and same are taken on record.
3. At the request and by consent of both the parties, S.O. to 26.8.2021 for final hearing.

MEMBER (A)

MEMBER (J)

**O.A.NOS. 303/19, 810/17, 705/18, 773/19,
766/19, 809/19, 66/20, 120/19, 195/20, 234/20,
253/20, 254/20, 492/19, 794/19 & 301/20
(Sukracharya B. Takale & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 28.7.2021

ORAL ORDER :

Heard S/Shri K.B. Jadhav, Suresh D. Dhongde, Avinash S. Deshmukh, Kiran G. Salunke & D.T. Devane, learned Advocates for the respective applicants in respective OAs and Shri M.S. Mahajan, B.S. Deokar, I.S. Thorat, S.K. Shirse, D.R. Patil, & N.U. Yadav and Smt. M.S. Patni & Smt. Sanjivani Deshmukh-Ghate learned Presenting Officer for the respondents.

2. S/Shri Avinash Deshmukh & K.G. Salunke, learned Advocates for the applicants in respective OAs have placed on record copies of citations and same are taken on record.

3. Shri D.T. Devane, learned Advocate for the applicant has filed rejoinder affidavit in O.A. No. 794/2019 and the same is taken on record and copy thereof has been served on the other side.

4. Shri N.U. Yadav, learned Presenting Officer has filed affidavit in reply on behalf of the respondents in O.A. No.

:: - 2 - :: O.A.NOS. 303/19 & Group

301/2020 and the same is taken on record and copy thereof has been served on the other side.

5. At the request and by consent of both the parties, S.O. to 23.8.2021 for final hearing.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 28.7.2021-HDD

ORIGINAL APPLICATION NO.1062 OF 2019

(Shri Bhau M. Khade Vs. State of Maharashtra & Ors.)

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

DATE : 28.07.2021

ORAL ORDER :

Heard Smt. Priya R. Bharaswadkar, learned Advocate holding for Shri R.N. Bharaswadkar, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. Record shows that affidavit-in-reply is already filed on behalf of Respondent Nos.1, 2, 4 and 5 jointly and also on behalf of Respondent No.3 separately.

3. Learned Advocate for the Applicant submits that the Applicant does not wish to file affidavit-in-rejoinder.

4. The matter is pertaining to recovery and refund of excess amount.

5. In view of above, the present matter is admitted and fixed for final hearing.

6. S.O. to 20.08.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.513 OF 2020
(Shri Uttam S. Varpade Vs. State of Maharashtra & Ors.)

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

DATE : 28.07.2021

ORAL ORDER :

Heard Shri P.B. Rakhunde, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.

2. The present matter is closed for order.

MEMBER (J)

ORAL ORDERS 28.07.2021-SAS

ORIGINAL APPLICATION NO.592 OF 2020

(Dr. Sanjay B. Dhage Vs. State of Maharashtra & Ors.)

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

DATE : 28.07.2021

ORAL ORDER :

Heard Shri S.B. Patil, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. The preset matter is closed for order.

MEMBER (J)

ORAL ORDERS 28.07.2021-SAS

ORIGINAL APPLICATION NO.123 OF 2021

(Shri Gaurishankar P. Swami Vs. State of Maharashtra & Ors.)

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

DATE : 28.07.2021

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for the Respondents.

2. On the aspect of certain G.Rs. produced by Respondents, the present matter is closed for order.

MEMBER (J)

ORAL ORDERS 28.07.2021-SAS

**M.A.NO.113 OF 2020 IN O.A.ST.NO.299 OF 2020
(Shri Maruti N. Ghaodke Vs. State of Maharashtra & Ors.)**

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

DATE : 28.07.2021

ORAL ORDER :

Heard Shri Ganesh J. Kore, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. At the request of learned C.P.O., time is granted for filing affidavit-in-reply on behalf of the Respondents.
3. S.O. to 20.08.2021.

MEMBER (J)

ORAL ORDERS 28.07.2021-SAS

**M.A.NO.114 OF 2020 IN O.A.ST.NO.301 OF 2020
(Shri Uttam K. Kadam Vs. State of Maharashtra & Ors.)**

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

DATE : 28.07.2021

ORAL ORDER :

Heard Shri Ganesh J. Kore, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the Respondents.

2. At the request of learned P.O., time is granted for filing affidavit-in-reply on behalf of the Respondents.
3. S.O. to 20.08.2021.

MEMBER (J)

**M.A.NO.115 OF 2020 IN O.A.ST.NO.303 OF 2020
(Shri Ashok P. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 28.07.2021

ORAL ORDER :

Heard Shri Ganesh J. Kore, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondents.

2. At the request of learned P.O., time is granted for filing affidavit-in-reply on behalf of the Respondents.
3. S.O. to 20.08.2021.

MEMBER (J)

ORAL ORDERS 28.07.2021-SAS

**M.A.NO.116 OF 2020 IN O.A.ST.NO.305 OF 2020
(Shri Jagannath B. Kaljate Vs. State of Maharashtra & Ors.)**

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

DATE : 28.07.2021

ORAL ORDER :

Heard Shri Ganesh J. Kore, learned Advocate for the Applicant and Shri B.S. Deokar, learned Presenting Officer for the Respondents.

2. At the request of learned P.O., time is granted for filing affidavit-in-reply on behalf of the Respondents.
3. S.O. to 20.08.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.619 OF 2019
(Shri Arjun R. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 28.07.2021

ORAL ORDER :

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

2. As per order passed by this Tribunal regarding release of provisional pension and payment of arrears of provisional pension, learned P.O. places on record the copy of communication dated 27.07.2021 received from Tahsildar, Jalgaon. The same is taken on record and marked as document 'X' for the purpose of identification.

3. The case is already fixed for hearing.

4. S.O. to 17.08.2021.

MEMBER (J)

O.A.NO.747 OF 2019 WITH O.A.NO.948 OF 2019

(Shri Prashant M. Wayukar & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 28.07.2021

ORAL ORDER :

Heard Shri Ajay S. Deshpande, learned Advocate for the Applicants in both the O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents in both the O.As.

2. Affidavit-in-sur-rejoinders filed on behalf of Respondent Nos.2 & 4 separately in O.A.No.747/2019 are taken on record and copies thereof have been served on the other side.

3. S.O. to 04.08.2021.

MEMBER (J)

Date :28.07.2021

ORIGINAL APPLICATION NO.385 OF 2021

(Shri Sachin Bhanudas Jadhav V/s The State of Maharashtra & Ors.)

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

1. Shri V.G. Pingle, Id. Advocate for the applicant and Shri M.S. Mahajan, Id. C.P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 24.08.2021. The case be listed for admission hearing on 24.08.2021.
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

Date :28.07.2021

ORIGINAL APPLICATION NO.374 OF 2021

(Shri Pradeep Kishanrao Puri V/s The State of Maharashtra & Ors.)

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

1. Shri A.S. Deshmukh, Id. Advocate for the applicant and Smt. Deepali S. Deshpande, Id. P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 24.08.2021. The case be listed for admission hearing on 24.08.2021.
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