

M.A.NO.03/2021 IN O.A.ST.NO.971/2020
(Asha D. Kharat Vs. State of Maharashtra & Ors.)

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

DATE : 28-11-2022

ORAL ORDER :

Heard Shri V.P.Narwade, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Applicant has filed the present O.A. seeking direction against the respondents to extend the second benefit of modified Assured Career Progression Scheme (ACPS) w.e.f. 01-10-2006 along with 18% interest p.a. and since delay has occurred in filing the said O.A., filed the present M.A. seeking condonation of the said delay. As mentioned in the application, delay caused is of 6 years and 9 months.

3. Learned Counsel for the applicant submitted that the applicant was constantly pursuing her request for grant of the benefit of second ACPS and it was finally rejected by the respondents vide communication dated 24-06-2020. It is, therefore, the contention of the learned Counsel that, in fact there is no delay and if at all it be there, the same is duly explained by the applicant.

4. From the contents of the present M.A. it appears that, based on decisions rendered by the Hon'ble High Court in respect of grant of benefit of second ACPS, the applicant had approached this Tribunal. According to the contentions of the applicant herself, she had become entitled for the said benefit in view of G.R. dated 09-12-2016. Thus, according to her own contention, delay is of the period of more than 6 years. No cogent and sufficient explanation has been provided by the applicant for condoning the delay so occurred. Moreover, as has been pointed out by the learned CPO, from the documents filed on record by the applicant herself, the said benefit has been denied to the applicant for the reason that she has been held not eligible for the said benefit due to not holding the required gradation of her performance in Annual Confidential Reports (ACRs) of the respective years. The applicant has admittedly retired after attaining age of superannuation in the year 2009.
5. In the circumstances, it does not appear to me that there is any reason for entertaining such a stale claim and more particularly when the delay of the

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period of more than 6 years has not been properly explained. Hence, the following order:

ORDER

- [i] M.A. is. Rejected.
- [ii] Consequently, registration of O.A. is refused.
- [iii] No costs.

VICE CHAIRMAN

YUK ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 945/2019
(Dr. Prashant Warkari Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri CV Dharurkar, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 19.12.2022 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 479/2020
(Nitin Jadhav & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri Vinod Patil, learned counsel for the applicants and Shri VR Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 2.12.2022 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 689/2022
(Madhav B. Marde & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri KG Salunke, learned counsel for the applicants, Smt. MS Patni, learned Presenting Officer for the respondent authorities and Shri GN Patil, learned counsel for respondent no. 6, are present.

2. S.O. to 4.1.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 371/2020
(Sanjay Bhandarkawathe Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri AP Yenegure, learned counsel for the applicant and Shri IS Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Await service of notice on respondent no. 3.
3. The learned PO has sought time for filing affidavit in reply on behalf of respondent nos. 1 & 2. Time granted.
4. S.O. to 16.1.2023.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 382/2021
(Shaikh Hafijoddin Hanifoddin Shaikh Vs. State of
Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Shri JM Murkute, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present. Shri AC Deshpande, learned counsel for respondent nos. 3 & 4 (**absent**).

2. Await service.
3. S.O. to 13.1.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 796/2021
(Dinesh A. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. The learned PO has sought time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 16.1.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

TA 6/2021 (WP 6466/2022)
(Sharada Gangawe & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri IK Wagh, learned counsel holding for Shri KM More, learned counsel for the applicant and Shri BS Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Await service for respondent no. 1.
3. S.O. to 13.1.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

**ORIGINAL APPLICATION NO. 308/2021
(Sham Gunjal Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Shri NB Narwade, learned counsel for the applicant (**absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. Though last chance was granted the affidavit in reply is not filed by the respondents. The learned PO has sought further more time for filing the reply. In the interest of justice time granted as one more last chance.

3. S.O. to 4.1.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 309/2021
(Rabhul B. Yadav Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri NB Narwade, learned counsel for the applicant (**absent**). Shri BS Deokar, learned Presenting Officer for the respondent authorities, is present.

2. Though last chance was granted the affidavit in reply is not filed by the respondents. The learned PO has sought further more time for filing the reply. In the interest of justice time granted as one more last chance.

3. S.O. to 4.1.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 332/2022
(Rohit B. Salve Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri SN Pagare, learned counsel for the applicant and Smt. MS Patni, learned Presenting Officer for the respondent authorities, are present.

2. The learned PO has tendered across the bar the affidavit in reply on behalf of respondent nos. 1, 2, & 4. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 18.1.2023 for filing rejoinder affidavit, if any, by the applicant.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

**ORIGINAL APPLICATION NO. 492/2022
(Pankaj Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

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

2. The learned PO has tendered across the bar the affidavit in reply on behalf of respondent nos. 1 to 3. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 10.1.2023 for filing rejoinder affidavit, if any, by the applicant.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

**ORIGINAL APPLICATION NO. 517/2022
(Shital Gundewad Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Shri MB Kolpe, learned counsel for the applicant, Smt. MS Patni, learned Presenting Officer for the respondent authorities and Shri KB Jadhav, learned counsel for respondent nos. 6 to 8, are present.

2. In the remark column of the board it is noted by the office that service of notice upon respondent nos. 6 to 8 is awaited. However, as Shri KB Jadhav, learned counsel is appearing on behalf of the respondents, it can be presumed that respondent nos. 6 to 8 are duly served with notice of this Tribunal.

3. The learned PO, as well as, learned counsel for respondent nos. 6 to 8 have sought time for filing the affidavit in reply of respective respondents. Time granted.

4. S.O. to 3.1.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 859/2022
(Dr. Madhukar Tandale Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri BR Kedar, learned counsel for the applicant and Shri MP Gude, learned Presenting Officer for the respondent authorities, are present.

2. The learned PO has sought time for filing affidavit in reply on behalf of respondents. Time granted.
3. S.O. to 4.1.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 827/2022
(Dr. Pramod Sonawane Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri Vinod Patil, learned counsel for the applicant, Shri MS Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri RN Jain, learned counsel for respondent nos. 4 & 5, are present.

2. The learned PO has sought time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 18.1.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 856/2022
(Chandrakant Sadakal Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri NB Narwade, learned counsel for the applicant
(**absent**). Shri MP Gude, learned Presenting Officer for
the respondent authorities, is present.

2. The learned PO has sought time for filing affidavit
in reply on behalf of respondents. Time granted.
3. S.O. to 4.1.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

**ORIGINAL APPLICATION NO. 948/2022
(Vilas Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

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

2. Await Service.
3. S.O. to 16.1.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 993/2022
(Dattatraya Kakde Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri KG Kawade, learned counsel for the applicant and Shri MS Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Await Service.
3. S.O. to 2.12.2022.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

MA 202/2022 IN OA ST. 781/2022
MA 203/2022 IN OA ST. 783/2022
MA 204/2022 IN OA ST. 792/2022
MA 205/2022 IN OA ST. 794/2022
MA 206/2022 IN OA ST. 796/2022
MA 207/2022 IN OA ST. 798/2022
(Dr. Yogesh Borse & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Ms. Preeti Wankhade, learned counsel for the applicants in all these matters and Shri MP Gude, learned Presenting Officer for the respondent authorities in all these matters, are present.

2. The learned PO has sought time for filing affidavit in reply on behalf of respondents in all these matters. Time granted.

3. S.O. to 11.1.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

**MA 284/2022 IN MA ST. 635/22 IN OA ST. 536/22
(Anna Holkar & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

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

2. The learned PO has tendered across the bar the affidavit in reply on behalf of respondent nos. 1 to 4. It is taken on record. He undertook to supply copy of reply to learned counsel for the applicant.

3. S.O. to 17.1.2023 for filing rejoinder affidavit, if any, by the applicant.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

MA 300/2022 IN OA ST. 855/2022
(Tukaram Pawar Vs. State of Maharashtra & Ors.)
AND
MA 301/2022 IN OA ST. 856/2022
(Uttam Bhumre Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri AG Deshmukh, learned counsel holding for Shri MM Patil - Beedkar, learned counsel for the applicants in both the matters and S/shri IS Thorat & BS Deokar, learned Presenting Officers for the respondent authorities in both the matters, are present.

2. At the request of learned counsel for the applicants, S.O. to 20.1.2023 for filing rejoinder affidavit.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

MA 382/2022 IN OA ST. 1465/2022
(Madhukar Muneshwar Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. Await Service.
3. S.O. to 20.1.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 1059/2022
(Jaiprakash B. Ramanand Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri Vijay Patil, learned counsel for the applicant and Shri MS Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The applicant, who is Professor and Head of the Department in the Government Medical College at Dhule, is holding the additional charge of the post of Dean, Government Medical College, Jalgaon. The applicant is holding such additional charge from the year 2021. It is the grievance of the applicant that suddenly the additional charge, which was with the applicant of the said post, has been withdrawn and one Dr. Girish Thakur, respondent no. 5, has been given the additional charge of the said post. The learned counsel submitted that in the selection process commenced for appointment on the post of Dean the applicant had participated for the seat reserved for SC candidate. Total 6 posts were advertised out of which 1 post was reserved for SC candidate. Dr. Raj Gajbhaiye, who had secured 60 marks in the selection process, had been declared to have selected on the said post. The learned counsel

submitted that the applicant was next candidate in order of merit, who has secured 59 marks. The learned counsel submitted that the applicant had made a complaint with the State Government alleging that Dr. Gajbhaiye could not have been selected for the reason that he is receiving Non-practicing Allowance and for appointment on the post of Dean no person who is receiving NPA can be appointed. The learned counsel submitted that said complaint was filed by the applicant on 7.11.2022 and few days thereafter the additional charge of the post of Dean of Government Medical College, Jalgaon has been withdrawn from him. The impugned order has been passed on 23.11.2022. The learned counsel submitted that sudden withdrawal of the additional charge from the applicant is actuated with malice and only because he has made complaint against the selection of Dr. Gajbhaiye the said action has been taken against him. The learned counsel therefore prayed for grant of interim relief thereby restraining the respondents from withdrawing the additional charge from the applicant till decision of the OA.

3. The learned CPO has strongly opposed for granting interim relief as has been prayed by the applicant. The learned CPO submitted that in the advertisement

concerned there was no such restriction for applying for the post of Dean and there is no such information as on today that after his appointment at Nagpur Medical College as a Dean, Dr. Gajbhaiye is still continuing with the private practice. In the circumstances, the learned CPO submitted that let all information be there on record and after receiving such information the prayer for interim relief can be considered.

4. I have duly considered the submissions advanced by the learned counsel appearing for the applicant and the learned CPO. Though it is true that the person who gets appointed as Dean cannot run private practice and in the present matter it is the contention of the applicant that Dr. Gajbhaiye is doing the private practice also even though he is appointed as a Dean, no concrete evidence in that regard is available on record. Dr. Gajbhaiye is not party in the present matter. In the present matter though possibility of withdrawing the additional charge from the applicant as he had made complaint against Dr. Gajbhaiye is difficult to be ruled out, it is equally difficult to accept it without any concrete information on record. In the circumstances keeping the prayer for interim relief open, the following order is passed :-

ORDER

2. Issue notice to respondents, returnable on 5.1.2023.

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 5.1.2023.

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

VICE CHAIRMAN

MA 399/2021 IN OA ST. 1725/2021
(Sunanda Maske & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri HP Jadhav, learned counsel for the applicant and Shri SK Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 4.1.2023 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

MA 15/2021 IN OA ST. 1139/2020
(Chunilal Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri SN Suryawanshi, learned counsel for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Shri SP Pandit, learned counsel for respondent nos. 1 to 4, are present.

2. S.O. to 5.1.2023 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

MA 399/2021 IN OA ST. 1725/2021
(Sunanda Maske & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri HP Jadhav, learned counsel for the applicant and Shri SK Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 4.1.2023 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 879/2018
(Balasaheb Kaldate Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. S.O. to 16.12.2022 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 202/2017
(Ashok B. Wagh Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. S.O. to 19.12.2022 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 308/2019
(Laxman Parandkar Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. S.O. to 6.1.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 858/2019
(Annarao Bhosale & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri SB Kakde, learned counsel for the applicant
(**absent**). Shri NU Yadav, learned Presenting Officer for
the respondent authorities, is present.

2. S.O. to 24.1.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 929/2019
(Sk. Mohd. Rafi Sk. Mohammad Shafi Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. S.O. to 23.1.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 954/2019
(Rameshwar Chandak Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri Avinash Deshmukh, learned counsel for the applicant and Shri MS Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.1.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 502/2020
(Shrikant B. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri VG Pingle, learned counsel for the applicant and Shri IS Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 9.1.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 534/2020
(Rajesh N. Bade Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri KB Jahav, learned counsel for the applicant and Shri IS Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 5.1.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

**ORIGINAL APPLICATION NO. 551/2020
(Kiran Pathare Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Shri MB Kolpe, learned counsel for the applicant and Shri IS Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 11.1.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

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

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

DATE : 28.11.2022

ORAL ORDER :

Shri SR Andhale, learned counsel for the applicant and Shri NU Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 27.1.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

ORIGINAL APPLICATION NO. 103/2021
(Dr. Harishchandra A Kokani Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri SD Joshi, learned counsel for the applicant, Shri IS Thorat, learned Presenting Officer for the respondent authorities and Shri Rakesh Jain, learned counsel for respondent no. 3, are present.

2. S.O. to 24.1.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

**ORIGINAL APPLICATION NO. 236/2021
(Vikram Gajre Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Shri Avinash Deshmukh, learned counsel for the applicant and Smt. MS Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 12.12.2022 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

**ORIGINAL APPLICATION NO. 355/2021
(Laxman Talekar Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Shri KB Jadhav, learned counsel for the applicant and Shri MS Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 13.12.2022 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

**ORIGINAL APPLICATION NO. 515/2021
(Mansab G. Khan Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Shri VG Pingle, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, are present. Shri SB Mene, learned counsel for respondent nos. 2 & 3 (**leave note**).

2. S.O. to 18.1.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

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

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

DATE : 28.11.2022

ORAL ORDER :

Shri Swraj Tandale, learned counsel for the applicant and Smt. MS Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 3.1.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

**ORIGINAL APPLICATION NO. 586/2021
(Prakash Sarode Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Shri DK Dagadkhair, learned counsel for the applicant and Shri MS Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 18.1.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

**ORIGINAL APPLICATION NO. 601/2021
(Ramesh Darekar Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Shri AS Shelke, learned counsel for the applicant and Smt. Sanjivani Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 17.1.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

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

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

DATE : 28.11.2022

ORAL ORDER :

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

2. S.O. to 13.1.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

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

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

DATE : 28.11.2022

ORAL ORDER :

Shri KB Jadhav, learned counsel for the applicant and Shri MP Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 11.1.2023 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDER 28.11.2022

M.A.NO.30/2022 IN O.A.ST.NO.85/2022
(Bhaiyyasaheb Limbaji Shitole Vs. State of Maharashtra & Ors.)

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

DATE : 28-11-2022

ORAL ORDER :

Heard Shri H.P.Jadhav, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities.

2. Applicant has filed the O.A. aggrieved by the rejection of his claim for compassionate appointment on place of his father who died while in service. Final rejection is communicated in the year 2021 and the ground stated therein is that the deceased father of the applicant was Class-II employee and as such the applicant is not entitled to claim compassionate appointment. Thereafter, the applicant has filed the present O.A. in the year 2022. It does not appear to me that the applicant has committed inordinate delay. Delay is not intentional or deliberate.

3. Having gone through the contents of the M.A., I am convinced that the delay which has occasioned in filing the O.A. has been satisfactorily explained. Hence, the following order:

=2=
M.A.NO.30/2022 IN O.A.ST.NO.85/2022

ORDER

- [i] M.A. is allowed.
- [ii] Delay caused in filing the O.A. is condoned.
- [iii] O.A. be registered and numbered as per rules, after removal of office objections, if any.

VICE CHAIRMAN

YUK ORAL ORDER 28.11.2022

**ORIGINAL APPLICATION ST.NO.85/2022
(Bhaiyyasaheb Limbaji Shitole Vs. State of Maharashtra &
Ors.)**

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

DATE : 28-11-2022

ORAL ORDER :

Heard Shri H.P.Jadhav, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities.

2. After registration of O.A., issue notice to the respondents, returnable on 24-01-2023.
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 24-01-2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

**M.A.NO.276/2022 IN O.A.ST.NO.778/2022
(Bhimrao Ananda Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 28-11-2022

ORAL ORDER :

Heard Shri R.R.Wakekar, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities.

2. Present M.A. is filed seeking condonation of delay which has occasioned in filing the O.A. by the applicant. O.A. is filed with a limited prayer for grant of increments which fell due on 1st July of the year of his retirement. Though the applicant seems to have retired in 2012, there are certain judgments brought to my notice that cases of the employees retired in the said circumstances are considered by the Tribunal.

3. Having gone through the contents of the M.A., I am convinced that the delay which has occasioned in filing the O.A. has been satisfactorily explained. Hence, the following order:

ORDER

- [i] M.A. is allowed.
- [ii] Delay caused in filing the O.A. is condoned.
- [iii] O.A. be registered and numbered as per rules, after removal of office objections, if any.

VICE CHAIRMAN

ORIGINAL APPLICATION ST.NO.778/2022
(Bhimrao Ananda Patil Vs. State of Maharashtra & Ors.)

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

DATE : 28-11-2022

ORAL ORDER :

Heard Shri R.R.Wakekar, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities.

2. After registration of O.A., issue notice to the respondents, returnable on 15-12-2022.

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 15-12-2022.

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

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 380 OF 2022
(Bhaskar D. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri Swapnil Joshi for J.P. Legal Associates, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Record shows that the affidavit in reply is filed on behalf of respondent Nos. 1 to 4.

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

4. The present matter is pertaining to removal from service. Hence, the O.A. is admitted and it be fixed for final hearing on 02.01.2023

MEMBER (A)
KPB ORAL ORDERS 28.11.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 371 OF 2021
(Amrush Shankarapp Bombalge Vs. State of Maharashtra & Ors.)
(Speaking to Minutes)

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

DATE : 28.11.2022

ORAL ORDER :

This motion moved by Shri A.D. Aghav, learned counsel for the applicant for speaking to minutes of the order dated 25.11.2022 passed in O.A. No. 371/2021.

2. This is speaking to minutes of the order passed by this Tribunal in O.A. No. 371/2021 on 25.11.2022. In para No. 10, the following portion is to be added :-

“The respondents shall ensure that the gratuity amount payable to the applicant is paid within 8 weeks from the date of this order or else the applicant will be entitled for interest on the said amount from the said date till its realization @ 9% p.a.”

3. The Registrar of this Tribunal to carry out correction in the order dated 25.11.2022 and to supply the corrected copy to the other side.

VICE CHAIRMAN

T.A. No. 2/12 (W.P. No. 9902/2011)
(Radha N. Choure Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri A.L. Tikle, learned Advocate for the applicant
(**absent**). Heard Shri M.S. Mahajan, learned Chief
Presenting Officer for the respondent authorities.

2. S.O. to 07.12.2022 for re-hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 28.11.2022

ORIGINAL APPLICATION NO. 37 OF 2017
(Balasaheb N. Raut & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri S.S. Dambe, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. S.O. to 02.01.2023 for re-hearing.

MEMBER (A)

KPB ORAL ORDERS 28.11.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 768 OF 2019
(Balasaheb N. Raut & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri Shritej Surve, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. S.O. to 07.12.2022 for re-hearing.

MEMBER (A)
KPB ORAL ORDERS 28.11.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 702 OF 2021
(Vivekanand P. Dhongade Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri Shritej Surve, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 07.12.2022 for re-hearing.

MEMBER (A)
KPB ORAL ORDERS 28.11.2022

MEMBER (J)

**C.P. No. 29/2020 in O.A. No. 1014/2019
(Bade R. Shridhar Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer filed additional affidavit in reply on behalf of respondents. Same is taken on record and copy thereof has been served on the other side.
3. S.O. to 15.12.2022.

MEMBER (A)
KPB ORAL ORDERS 28.11.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 569 OF 2018
(Prashant A. Bonge Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri S.B. Solanke, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. The present matter has already been treated as part heard.
3. S.O. to 09.12.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 618 OF 2018
(Sharad D. Raut Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri Shritej Surve, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. The present matter has already been treated as part heard.
3. S.O. to 12.12.2022.

MEMBER (A)
KPB ORAL ORDERS 28.11.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 859 OF 2019
(Kalpesh R. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri P.S. Anerao, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. The present matter has already been treated as part heard.
3. S.O. to 13.12.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 271 OF 2020
(Siddharth M. Kadam Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. The present matter has already been treated as part heard.
3. S.O. to 07.12.2022.

MEMBER (A)

MEMBER (J)

**O.A. No. 95/2022, O.A. No. 97/2022 & M.A.
62/2022 in O.A. ST. 209/2022
(Vijay U. Kale Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri G.M. Jadhav, learned Advocate for the applicant in all these cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these cases.

2. S.O. to 13.12.2022 for hearing.

MEMBER (A)

KPB ORAL ORDERS 28.11.2022

MEMBER (J)

**C.P. 35/2019 in O.A. 59/2017 with O.A. No. 273/2017
(Vishwanath Baswante & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri V.P. Golewar, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. S.O. to 09.12.2022 for further consideration.

MEMBER (A)

KPB ORAL ORDERS 28.11.2022

MEMBER (J)

C.P. No. 36/2019 in O.A. No. 229/2015
(Dr. Bhaskar S. Borgaonkar Vs. State of Maharashtra & Ors.)
WITH
C.P. No. 37/2019 in O.A. No. 230/2015
(Dr. Dilip R. Tandale Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri P.R. Tandale, learned Advocate for the applicants in both the cases and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities in both the cases.

2. S.O. to 05.01.2023.

MEMBER (A)
KPB ORAL ORDERS 28.11.2022

MEMBER (J)

**C.P. No. 17/2021 in O.A. No. 127/2017
(Trimbak D. Tompe Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri V.P. Golewar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. S.O. to 09.12.2022 for further consideration.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 28.11.2022

ORIGINAL APPLICATION NO. 577 OF 2017
(Ramesh G. Chaudhari Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri A.G. Ambetkar, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri Shritej Surve, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for respondent No. 3.

2. S.O. to 09.01.2023 for hearing.

MEMBER (A)

KPB ORAL ORDERS 28.11.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 756 OF 2018
(Barindrakumar C. Gavit Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri Avishkar Shelke, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 02.01.2023 for hearing.

MEMBER (A)

KPB ORAL ORDERS 28.11.2022

MEMBER (J)

**Rev. 7/2019 in M.A. 530/2019 in O.A. St. 2098/19
(Bharat G. Raut Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

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

2. S.O. to 02.01.2023 for hearing.

MEMBER (A)

KPB ORAL ORDERS 28.11.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 643 OF 2019
(Majid Ismail Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri Rahul Shemare, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities. Shri G.B. Rajale, learned Advocate for respondent No. 2, absent.

2. S.O. to 03.01.2023 for hearing.

MEMBER (A)

KPB ORAL ORDERS 28.11.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 78 OF 2020
(Nagorao R. Paikrao Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri S.G. Chapalgaonkar, learned Advocate for the applicant (**Absent**). Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 3 to 5.

2. S.O. to 03.01.2023 for hearing.

MEMBER (A)

KPB ORAL ORDERS 28.11.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 107 OF 2020
(Dr. Abdul Mubashir Abdul Majid Siddiqui & Ors. Vs. State
of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. S.O. to 03.01.2023 for hearing.

MEMBER (A)
KPB ORAL ORDERS 28.11.2022

MEMBER (J)

**ORIGINAL APPLICATION NO. 100 OF 2021
(Manisha T. Gite Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Shri D.A. Mane, learned Advocate for the applicant
(**Absent**). Heard Shri I.S. Thorat, learned Presenting
Officer for the respondent authorities.

2. S.O. to 04.01.2023 for hearing.

MEMBER (A)

KPB ORAL ORDERS 28.11.2022

MEMBER (J)

O.A. No. 759/2021, 21/2022 & 639/2022
(Ashwini A. Wavhal & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri A.V. Thombre, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicants in all these O.As. and Shri M.P. Gude, learned Presenting Officer for the respondent authorities in all these O.As.

2. At the request of learned Advocate for the applicant, S.O. to 16.12.2022.

MEMBER (A)

KPB ORAL ORDERS 28.11.2022

MEMBER (J)

**ORIGINAL APPLICATION NO. 779 OF 2021
(Datta A. Tumram Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri Swapnil Joshi, learned Advocate holding for Shri J.P. Legal Associates, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. S.O. to 02.01.2023 for hearing.

MEMBER (A)
KPB ORAL ORDERS 28.11.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 310 OF 2022
(Shivaji M. Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri M.N. Kolhe, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 15.12.2022.

MEMBER (A)
KPB ORAL ORDERS 28.11.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 446 OF 2022
(Giriraj K. Joshi Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri A.A. Nimbalkar, learned Advocate holding for Shri V.P. Latange, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri S.G. Bhalerao, learned Advocate for respondent Nos. 3 & 4.

2. S.O. to 23.12.2022 for hearing.

MEMBER (A)

KPB ORAL ORDERS 28.11.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 691 OF 2022
(Dr. Vasant M. Garudkar Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri Shritej Surve, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri Swapnil Joshi, learned Advocate holding for Shri J.P. Legal Associate, learned Advocate for respondent No. 3.

2. At the request of learned Advocate for respondent No. 3, time is granted for filing affidavit in reply.
3. S.O. to 05.01.2023 for hearing.

MEMBER (A)

MEMBER (J)

**M.A. No. 103/2020 in O.A. St. No. 146/2020
(Ramchandra N. Palmate Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri V.P. Golewar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. S.O. to 09.12.2022 for hearing.

MEMBER (A)

KPB ORAL ORDERS 28.11.2022

MEMBER (J)

MA 200/20 in MA 506/18 in OA St. 1951/18
(Sajed Khan Ajiz Khan Pathan Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri R.N. Bharaswadkar, learned Advocate for the applicant (**absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri V.G. Pingle, learned Advocate for respondent No. 7. Shri C.B. Gore, learned Advocate for respondent Nos. 5 & 6, **absent**.

2. S.O. to 23.12.2022 for hearing.

MEMBER (A)

KPB ORAL ORDERS 28.11.2022

MEMBER (J)

**M.A. No. 301/2021 in O.A. St. No. 1279/2021
(Dr. Eknath D. Male Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. S.O. to 05.01.2023 for hearing.

MEMBER (A)

KPB ORAL ORDERS 28.11.2022

MEMBER (J)

M.A. No. 314/2022 in O.A. No. 793/1992
(Devidas A. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri M.C. Swami, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents in M.A., returnable on 05.01.2023.
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 05.01.2023.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 784 OF 2015
(Malappa P. Shendule Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

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

2. The present matter is to be treated as depart heard and it be placed before the regular Single Bench.
3. S.O. to 13.12.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 160 OF 2020
(Shrirang P. Jarhad Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri Shrirang P. Jarhad, applicant in person and Shri N.U. Yadav, learned Presenting Officer for the respondents. Shri S.B. Mene, learned Advocate for respondent No. 4, **Leave Note**.

2. The applicant in person filed bunch of documents. Same are taken on record.
3. The present matter is to be treated as depart heard and it be placed before the regular Single Bench.
4. S.O. to 13.12.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 37 OF 2019
(Chandrasen K. Bahure Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 29.11.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 457 OF 2021
(Sahil A. Kankal Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Smt. Maya Jamdhade, learned Advocate for the applicant (**Absent**). Heard Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. The present matter is to be treated as depart heard and it be placed before the regular Single Bench.
3. S.O. to 14.12.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 458 OF 2021
(Mahendra K. Yangade Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Smt. Maya Jamdhade, learned Advocate for the applicant (**Absent**). Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. The present matter is to be treated as depart heard and it be placed before the regular Single Bench.
3. S.O. to 14.12.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 577 OF 2020
(Kalidas B. Choudhari Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

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

2. The present matter is to be treated as depart heard and it be placed before the regular Single Bench.
3. S.O. to 14.12.2022.

MEMBER (J)

O.A. Nos. 302/2020, 317/2020 & 05/2021
(Rajesh M. Choudhary & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri I.D. Maniyar, learned Advocate for the applicants in all these O.As. and Shri N.U. Yadav, learned Presenting Officer for the respondents in all these O.As.

2. The present matters are to be treated as depart heard and it be placed before the regular Single Bench.
3. S.O. to 14.12.2022.

MEMBER (J)

KPB ORAL ORDERS 28.11.2022

**M.A. No. 18/2021 in O.A. St. No. 64/2021
(Asef Aslam Shaikh Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri I.D. Maniyar, learned Advocate holding for Shri R.R. Bangar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri S.D. Dhongde, learned Advocate for respondent Nos. 2 & 3.

2. The applicant made the present M.A. seeking condonation of delay in filing the accompanying O.A. As per the order dated 18.10.2022 passed in present M.A., the delay was condoned subject to payment of costs of Rs. 500/- (Rs. Five Hundred Only) within a period of one month from the date of said order. The applicant however, did not deposit the amount of costs within time.

3. Today learned Advocate for the applicant moved the application seeking extension of time for compliance of the order of costs.

4. In the interest of justice, the applicant is allowed to deposit the amount of costs within three days. Thereafter, the office to register the O.A. in accordance with law.

MEMBER (J)

**M.A. No. 204/2020 in O.A. St. No. 678/2020
(Ramdas N. Sangle Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

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

2. The present M.A. No. 204/2020 is filed by the applicant seeking condonation of delay. As per the order dated 17.10.2022 passed by this Tribunal in the present M.A., the delay was condoned subject to payment of costs of Rs. 1000/- (Rs. One Thousand Only) within a period of one month from the date of said order. The said one month period is expired on 16.11.2022.

3. Now the learned Advocate for the applicant seeking extension of time for compliance of the order of costs.

4. In the interest of justice, time is extended for payment of costs for three days from today. Thereafter, the office to register the O.A. in accordance with law.

MEMBER (J)

**M.A. No. 205/2020 in O.A. St. No. 680/2020
(Ravindra G. Barde Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

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

2. The present M.A. No. 205/2020 is filed by the applicant seeking condonation of delay. As per the order dated 17.10.2022 passed by this Tribunal in the present M.A., the delay was condoned subject to payment of costs of Rs. 1000/- (Rs. One Thousand Only) within a period of one month from the date of said order. The said one month period is expired on 16.11.2022.

3. Now the learned Advocate for the applicant seeking extension of time for compliance of the order of costs.

4. In the interest of justice, time is extended for payment of costs for three days from today. Thereafter, the office to register the O.A. in accordance with law.

MEMBER (J)

M.A. No. 27/2022 in O.A. St. No. 64/2022
(Madhavi M. Kulkarni & Anr. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 28.11.2022

ORAL ORDER :

Heard Shri H.P. Jadhav, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. The applicant filed M.A. No. 27/2022 seeking condonation of delay caused in filing the accompanying O.A. As per the order dated 29.09.2022 passed by this Tribunal in the present M.A., the delay was condoned subject to payment of costs of Rs. 1500/- (Rs. One Thousand Five Hundred Only) within a period of one month from the date of said order. The said time of one month is expired on 28.10.2022. Thereafter the time was extended for payment of costs as per the order dated 11.11.2022. It is submitted that the cheque was deposited as per the said order, but the same was returned for technical reason.

3. Today the learned Advocate for the applicant is ready with the Demand Draft (DD) of Rs. 1500/- and therefore, he seeks permission to deposit the amount.

4. In the interest of justice, the applicant is allowed to deposit the amount of costs today. Thereafter, the office to register the O.A. in accordance with law.

MEMBER (J)

**C.P.NO. 28 OF 2022 IN O.A.NO.583 OF 2019
(Bhaskar D. Baviskar Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

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

2. Await service.

3. At the request of the learned Advocate for the applicant, S.O. to 22.12.2022 for taking necessary steps.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 28.11.2022

**C.P.NO. 30 OF 2022 IN O.A.NO.217 OF 2021
(Sunil T. Apte Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri S.R. Barlinge, learned Advocate for the applicant 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 on behalf of the respondents.

3. S.O. to 05.01.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 28.11.2022

ORIGINAL APPLICATION NO. 668 OF 2019
(Sonal D. Agrawal Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, time is granted as a last chance for filing affidavit in rejoinder.

3. S.O. to 02.01.2023.

MEMBER (A)

MEMBER (J)

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

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

DATE : 28.11.2022

ORAL ORDER :

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

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

3. S.O. to 02.01.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 28.11.2022

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

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

DATE : 28.11.2022

ORAL ORDER :

Shri R.J. Nirmal, 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., last chance is granted for filing affidavit in reply on behalf of the respondents.

3. S.O. to 03.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 41 OF 2020
(Nagesh C. Kumbre Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. Record shows that the affidavit in reply is only filed on behalf of the respondent No.3.
3. At the request of the learned P.O., last chance is granted for filing affidavit in reply on behalf of the respondent Nos.1 & 2.
4. S.O. to 03.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 623 OF 2021
(Mehboobali Y. Khan Pathan Vs. State of Maharashtra &
Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, 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 as a last chance for filing affidavit in rejoinder.

3. S.O. to 22.12.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 831 OF 2021
(Anand B. Gayake Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri M.B. Bharaswadkar, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Affidavit in rejoinder filed by the applicant is taken on record and copy thereof has been served on the other side.

3. S.O. to 04.01.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 42 OF 2022
(Surendranath B. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri S.S. Kulkarni, learned Advocate for the applicant and Shri S.D. Kotkar, learned Advocate for the respondent No.17, are **absent**. Heard Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Record shows that the affidavit in reply is already filed on behalf of the respondent Nos.1 to 3.

3. Await service of notice on respondent Nos.6 to 8, 13, 14, 16, 18, 27, 29, 32, 33, 37, 39 to 45, 48, 51, 53, 61 & 68.

4. S.O. to 04.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 209 OF 2022
(Renuka V. Saudagar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri C.V. Dharurkar, 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 on behalf of the respondents.

3. S.O. to 05.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 213 OF 2022
(Pravin G. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri V.B. Wagh, 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., last chance is granted for filing affidavit in reply on behalf of the respondent.

3. S.O. to 05.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 227 OF 2022
(Dhanaji S. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. Record shows that the affidavit in reply is already filed on behalf of the respondent Nos.1 to 3.

3. S.O. to 05.01.2023 for filing affidavit in rejoinder, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 230 OF 2022
(Dr. Seema M. Digraskar @ Dr. Seema D. Pathak Vs. State
of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. Record shows that the affidavit in reply is already filed on behalf of the respondent Nos.1 to 3.
3. Learned Advocate for the applicant submits that the applicant does not wish to file affidavit in rejoinder.
4. S.O. to 05.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 243 OF 2022
(Ghansham D. Chavan & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri D.T. Devane, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri M.B. Kolpe, learned Advocate for the respondent No.2.

2. Affidavit in reply filed on behalf of the respondent No.2 is taken on record and copy thereof has been served on the other side.

3. S.O. to 06.01.2023 for filing affidavit in rejoinder, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 279 OF 2022
(Indurao B. Sarode Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri Suresh Dhongde, learned Advocate holding for Smt. Suchita Dhongde, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities and Smt. Vidya Taksal, learned Advocate for the respondent No.4.

2. Record shows that the affidavit in reply is already filed on behalf of the respondent Nos.2 & 4.

3. Learned P.O. submitted that the affidavit in reply of respondent No.1 is not necessary.

4. At the request of the learned P.O., time is granted as a last chance for filing affidavit in reply on behalf of the respondent No.3.

5. S.O. to 06.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 291 OF 2022
(Manisha G. Bargaje Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri P.G. Tambade, learned Advocate holding for Shri S.S. Jadhavar, 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 06.01.2022 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 335 OF 2022
(Vilas P. Dhonde Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri M.B. Kolpe, learned Advocate holding for Shri P.D. Suryawanshi, 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 already filed on behalf of the respondent Nos.1 to 6.

3. S.O. to 06.01.2023 for filing affidavit in rejoinder, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 371 OF 2022
(Babasaheb B. Bhosale Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri I.S. Thorat, 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 09.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 430 OF 2022
(Swannand B. Thorve & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri R.O. Awasarmol, learned Advocate for the applicants and Shri N.U. Yadav, 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 No.2.

3. S.O. to 09.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 450 OF 2022
(Sanket D. Khairnar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicants 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 09.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 454 OF 2022
(Rajendra B. Kawale Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. In view of absence of learned Advocate for the applicant, S.O. to 09.01.2023 for filing affidavit in rejoinder.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 520 OF 2022
(Satish B. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri Avinash Khedkar, learned Advocate holding for Shri A.G. Ambetkar, 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., last chance is granted for filing affidavit in reply on behalf of the respondents.

3. S.O. to 09.01.2023.

MEMBER (A)

MEMBER (J)

O.A.NOS.614, 666, 693, 737, 780, 747, 748, 769, 749, 750, 751, 777, 778, 787, 788, 796, 803, 804, 790, 791 AND 832 ALL OF 2022
(Dr. Deepak N. Kawale & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard S/Shri A.D. Sugdare, Shri J.S. Deshmukh, Shri V.S. Kadam, Shri B.R. Kedar, Shri S.S. Tandale, learned Advocate holding for Shri Vikrant S. Valse and Shri S.N. Pagare, respective learned Advocates for the applicants in respective O.As., Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents authorities in all these O.As. and Shri M.B. Kolpe, learned Advocate for the respondent No.3 in O.A.Nos.614, 666, 693, 737, 780, 747, 748, 769, 749, 750, 751, 777, 778 and 791 all of 2022.

2. Record shows that in some cases affidavit in reply is filed on behalf of the respondent Nos.1 & 2.

3. At the request of learned C.P.O. and learned Advocate for the respondent No.3 in respective O.As., time is granted as a last chance for filing affidavit in reply on behalf of respective respondents in remaining O.As.

4. S.O. to 05.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 631 OF 2022
(Ratan G. Kunte Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri Vinod Dhotre, learned Advocate for the applicant 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 on behalf of the respondents.

3. S.O. to 11.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 705 OF 2022
(Amol V. Sanap & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri M.S. Karad, learned Advocate for the applicants, is **absent**. Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Await service of notice for the respondent No.3.
3. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of other respondents.
4. S.O. to 11.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 716 OF 2022
(Dr. Pravinkumar C. Govande Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicant and Smt. M.S. Patni, 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 11.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 754 OF 2022
(Akash K. Chougule Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. Await service.
3. S.O. to 23.12.2022. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 758 OF 2022
(Vasant N. Phad Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri B.R. Kedar, learned Advocate for the applicant and Shri I.S. Thorat, 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 11.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 771 OF 2022
(Mulani Manzura Rustum Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. Await service.
3. S.O. to 11.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 782 OF 2022
(Bhausahab A. Shelke Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri Amol R. Gaikwad, learned Advocate for the applicant and Shri N.U. Yadav, 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 23.12.2022. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 789 OF 2022
(Sukhdeo R. Solankar Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Shri R.K. Khandelwal, learned Advocate for the applicant, is **absent**. Heard 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 12.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 821 OF 2022
(Dr. Sonali B. Totod Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. Await service.
3. S.O. to 12.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 822 OF 2022
(Dr. Jyoti A. Dawale Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Await service.
3. S.O. to 12.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 831 OF 2022
(Dr. Sambhaji B. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. Await service.
3. S.O. to 13.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 837 OF 2022
(Manisha S. Ahire Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri S.D. Munde, learned Advocate for the applicant and Shri M.S. Patni, 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 08.12.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 873 OF 2022
(Dr. Pravinkumar M. Shingare Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. Await service.
3. S.O. to 13.01.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 665 OF 2022
(Kalpana P. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri I.K. Wagh, learned Advocate holding for Shri S.B. Bhosle, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Affidavit in reply filed on behalf of the respondent Nos.1 to 3 is taken on record and copy thereof has been served on the other side.

3. S.O. to 23.12.2022 for filing affidavit in rejoinder, if any.

MEMBER (A)

MEMBER (J)

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

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

DATE : 28.11.2022

ORAL ORDER :

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

2. At the request of the learned P.O., last chance is granted for filing affidavit in reply on behalf of the respondents in M.A.

3. S.O. to 02.01.2023.

MEMBER (A)

MEMBER (J)

**M.A.NO. 412/2021 IN O.A.ST.NO. 1629/2021
(Anand I. Dhale Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicant and 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 respondent Nos.1 to 4.
3. S.O. to 03.01.2023 for hearing.

MEMBER (A)

MEMBER (J)

M.A.NO.10/2022 IN O.A.ST.NO. 1586/2021
(Nathrao S. Chate Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri P.G. Tambade, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Issue fresh notices to the respondents in M.A.No.10/2022, returnable on 06.01.2023.

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 06.01.2023.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1005 OF 2022
(Ganpat H. Darade Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. Learned C.P.O. for the respondents submits that he would file affidavit in reply during the course of the day.

3. S.O. to 05.01.2023 for filing affidavit in rejoinder, if any.

MEMBER (A)

MEMBER (J)

**M.A.NO.60 OF 2020 IN O.A.ST.NO. 2451 OF 2019
(Priti V. Sangolkar Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri A.V. Thombre, learned Advocate holding for Shri R.D. Khadap, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Await service.
3. S.O. to 02.01.2023.

MEMBER (A)

MEMBER (J)

**C.P.NO.13 OF 2022 IN O.A.NO. 130 OF 2017
(Priyanka A. Dongre Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant submitted that the respondents have filed proceedings bearing SLP (C) No. 5600/2022 before the Hon'ble Supreme Court of India challenging the order passed by the Hon'ble High Court in W.P.No.1991/2022 arising out of this Tribunal's order passed in O.A.No.130/2017 and the Hon'ble Supreme Court has been pleased to stayed the order of the Hon'ble High Court.

3. In the circumstances as above, S.O. to 24.01.2023.

MEMBER (A)

MEMBER (J)

C.P.NO.36 OF 2022 IN O.A.NO. 53 OF 2020
(Kailas K. Sasane Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate holding for Shri H.S. Bali, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 05.01.2023.

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 05.01.2023.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 240 OF 2022
(Ankij P. Sawai Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Record shows that the interim relief was granted in favour of the applicant by order dated 10.03.2022.

3. Learned Advocate for the applicant submits that in spite of the said order, the respondent No.3 granted admission to the respondent No.4 in Government Medical Collage, Nagpur. In view of the subsequent development, the respondent No. 4 has been joined in this Original Application. The notice was issued to the respondent No.4.

4. Learned Advocate for the applicant further submits that he is going to file service affidavit today to the effect that the said respondent No.4 has been served by E-mail and Whatsapp, yesterday. However, postal acknowledge is not yet received. He further

//2//

O.A.240/2022

submits that notice was posted on the address of the respondent No.4 by seeped post on 25.11.2022.

5. In the circumstances, learned Advocate for the applicant seeks interim relief in terms of prayer clause 10(D) contending that the private Nursing College at Bidar, Karnataka has assured the applicant to give admission to M.Sc. (Nuring). For that purpose he invited our attention to the contentions raised in Ground (B) and (D) of the Original Application.

6. To that, learned C.P.O. for the respondents submits that he would file affidavit in reply within two weeks and seeks time for that.

7. In view of above, it is apparent on record that there are certain subsequent events, which are required to be taken into consideration and that is possible after having considered the reply from the other side. In such circumstances, in our considered opinion, at this stage, we are not inclined to grant interim relief in terms of prayer clause 'D'.

8. In the circumstances, short time is granted for filing affidavit in reply on behalf of the respondents.

9. S.O. to 05.12.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 812 OF 2022
(Rashtra Seve Arogya Karmachari Sanghatna Thorough its
Secretary KailasT. Harkal & Ors. Vs. State of Maharashtra
& Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shr Prasad D. Jarare, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned C.P.O. for the respondents submits that he would seek necessary instructions from the respondents in respect of relief claimed by the applicants in this case.

3. Learned Advocate for the applicant submitted that he will file short affidavit explaining the nexus between the designation of the post of Regular Field Worker and present Rules, 2021. Short time is granted to both the parties.

4. S.O. to 05.12.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 811 OF 2022
(The Association of the Ministerial Services of department
of Agriculture, Maharashtra State. Pune Through its
General Secretary Shri Ashok Kale & Ors. Vs. State of
Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. At the request of the learned C.P.O., S.O. to 30.11.2022 for urgent admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 992 OF 2022
(Hanuman V. Funde Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. S.O. to 29.11.2022 for order.

MEMBER (A)

MEMBER (J)

**M.A.NO.141/2021 IN O.A.NO.295/2019 WITH
C.P.NO.03/2021**

**(State of Maharashtra & Ors. Vs. Maharashtra Rajya
Hangami Hivtap Prayogashala Karmachari Sanghatna)**

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

and

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 28.11.2022

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicants in O.A., Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities (applicants in M.A.) and Shri Vinod P. Patil, learned Advocate for the private respondents.

2. The present matter is closed for order.

MEMBER (A)

MEMBER (J)

T.A. 11/1999 (W.P. 3251/1993)
T.A. 19/1999 (W.P. 2311/1994)
T.A. 26/1999 (W.P. 2772/1993)
T.A. 47/1999 (W.P. 776/1993)
T.A. 07/1999 (W.P. 3765/1997)
T.A. 06/2006 (W.P. 4261/1995)
T.A. 36/2002 (W.P. 3007/1991)
M.A. 311/2008 in T.A. 42/1999 (W.P. 1274/1991)
T.A. 17/1999 (W.P. 2791/1994)
T.A. 35/1998 (W.P. 296/1998)
M.A. 309/2008 in T.A. 24/1999 (W.P. 3607/1993)
M.A. 306/2008 in T.A. 36/1999 (W.P. 652/1994)
T.A. 28/1999 (W.P. 1253/1991)
T.A. 30/1999 (W.P. 617/1994)
T.A. 33/1999 (W.P. 3796/1997)
T.A. 34/1999 (W.P. 3620/1997)
T.A. 37/1999 (W.P. 1382/1994)
T.A. 14/1999 (W.P. 3770/1997)
T.A. 16/1999 (W.P. 1226/1991)
T.A. 13/1999 (W.P. 777/1995)
T.A. 20/1999 (W.P. 882/1991)
T.A. 38/1999 (W.P. 329/1992)

(Marathwada Serva Shramik Sanghatana through its
Joint Secretary M.S. Sonwane & Ors. V/s. State of
Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri Ganesh Jadhav, learned Advocate holding for Shri S.K. Shelke, Shri S.R. Barlinges and Shri Subhash Mundhe, learned Advocate for the respective applicants in respective matters,

//2/ T.A.11/1999 (W.P.3251/1993 &
Ors.)

Shri Goverdhan Ganoji, partyin person in T.A.No.06/2006 and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all the cases.

Shri B.B. Yenge, learned Advocate for the applicant in M.A.No.309/2008 and M.A.No.306/2008, is **absent**.

2. S.O. to 23.12.2022 for final hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NOS. 535 & 575/ 2013
(Shubhangi A. Shejul & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri P.G. Tambade, learned Advocate holding for Shri S.S. Jadhavar, 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. S.O. to 15.12.2022 for final hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 556 OF 2014
(Sanjay R. Patange Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri A.S. Deshpande, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. S.O. to 16.12.2022 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 374 OF 2018
(Girish B. Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. S.O. to 02.01.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 598 OF 2018
(Ganpat G. Sansare Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. S.O. to 03.01.2023 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 264 OF 2019
(Supadu V. Bhalerao Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. S.O. to 04.01.2023 for final hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION ST. NO. 1856 OF 2022
(Babamiya P. Pathan Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Objection raised by the registry appears to be sustainable. Learned counsel appearing for the applicant, in the circumstances, prayed time for filing application seeking delay condonation. Time granted.

3. S.O. to 9.1.2023.

VICE CHAIRMAN

ORAL ORDERS 28.11.2022-HDD

ORIGINAL APPLICATION NO. 1049 OF 2022
(Latabai Widow of Tanaji Rathod Vs. State of Maha. & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri V.P. Patil, learned counsel holding for Shri V.G. Sakolkar, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. The Original Application is filed challenging the order of recovery from the retiral benefits of the deceased employee. Widow of the deceased employee presented the instant matter.

3. Issue notices to the respondents, returnable on 18.1.2023.

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

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

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

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

8. S.O. to 18.1.2023.

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

VICE CHAIRMAN

**M.A.NO. 492/22 IN M.A.ST.1672/22 IN O.A.ST. 97/2022
(Vidya Shahaji Ghorpade Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri S.R. Barlinge, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. This is an application filed by the applicant for restoration of O.A., which was dismissed in default by this Tribunal vide order dated 14.6.2022 by condoning the delay of about 3 months and 5 days occasioned in filing this application.

3. Learned counsel appearing for the applicant submits that because of inadvertence in taking date in the matter the same could not be attended. It appears to me that the matter ultimately to be heard on merits. Hence the following order: -

ORDER

- (i) The Misc. Application is allowed.
- (ii) Delay occasioned in filing restoration application is condoned. The O.A. on stamp is restored to its original file.
- (iii) There shall be no order as to costs.

VICE CHAIRMAN

M.A.ST.1672/22 IN O.A.ST. 97/2022
(Vidya Shahaji Ghorpade Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri S.R. Barlinge, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. List the matter for consideration on 11.1.2023.

VICE CHAIRMAN

ORAL ORDERS 28.11.2022-HDD

**ORIGINAL APPLICATION NO. 608 OF 2022
(Mahendra S. Surwade Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

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. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 1 and the same is taken on record and copy thereof has been served on the other side.

3. List the matter for hearing on 21.12.2022.

VICE CHAIRMAN

**O.A.NOS. 457, 458 AND 462 ALL OF 2020
(Samba H. Sarpate & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Shri Prasad D. Jarare, learned counsel for the applicants, Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri Anuradha S. Mantri, learned counsel for respondent No. 2, are present.

2. List the all these matters for hearing on 9.1.2023. In the meanwhile it would be open for the applicants to file rejoinder affidavit in all these matters.

VICE CHAIRMAN

ORAL ORDERS 28.11.2022-HDD

**ORIGINAL APPLICATION NO. 414 OF 2021
(Shaikh Gulab Sher Muhammad Shaikh Vs. State of
Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

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

2. Learned counsel for the applicant has sought time for filing appropriate application for amendment. Time granted.
3. S.O. to 13.1.2023.

VICE CHAIRMAN

ORAL ORDERS 28.11.2022-HDD

M.A.NO. 517/2022 IN O.A.NO. 570/2021
(Shivkumar B. Chamkure Vs. State of Maharashtra & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri Om D. Totawad, learned counsel holding for Shri C.R. Thorat, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. This is an application filed by the applicant seeking permission to amend the O.A.

3. For the reasons stated in the application, which are just and sufficient, the application is allowed. The applicant is permitted to amend the O.A. The necessary amendment be carried out within a period of two weeks.

4. The M.A. stands disposed of however, without any order as to costs.

5. The O.A. to come up for hearing on 11.1.2023.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 703 OF 2021
(Hema S. Dangat Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Shri V.S. Undre, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri R.A. Joshi, learned counsel for respondent No. 6, are present.

2. Today when the matter is called out no one has caused appearance for the applicant. Previous record shows that the applicant is not attentive in prosecuting this matter. Though today the matter is for filing rejoinder since it has not been filed, list the matter for hearing on 10.1.2023.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 301 OF 2021
(Shri D.P. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned counsel holding for Shri G.J. Pahilwan, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Learned counsel seeks leave to place on record copy of earlier O.A. preferred by the applicant, as well as, application seeking condonation of delay in the said matter and also the reply filed by the respondents to the M.A. The applicant is permitted to place aforesaid three documents on record. They are taken on record.

3. S.O. to 30.11.2022 for further consideration.

VICE CHAIRMAN

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

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

DATE : 28.11.2022

ORAL ORDER :

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

2. Learned counsel seeks leave to place on record certain documents in support of his claim along with additional affidavit. The applicant is permitted to do so.

3. It would be open for the respondents to counter it if that is so required.

4. S.O. to 5.1.2023.

VICE CHAIRMAN

ORAL ORDERS 28.11.2022-HDD

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

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

DATE : 28.11.2022

ORAL ORDER :

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

2. However, in the interest of justice, S.O. to 13.12.2022.

VICE CHAIRMAN

ORAL ORDERS 28.11.2022-HDD

ORIGINAL APPLICATION NO. 327 OF 2022
(Muzaffar Abdul Sayeed Shaikh Vs. State of Maha. & Ors.)

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

DATE : 28.11.2022

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 20.1.2023. M.A. No. 505/2022 be kept along with this matter.

VICE CHAIRMAN

ORAL ORDERS 28.11.2022-HDD

**M.A.NO. 155/2022 IN O.A.ST.NO. 600/2022
(Deepak Govindrao Kulkarni Vs. State of Maharashtra &
Ors.)**

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

DATE : 28.11.2022

ORAL ORDER :

Shri M.B. Bharaswadkar, learned counsel holding for Smt. Supriya Bhillegaonkar, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicant is not intended to file rejoinder affidavit. List the matter for hearing on 11.1.2023.

VICE CHAIRMAN

ORAL ORDERS 28.11.2022-HDD

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

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

DATE : 28.11.2022

ORAL ORDER :

Heard Shri S.D. Joshi, learned counsel for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri Pawan Ippar, learned counsel for respondent No. 5.

2. The applicant has approached this Tribunal being aggrieved by the order dated 30.8.2021 passed by the Government whereby the officers mentioned therein have been transferred from their existing places to different places and posts. The order has been challenged on various grounds.

3. The applicant is working as Medical Officer at Primary Health Centre, Jogwada, Tq. Jintur, from the year 2019. Vide impugned order he was transferred to Ayurvedic Dispensary, Panewadi, Tq. Ghansawangi, Dist. Jalna. Earlier the applicant was transferred to Ayurvedic Dispensary, Ghatnandra, Tq. Sillod, Dist. Aurangabad in place of Dr. V.D. Kale. According to applicant, said posting was according to the choices given by him. As

because the parents of the applicant are not well, the applicant was intending to be near them, so that he can take their care. Dr. V.D. Kale was transferred at Zilla Parishad Dispensary, Wadapokharan, Dist. Palghar. However, within a week the said transfer was cancelled. Since the transfer order of Dr. Kale was cancelled obviously the applicant could not join the said post though he was transferred at the said place. Few days thereafter the impugned order came to be passed whereby the applicant was transferred at Panewadi. In the circumstances, the applicant has approached this Tribunal challenging the said order.

4. After the applicant was transferred at Panewadi, respondent No. 5 came to be posted at his place. Having found *prima facie* case in favour of the applicant, interim relief was granted in favour of the applicant vide order passed by this Tribunal on 15.9.2021, thereby directing the respondents to continue the applicant on his existing post till further orders. Thus, the applicant is working on the existing post since then on the strength of the said interim relief.

5. When the present matter is taken up for hearing the learned counsel appearing for the applicant submitted that the applicant is not claiming that he should be continued on the existing post and his grievance was that when earlier he was given posting in the Aurangabad district as was requested by him, the said order should not have been abruptly cancelled by the respondents. Learned counsel appearing for the applicant submitted that the applicant expects that in the ensuing annual transfers he shall be given the posting at the place nearby Aurangabad, so that he can take care of his parents.

6. Learned counsel appearing for the applicant has submitted that the applicant is not claiming that he should be continued on the existing post. It was his only concern that when earlier his request was taken into account and accordingly he was posted in Aurangabad district, if in the coming annual general transfers such posting is given at any suitable place, he is ready to go and work on the said post.

7. The State authorities have not filed any affidavit in reply to the O.A. Respondent No. 5 has filed the affidavit in reply and has opposed the contentions and the prayer made in the application and has prayed for dismissal of the O.A.

8. After having gone through the pleadings of the parties and after having heard the submissions made on behalf of the parties, it appears to me that the present O.A. can be disposed of without going into the merits of the objections raised in the O.A., as well as, in the affidavit in reply filed on behalf of respondent No. 5, by giving certain directions to the respondents. Ordinarily the annual general transfers are made in the month of May/June of every year, for which preparations are commenced from the month of February or March. Thus, hardly 2 to 3 months are left for annual general transfers. In the circumstances, the respondents are directed to consider the requests of both; the applicant, as well as, respondent No. 5, in ensuing annual general transfers, for giving them suitable posting as per preferences given by them in order of the preferences so given. The applicant and respondent

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O.A. NO. 542/2021

No. 5 both shall communicate to the respondents their choices and the respondents shall, as far as possible, consider the preferences so given by both of them. It appears to me that the order as aforesaid would meet the ends of justice. With the directions as above, the O.A. stands disposed of however, without any order as to costs.

VICE CHAIRMAN

ORAL ORDERS 28.11.2022-HDD