

**O.A. NOS. 358, 359, 360, 361 & 362 ALL OF 2020
(Vidya R. Bornare & Ors. Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 28.6.2021

ORAL ORDER :

Heard Shri G.S. Patil, learned Advocate holding for Shri S.A. Deshmukh, learned Advocate for the applicants in all these cases and S/shri M.S. Mahajan, S.K. Shirse, B.S. Deokar, Smt. Sanjivani Deshmukh & Smt. Deepali S. Deshpande, learned Chief Presenting Officer & learned Presenting Officers for the respective respondents in respective cases.

2. At the request of learned Advocate for the applicants, S.O. to 5.7.2021.

MEMBER (J)

ARJ ORAL ORDERS 28.6.2021

ORIGINAL APPLICATION NO. 191/2021
(Sandip W. Khadse Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 28.6.2021

ORAL ORDER :

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

2. Learned C.P.O. seeks time for filing affidavit in reply of the respondents. Time granted.

3. S.O. to 20.7.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 278/2021

(Dr. Udaykumar D. Padhye Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 28.6.2021

ORAL ORDER :

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

2. By the order dated 23.6.2021 passed by this Tribunal the respondents were directed to produce the record of the D.P.C. touching to the promotion process. The relevant record is produced today before the Tribunal for perusal. As per the said record, the applicant was eligible for promotion, but his result is withheld and it is kept in the sealed envelope till decision of the Hon'ble High Court in writ petition No. 13136/2017. In this background, learned C.P.O. seeks time for filing affidavit in reply of the respondents.

3. Thereupon, learned Advocate for the applicant has produced copy of the writ petition No. 13136/2017 and according to him interim relief in terms of prayer clause (C) of the said writ petition has been granted by the Hon'ble High Court. He has placed on record copy of the order of Hon'ble High Court dated 13.11.2017 passed in the said

writ petition. According to him, by the said interim relief the respondents are directed not to take any adverse action against the applicant on the basis of so-called disability certificate, which is questioned by the respondents.

4. In order to appreciate the contentions raised by both the sides, in my opinion, the respondents' affidavit in reply is desirable. Hence, time is granted to the respondents to file affidavit in reply in the present O.A.

5. Learned Advocate for the applicant prays for interim relief that the respondents should not proceed with the further process. However, in view of the observations as made by me earlier and when it is a matter of record that the result of the applicant is kept in a sealed envelope, no ad-interim relief can be considered in the present case at this stage.

6. S.O. to 13.7.2021 for filing affidavit in reply of the respondents.

MEMBER (J)

C.P. 3/2020 IN C.P. 47/2018 IN O.A. 138/2016
(Dr. Shaikh Faiz Mohammad s/o Noor Mohammad Vs. State
of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 28.6.2021

ORAL ORDER :

Heard Shri I.D. Maniyar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents

2. Issue notices to the respondents in C.P. No. 3/2020, returnable on 22.7.2021.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure)

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C.P. 3/2020 IN C.P. 47/2018
IN O.A. 138/2016

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 22.7.2021.

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

MEMBER (J)

ARJ ORAL ORDERS 28.6.2021

M.A. ST. 558/2021 IN O.A. ST. 559/2021
(Ramesh G. Devkhile & Anr. Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 28.6.2021

ORAL ORDER :

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

2. There is office objection on record stating that the applicant No. 2 – Shri Suhas s/o Ratilal Patil – is not working within the territorial jurisdiction of Aurangabad Bench of this Tribunal as he is working at Nashik. The present M.A. is filed by the applicant Nos. 1 & 2 and thereby they are seeking leave of this Tribunal to sue jointly the accompanying O.A. St. No. 559/2021.

3. In respect of objection raised by the registry regarding territorial jurisdiction of the applicant no. 2, the learned Advocate for the applicants has invited my attention to the order dated 21.9.1995 (Annex. A-4 page 25 of O.A.). He also invited my attention to the communication dated 15.2.2021 (Annex. A-8 page 38 of O.A.). The accompanying O.A. is filed for seeking directions to the respondents to consider the appointment of the applicants as on 12.11.1991 in the cadre of Range

Forest Officer and for issuance of directions to the respondents to take decision on the representation of the applicant No. 1 dated 11.11.2020 (Annex. A-7 page 31 of O.A.) and communication dated 15.2.2021 (Annex. A-8 page 38 of O.A.). He submits that the applicant No. 2 had also made similar representation on 10.11.2020, but the copy thereof is not placed on record. He further submits that reference to the said representation of the applicant No. 2 is there in the communication dated 15.2.2021 (annex. A-8 page 38 of O.A.).

4. Learned Advocate for the applicants seeks permission to place on record copy of representation of the applicant No. 2 dated 10.11.2020. Permission as sought for is granted.

5. In spite of these facts on record, the fact remains the applicant No. 2 is not working within the territorial jurisdiction of this Bench of the Tribunal and therefore the jurisdiction cannot be derived only because the respondents considered the separate representations of the applicants, by the communication dated 15.2.2021 (Annex. A-8 page 38 of O.A.). In view of the same, it is held that the O.A. will proceed in respect of applicant No. 1 only and the applicant No. 2 is not within the territorial jurisdiction of this Bench of the Tribunal.

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M.A. ST. 558/2021 IN O.A. ST. 559/2021

6. In view of above, the present M.A. for sue jointly would not survive and therefore it is disposed of as such. There shall be no order as to costs.

MEMBER (J)

ARJ ORAL ORDERS 28.6.2021

O.A. ST. 559/2021

(Ramesh G. Devkhile Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 28.6.2021

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks interim relief in terms of prayer clause (C) of the O.A. to the effect that the State Government be directed to take decision on the representation of the applicant and communication dated 15.2.2021 forwarded by the Principal Chief Conservator of Forest in regard to the request made by the applicant, within period of 3 months from the date of this order.

3. Learned Advocate for the applicant submits that he is not claiming relief in terms of prayer clause (B) of the O.A. and he withdraws the O.A. in regard to prayer clause (B). I have no reason to refuse permission as sought by the learned Advocate for the applicant. Accordingly the present O.A. shall proceed further as regards prayer clause (A), (C) & (D).

4. Considering the nature of prayer clause (C) and the interim relief sought for thereby, I am of the opinion that, if relief in terms of prayer clause (C) is granted at this stage, it will amount to granting of final relief itself in favour of the applicant, which is not permissible considering the facts and circumstances of the present case.

5. In view of above, it will be just and proper to grant an opportunity to the respondents to file reply in the O.A.

6. Issue notices to the respondents, returnable on 20.7.2021.

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

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

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

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O.A. ST. 559/2021

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

11. S.O. to 20.7.2021.

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

MEMBER (J)

ARJ ORAL ORDERS 28.6.2021

C.P. 13/2018 IN O.A. 633/2014
(Dr. Ashok R. Jadhav Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 28.6.2021

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent nos. 1 to 3. None appears for respondent Nos. 4 & 5.

2. Learned P.O. for respondent Nos. 1 to 3 submits that the respondent State has challenged the order in question dated 27.1.2017 passed by this Tribunal in O.A. No. 633/2014 by filing writ petition No. 8490/2018. In this regard, she has placed on record copy of the communication dated 8.11.2018 received from the respondent no. 1 along with copy of the order dated 25.1.2018 passed by the Hon'ble High Court while issuing notice to the respondents. The same is taken on record and marked as document 'X' for identification. As per the said order, ad-interim relief is granted by the Hon'ble High Court in the said writ petition.

3. In view of above position, learned P.O. is directed to place on record the present status of the said writ petition.

4. S.O. to 13.7.2021.

MEMBER (J)

C.P. 55/2018 IN O.A. 635/2013
(Dr. Ashok P. Dhaktode Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 28.6.2021

ORAL ORDER :

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

2. This C.P. is filed by the applicant alleging that the respondents have committed a contempt in respect of the order dated 13.12.2016 passed by this Tribunal in O.A. No. 635/2013 filed by the present applicant, who was applicant No. 1 therein, and 18 others. The prayer clauses 1-A to 1-C of the O.A. are as follows :-

1-A) This Original Application may kindly be allowed thereby quashing & setting aside impugned prescription in paragraph no. 2 of G.R. dated 20.8.2014 issued by Resp. No. 1.

1-B) This Original Application may kindly be allowed thereby directing the Respondents to make applicable benefits introduced vide G.R. dated 20.8.2014 with retrospective effect from 14.12.2011.

1-C) This Original Application may kindly be allowed thereby directing the Respondents to

::-2-:: C.P. 55/2018 IN O.A. 635/2013

extend all the consequential financial benefits to which they would all become entitled in view of grant of Prayer Clauses 1-A and 1-B in their favour.”

3. Today, the learned Advocate for the applicant has placed on record copy of G.R. dated 3.5.2021 and submits that by issuing the said G.R., the Respondents have complied with the order in question dated 13.12.2016 passed by this Tribunal in O.A. No. 635/2013.

4. In view of above submission of learned Advocate for the applicant, the present C.P. is disposed of. There shall no order as to costs.

MEMBER (J)

ARJ ORAL ORDERS 28.6.2021

O.A. NO. 443/2017
(Dr. Uttam B. Jadhav Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 28.6.2021

ORAL ORDER :

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

2. At the request of learned P.O., S.O. to 20.7.2021 for filing affidavit in reply of the respondents.

MEMBER (J)

ARJ ORAL ORDERS 28.6.2021

C.P. 48/2019 IN O.A. 933/2018
(Gajanan M. Jadhav Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 28.6.2021

ORAL ORDER :

None appears for the applicant. Shri I.S. Thorat, learned Presenting Officer for the respondents, is present.

2. In view of absence of applicant and his learned Advocate, S.O. to 22.7.2021.

MEMBER (J)

ARJ ORAL ORDERS 28.6.2021

C.P. 8/2021 IN T.A. 1/2016 (W.P. 115/2016)
(Abhay G. Sanap Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 28.6.2021

ORAL ORDER :

Heard Shri Sandeep Munde, learned Advocate for the applicant, Shri M.S. Mahajan, learned C.P.O. for respondent no. 1 and Shri M.B. Kolpe, learned Advocate for respondent no. 2.

2. Record shows that by the order dated 11.5.2021 notices were issued to the res. no. 2, returnable on 11.6.2021. On 11.6.2021 as per the request made on behalf of res. no. 2, time was granted for filing reply till today i.e. 28.6.2021. Today, Shri M.B. Kolpe, learned Advocate has filed V.P. for res. no. 2 and seeks time for filing reply in the C.P. He submitted that as stated earlier i.e. on 11.5.2021, the Review Petition was filed by the res. no. 2 in respect of the order in question dated 12.2.2021 in T.A. 1/2016. He submits that said Review Petition was under objection and now the objections have been removed by him and the res. no. 2 intends to ask for circulation on tomorrow.

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**C.P. 8/2021 IN T.A. 1/2016
(W.P. 115/2016)**

3. Learned Advocate for the applicant opposes the above submissions of learned Advocate of res. no. 2 and stated that no sufficient cause has been given by the res. no. 2 for grant of further time for filing reply.

4. Considering the submissions made on behalf of res. no. 2 that the respondents are going to ask for circulation on tomorrow for the review Petition, to avoid the multiplicity of litigation, it will be just and proper to grant time to the res. no. 2 to file reply in the present C.P.

5. S.O. to 8.7.2021 for filing reply by res. no. 2 in present C.P.

MEMBER (J)

O.A. NO. 722/2019

(Gajanan B. Bansode & Ors. Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 28.6.2021

ORAL ORDER :

Heard Shri Ajay S. Deshpande, learned Advocate for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 to 3, Shri M.B. Kolpe, learned Advocate for respondent No. 4 and Shri A.S. Deshmukh, learned Advocate for respondent Nos. 5 & 6.

2. Record shows that this is a matter, which is made time bound by the Hon'ble S.C. as per the order dated 5.2.2021 passed in Civil Appeal No. 104/2021 arising out of final judgment and order dated 6.3.2020 passed in W.P. 15045 of 2019 passed by Hon'ble High Court of Judicature at Bombay, Bench at Aurangabad. The said order is received by this Tribunal on 23.2.2021. It is directed that this Tribunal at Aurangabad Bench to dispose of this O.A. within the period of 6 months from receipt of the said order. Moreover, it is also ordered that all pending O.As. challenging the impugned G.R. No. Police-1818/File 355/Pol 5A be clubbed along with this O.A. and pass a common judgment in the said cases. As on today it is reported that no other similar O.A. challenging the

impugned G.R. in question is pending before Aurangabad Bench of the Tribunal.

3. As per the said directions of the Hon'ble Supreme Court in the order dtd. 5.2.2021, notices were to be served upon additional 636 respondents. In this regard, the learned Advocate for the applicant has placed on record affidavit of service, whereby it is stated that out of 636 respondents, 536 respondents have been duly served on their email address. However, email addresses of 100 respondents are incorrect and therefore, they are not served.

4. In view of above learned C.P.O. is directed to furnish the correct emails of those 100 un-served respondents within 3 days from today to the learned Advocate for the applicant, in order to enable him to serve those 100 respondents on their email.

5. S.O. to 1.7.2021 for above compliance by the learned C.P.O.

MEMBER (J)

ORIGINAL APPLICATION NO.577/2020
(Kalidas B. Choudhary Vs. State of Maharashtra & Ors.)

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

DATE : 28.06.2021

ORAL ORDER :

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

2. By order dated 06-05-2021, learned P.O. was directed to keep the concerned record available for perusal of the Tribunal. Learned P.O. states that she has received the record just now and she wants to go through it, therefore, she has sought some time. Time is granted.

3. Interim relief granted earlier to continue till next date.

4. S.O. to 22-07-2021.

MEMBER (J)

**O.A.NO.86/2019, 118/2019, 278/2019, 421/2019,
392/2020, 394/2020, 395/2020 AND 398/2020
(Bhimrao S. Pawar & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 28.06.2021

ORAL ORDER :

Heard Shri S.D.Dhongde, learned Advocate for the applicants and Shri I.S.Thorat, learned Presenting Officer for the respondents in respective cases.

2. Learned P.O. submits that in terms of order dated 07-06-2021 passed in these matters, he found that SLP (Civil) Diary No(s) 45904/2019 is filed but he has not been able to find out actual status of the said matter pending before the Hon'ble Supreme Court.

3. Learned P.O. should come out with a concrete statement on the next date.

4. S.O. to 14-07-2021.

MEMBER (J)

M.A.NO. 160/2021 IN O.A.NO. 858/2018
(Smt. Sangita S. Patil & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 28.06.2021

ORDER

The present Misc. Application has been filed by the applicants for setting aside the abatement order passed by this Tribunal and for condonation of delay of about 38 days caused for filing application for setting aside the abatement order passed in O.A. No. 858/2018.

2. The applicants herein are heirs and legal representatives of the original applicant, namely Sudhakar Dnyanedeo Patil, in O.A. No. 858/2018. Late Sudhakar D. Patil, filed O.A. No. 858/2018 for grant of pension and pensionary benefits after he completed more than 20 years of service. It was filed on 30.10.2018. During pendency of said O.A. for final hearing, applicant namely Sudhakar D. Patil in O.A. No. 858/2018, husband of the applicant No. 1 and father of applicant No. 2 died on 9.4.2021. The applicant No. 1 & applicant No. 2 being widow and daughter respectively are entitled for pension and pensionary benefits of the deceased applicant. After death of the original applicant the applicants were in shock, therefore, they could not contact the original applicant's Advocate in time. Moreover, pandemic situation is going on. The Hon'ble Supreme Court of India has already

**:: - 2 - :: M.A.NO. 160/2021 IN
O.A.NO. 858/2018**

issued the directions about the exclusion of period of limitation due to Covid Pandemic situation. In view of the same, the applicants seek condonation of delay.

3. Heard Shri Dilip Mutalik, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicants and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents.

4. The death certificate (Annexure 'A-1', page-7) would show that the deceased Sudhakar D. Patil, the original applicant died on 9.4.2021.

5. As per Sub-section (1) of rule 19 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, the application for bringing legal representatives of the deceased applicant is to be made within 30 days. The present application is made only on 17.6.2021 for condonation of delay and setting aside abatement. Upon expiry of 30 days from 9.4.2021 the O.A. said to have been abated in terms of Rule 19 (2).

6. However, Covid-19 pandemic situation is still going on. As per the order of the Hon'ble Supreme Court limitation period is to be excluded during this pandemic situation. Hence though there is delay of 38 days in representing the present Original Application it cannot be said that it is deliberate one. Thereby the applicants had

**:: - 3 - :: M.A.NO. 160/2021 IN
O.A.NO. 858/2018**

nothing to gain. The applicants have stated on oath that they are heirs and legal representatives of the deceased applicant. In view of the same this is a fit case to set aside the abatement by condoning the delay.

7. In the result, the present Misc. Application is allowed. The delay caused in filing application for setting aside the abatement is condoned and deemed order of abatement of the O.A. No. 858/2018 is set aside.

Accordingly, the present Misc. Application stands disposed of without any order as to costs.

MEMBER (J)

ORAL ORDER 28.06.2021

M.A.NO. 161/2021 IN O.A.NO. 858/2018
(Smt. Sangita S. Patil & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 28.06.2021

ORDER

Heard Shri Dilip Mutalik, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicants and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents.

2. The applicants herein who are said to have been heirs and legal representatives of the deceased applicant namely Sudhakar D. Patil in O.A. No. 858/2018 have made this application for bringing their names on record in place of the deceased applicant in O.A. The applicants are stated to be widow and daughter of the deceased applicant Shri Sudhakar D. Patil. He died on 9.4.2021 during pendency of the said O.A. No. 858/2018 filed by him. By separate order passed today in M.A. No. 160/2021 delay for setting aside the abatement is condoned and the order of abatement is set aside. Considering the relief claimed in O.A., it is evident that the applicants, legal representatives of the deceased would be entitled for fruits of the said litigation. In view of the same right to sue would survive in them. Hence, the applicants will have to be allowed to be brought on record being heirs and legal representatives of the deceased applicant in O.A. No. 858/2021.

**:: - 2 - :: M.A.NO. 161/2021 IN
O.A.NO. 858/2018**

3. In the result, the present Miscellaneous Application is allowed. The applicants are allowed to be brought on record being heirs and legal representatives of the deceased applicant Sudhakar D. Patil in O.A. The amendment be carried out within a period of 15 days' from today.

4. Accordingly, the present Miscellaneous Application stands disposed of without any order as to costs.

MEMBER (J)

ORAL ORDER 28.06.2021

ORIGINAL APPLICATION NO.141 OF 2021
(Shri Shubham A. Pagare Vs. State of Maharashtra & Ors.)

CORAM : Shri V.D. Dongre, Member (J)
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 28.06.2021

ORAL ORDER :

Heard Shri Suresh D. Dhongde, learned Advocate for
the applicant and Shri I.S. Thorat, learned Presenting
Officer for the respondents.

2. By consent of both the parties, S.O. to 07.07.2021.

MEMBER (J)

M.A.NO.280/2019 IN O.A.ST.NO.1110/2019
(Shri Sunil H. Pachawane Vs. State of Maharashtra & Ors.)

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

(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 28.06.2021

ORAL ORDER :

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

2. Affidavit-in-reply on behalf of Respondent Nos.1 & 2 is already filed on record.

3. Learned Advocate for the Applicant submits that he has received copy of affidavit-in-reply today.

4. In view of the same, the matter is adjourned for hearing with liberty to the Applicant to file affidavit-in-rejoinder, if any.

5. S.O. to 13.07.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.137 OF 2017
(Shri Namdeo S. Arsale Vs. State of Maharashtra & Ors.)

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

(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 28.06.2021

ORAL ORDER :

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

2. By consent of both the parties, S.O. to 26.07.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.946 OF 2017
(Shri Namdeo L. More Vs. State of Maharashtra & Ors.)

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

(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 28.06.2021

ORAL ORDER :

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

2. By consent of both the parties, S.O. to 03.08.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.142 OF 2018
(Shri Suresh L. Moholkar Vs. State of Maharashtra & Ors.)

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

(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 28.06.2021

ORAL ORDER :

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

2. By consent of both the parties, S.O. to 03.08.2021.

MEMBER (J)

O.A.NO.747/2019 WITH O.A.NO.948/2019
(Shri Prashant M. Wayukar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.06.2021

ORAL ORDER :

Heard Shri Ajay S. Deshpande, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned C.P.O., S.O. to 13.07.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.447 OF 2020
(Vaishali V. Hinge Vs. State of Maharashtra & Ors.)

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

DATE : 28.06.2021

ORAL ORDER :

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

2. At the request of learned C.P.O. for the Respondents, S.O. to 01.07.2021 for producing original record.

MEMBER (J)

ORIGINAL APPLICATION NO.393 OF 2020
(Shri Sanjay B. Barde Vs. State of Maharashtra & Ors.)

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

DATE : 28.06.2021

ORAL ORDER :

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

2. Affidavit-in-reply filed on behalf of Respondent Nos.1 to 3 is taken on record.

3. Learned Advocate for the Applicant today placed on record Government Corrigendum dated 01.02.2020 issued by Finance Department. He submits that this Government Corrigendum is useful to dispose of this Original Application.

4. Considering the facts and circumstances, the matter is fixed for hearing at the stage of admission on 22.07.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.148 OF 2020
(Shri Gorakhnath J. Bhalerao Vs. State of Maharashtra & Ors.)

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

DATE : 28.06.2021

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Affidavit-in-reply on behalf of Respondent Nos.1 to 3 is already filed on record.

3. Learned Advocate for the Applicant today placed on record Government Corrigendum dated 01.02.2020 issued by Finance Department. He submits that this Government Corrigendum is useful to dispose of this Original Application.

4. Considering the facts and circumstances, the matter is fixed for hearing at the stage of admission on 22.07.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.205 OF 2019
(Shri Vajinath M. Karadkhele Vs. State of Maharashtra & Ors.)

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

DATE : 28.06.2021

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos.1, 2, 4 to 6 and Shri S.D. Dhongde, learned Advocate for the Respondent No.3.

2. Affidavit-in-reply filed on behalf of Respondent Nos.4 & 6 is taken on record. Other Respondents have already filed their affidavit-in-replies.

3. Learned Advocate for the Applicant seeks time for filing affidavit-in-rejoinder. Time granted.

4. S.O. to 19.07.2021.

MEMBER (J)

Date :28.06.2021

ORIGINAL APPLICATION NO.292/2021

(Shri Kashinath H. Devtule V/s The State of Maharashtra & Ors.)

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

1. Shri S.D. Munde, ld. Advocate for the applicant and Shri M.S. Mahajan, ld. C.P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 16.07.2021. The case be listed for admission hearing on 16.07.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date :28.06.2021

ORIGINAL APPLICATION NO.397/2021

(Smt. Manjusha Malaiyya Mutha V/s The State of Maharashtra & Ors.)

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

1. Shri K.B. Jadhav, ld. Advocate for the applicant and Shri M.S. Mahajan, ld. C.P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 19.07.2021. The case be listed for admission hearing on 19.07.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date :28.06.2021

ORIGINAL APPLICATION NO.200/2021

(Shri Sudhir Laxman Borhade V/s The State of Maharashtra & Ors.)

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

1. Shri Avinash S. Khedkar, Id. Advocate for the applicant and Shri M.S. Mahajan, Id. C.P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 15.07.2021. The case be listed for admission hearing on 15.07.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date :28.06.2021

ORIGINAL APPLICATION NO.223/2021

(Shri Babasaheb Rakhma Warpe V/s The State of Maharashtra & Ors.)

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

1. Shri Avinash S. Khedkar, Id. Advocate for the applicant and Shri M.S. Mahajan, Id. C.P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 15.07.2021. The case be listed for admission hearing on 15.07.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date :28.06.2021

ORIGINAL APPLICATION NO.222/2021

(Shri Bhausaheb Ahilaji Wighve V/s The State of Maharashtra & Ors.)

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

1. Shri Avinash S. Khedkar, Id. Advocate for the applicant and Shri M.S. Mahajan, Id. C.P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 15.07.2021. The case be listed for admission hearing on 15.07.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR