

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

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

Before: - Court On Leave

Date: -28/07/2023

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Urgent Admission Matters						
1	OA662/23	A'bad	Adv.K.B. Jadhav (Rajesh R Potpallewar)	Promotion		12.9.2023
2	OA677/23	A'nagar	Adv.V.B. Wagh/ Adv.A.S. Therokar/ Adv.V.P. Adkine (Dr. Pranhas M Patil)	Continuation of Service	Circulation	24.8.2023
3	MASt1958/22 In MASt1611/22 In OAS1612/22	A'bad	Adv.M.A. Kulkarni (Fakirchand S Thorat&Ors.)	M.A. For Condonation of Delay	With Office Objection	13.9.2023
4	OAS1559/23	O'bad	Adv.Ajinkya A Reddy (Uuvraj S Bhosale)	Seniority	With Office Objection	21.8.2023
5	OAS1873/23	Nanded	Adv.Sunil B Jadhav (Noor Mohammad Dost Mohammad Pathan)	Major Punishment	with Office Objection	14.9.2023
6	OA621/22	A'bad	Adv.P.C. Kale (Dattatray A Kakade)	Promotion/ Show Cause Notice/ Increment	Circulation For Admission Reply Filed by R-1 to R-4	1.8.2023
Order Matters						

7	MA273/21 In OAST987/21	A'bad	Adv.S.D. Joshi/ Adv.R.B. Ade (Prakash N Phulluke)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-2	14.9.2023
8	MA125/22 In OAST120/22	A'bad	Adv.V.S. Bhale (Gunaji D Rathod)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R-4 For Filing Affidavit in Rejoinder	15.9.2023
9	MA140/22 In OAST494/22	Hingoli	Adv.S.B. Jadhav (Vinod V Bandale)	M.A. For Condoantion of Delay	For Hearing	14.9.2023
10	MA194/23 With OA326/16	A'nagar	Adv.V.B. Wagh (Changdeo G Sawant)	M.A. For Amendment		28.8.2023
11	MA212/23 In OA837/22	Dhule	Adv.S.M. Sangale (Manisha S Ahire)	M.A. For Amendment		28.8.2023
12	MA223/23 With MA12/22 In OAST1746/21	Nanded	Adv.S.B. Patil (Keshawrao W Pawar)	M.A. For Amendment		11.9.2023
13	MA336/23 In OA185/21	Beed	Adv.V.B. Wagh (Subhash J Khote)	M.A. For Direction		11.9.2023
High On Board Matters						
14	OA845/17	A'nagar	Adv.K.B. Jadhav (Rambhau L Kuskar)	Promotion/ Deem Date/ Protection of Pay Scale	High on Board Reply Filed by R-1 to R-5	26.9.2023
Due Admission Matters						

15	OA67/18	P'bhani	Adv.K.G. Salunke (Dr.Mohd. FerozIqbal)	Not to Terminate the Services	For Hearin g Reply Filed by R-2 & R-3	2.8.2023
16	OA892/18 With	A'bad	Adv.S.S. Thombre (Dhananjay D Chandodkar&Ors.)	Discharge From Service	For Admis sion Reply Filed by R-1 to R-5	24.8.2023
17	OA901/18	Beed	Adv.S.S. Thombre (Bhagwat S Somase)	Termination	For Admis sion Reply Filed by R-1 to R-3	24.8.2023
18	OA290/19	Jalna	Adv.A.S. Deshmukh (Rajesh L Tangade) <u>Adv.A.D. Aghav for R.No.2</u>	Show Cause Notice/ Dismissal From Service	Reply Filed by R-1 & R-2	28.8.2023
19	OA360/19	A'bad	Adv.AjayDeshpande (Dr.Atul A Deshmukh)	Termination	For Hearin g	2.8.2023
20	OA1076/19	Beed	Adv.S.D. Joshi (Ramling S Kamble)	Promotion	For Admission Reply Filed by R-3 to R-5	13.9.2023
21	OA164/20	Dhule	Adv.A.M. Hajare (Hemant M Chhajed)	Departmental Enquiry	For Hearing Reply Filed by R-1, R-2 & R- 4	14.9.2023
22	OA430/20	Jalna A'bad	Adv.A.S. Deshmukh (Ashok D Talde&Ors) <u>Adv.R.O. Awasarmol/</u>	Deem Date/ Seniority/ Promotion	For Hearing Reply Filed by	14.9.2023

			<u>Adv.V.D. Pagare for R.Nos.13,14,19,21,24,28, 42,61</u> <u>Adv.D.S. Pagare for R.Nos.26,30,32,37,56,59</u>		R-1, R-2, R-4, R-13, R-14, R-19, R-21, R-24, R-26, R-28, R-30, R-32, R-37, R-42, R-56, R-59, R-61	
23	OA438/20	A'nagar	Adv.Siddheshwar M Gaikwad/ Adv.N.K. Choudhari (Anil P Chavan)	Termination	Reply Filed by R-1 to R-3	15.9.2023
24	OA266/21	Latur	Adv.V.B. Wagh (Laxmi N Dhotre)	Departmental Enquiry	For Hearing Reply Filed by Respondent	15.9.2023
25	OA635/21	A'bad	Adv.A.B. Rajkar (Badrinath B Nimbalkar)	Compulsory retirement	For Hearing Reply Filed by R-1 to R-4	18.9.2023
26	OA47/22	A'nagar	Adv.S.D. Joshi (Sanjay V Sonawane)	Interivew	For Hearing Reply Filed by R-1 to R-3	18.9.2023
27	OA58/22	A'bad	Adv.MohitDeshmukh (Dr. Sanjay K Muley&Ors.)	Advertisement	For Admission Reply Filed by R-2	28.8.2023
28	OA115/22	P'bhani	Adv.Ravindra B Ade (Pralhad V Kurewad)	Promotion	For Admission Reply Filed by R-3	21.8.2023
29	OA694/22	Beed	Adv.Shamsunder B Patil (Pradeep D Pawar)	Directions (Appointment)	For Admission	17.8.2023
30	OA271/23	A'nagar	Adv.A.S. Deshpande (Anil S Chavan)	Selection Process (MPSC-Debar)	Additional Affidavit Filed by Applicant	4.8.2023
Final Hearing Matter						

31	OA201/16	Nanded	Adv.V.B. Wagh (SayyedHabibSayyed Abdul Rahim &Ors.)	Challenging G.R.	Reply Filed by R-1 to R-4	15.9.2023
32	OA482/16	J'gaon	Adv.Avinash S Deshmukh (Harshal V Patil)	Seniority	Reply Filed by R-1 & R-2	15.9.2023
33	OA595/16	O'bad	Adv.Bharat R Waramaa (Dhanraj R Dhumare) <u>Adv.Avinash S. Deshmukh for R.No.5</u>	Appointment	Reply Filed by R-2 & R-5	20.9.2023
34	OA78/17	Nanded	Adv.Talekar& Associates (Shivaji S Dahale)	Seniority/ Promotion		20.9.2023
35	OA08/18	Dhule	Adv.PratibhaBharad (Devendra S Jade)	Termination	Reply filed by R- 1 to R-3	29.8.2023
36	CPS04/23 In OA670/21	Dhule	Adv.V.B. Wagh (Gokul D Patil)	Contempt Petition		26.8.2023
37	CPS05/23 In OA671/21	Dhule	Adv.V.B. Wagh (Nitin S Bedse)	Contempt Petition		26.8.2023
38	CPS06/23 In OA672/21	Dhule	Adv.V.B. Wagh (Sanjaykumar M Sonawane)	Contempt Petition		26.8.2023
39	CPS07/23 In OA673/21	Dhule	Adv.V.B. Wagh (Rekha S Chavan(Lohar)	Contempt Petition		26.8.2023

**List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Divison Bench
Before: -Court On Leave**

Date: -28/07/2023

for reply board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	OA422/18	Beed	Adv.K.G. Salunke (Dr.Raghubir V Bhosale)	Dismissal	For Filing Affidavit in Rejoinder Ref. Order dtd.20.09.2022	1.9.2023

2	OA1086/19	A'bad	Adv.Ajay S Deshpande (Chintaman H Vasave) <u>Adv.K.B. Jadhav for R.No.3</u>	Seniority/ Promotion	One More Last ChanceFor Filing Affidavit in Rejoinder	1.9.2023
3	OA84/22	A'nagar	Adv.A.P. Avhad (Bapu V Vetel)	Appointment	For Filing Affidavit in Rejoinder	4.9.2023
4	OA191/22	Hingoli	Adv.Vinod M Vibhute (Balu R Nagare)	Seniority List	Await Service of Notice Ref.Order dtd.03.02.2023	4.9.2023
5	OA396/22	P'bhani	Adv.S.D. Joshi (Susrusha A Wakale)	Compassionate Appointment	One More Last ChanceFor Filing Affidavit in Reply For R-1 to R-3	5.9.2023
6	OA676/22	Latur	Adv.S.B. Solanke (Balaji B Tekale&Ors.)	Seniority	For Filing Affidavit in Reply For R-1, R-2, R-4 to R-6 Ref.Order dtd.10.02.2023	5.9.2023
7	OA828/22	A'nagar	Adv.V.B. Wagh (Shailendra G Sasane)	Designation	For Filing Affidavit in Rejoinder Ref. Order dtd.07.06.2023	28.8.2023
8	OA885/22	Latur	Adv.V.G. Pingle (Chandrakant S Nakhate)	Exemption From Passing Examination for Crossing 45 Years of Age	For Filing Affidavit in Reply For R-1, R-2	15.9.2023
9	OA890/22	Nanded	Adv.V.B. Wagh (Ganesh G Yerawar)	Departmental Enquiry	For Filing Affidavit in Reply	6.9.2023
10	OA919/22	Nanded	Adv.Vijay A Dhakne (Rahul R Burrewar)	Directions/ Ad-hoc Promotion/ ACPS	For Filing Affidavit in Rejoinder	12.9.2023

11	OA939/22	Nanded	Adv.P.S. Anerao (Santosh T Pawar&Ors.)	Seniority List	For Filing Affidavit in Rejoinder	12.9.2023
12	OA08/23	Beed	Adv.S.D. Joshi (Gangadhar J Wadne)	Final Seniority List/ Promotion	For Filing Affidavit in Reply	18.9.2023
13	OA282/23	A'bad	Adv.P.M. Nagargoje (Vijay D Puri)	Compulsory Retirement	For Filing Affidavit in Reply & For Compliance of Report	7.9.2023
14	OA315/23	A'bad	Adv.Jiwan J Patil (Gajanan B Dandge)	Non Selection	For Filing Affidavit in Reply	13.9.2023
15	OA326/23	A'bad	Adv.Ganesh M Hiwale (Deepak B Navgire&Ors.) <u>Adv.K.B. Jadhav for R.No.6</u>	Promotion	For Filing Affidavit in Reply	13.9.2023
16	OA472/23	A'nagar	Adv.V.B. Wagh (Bajirao E Gadade)	Promotion	For Reply	10.8.2023
Order Matters						
17	MA463/22 In OAS1779/22	Nanded	Adv.SuchitaDhongde Adv.SuchitaDhongde has filed Leave Note on 28.07.2023 (Chakardhar P Wadje)	M.A. For Condonation of Delay	As a Last Chance For Filing Affidavit in Reply	13.9.2023
18	MA200/23 In OAS495/23	Latur	Adv.Jiwan J Patil (Kishor A Patil)	M.A. For Condonation of Delay	For Reply	14.9.2023
19	MA201/23 In OAS496/23	Latur	Adv.Jiwan J Patil (Rajendra S Halude)	M.A. For Condonation of Delay	For Reply	14.9.2023
20	MA266/23 In OAS941/23	N'bar	Adv.A.S. Shelke (SarpapKVasave)	M.A. For Condonation of Delay	Await Service	15.9.2023
21	MA274/23 In OAS827/23	A'bad	Adv.Ajay S Deshpande (Minatai A Khillare&Ors.) <u>Adv.D.R. IralePatil for R.No.5</u>	M.A. For Sue Jointly	Notice Not Collected	7.9.2023

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

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Division Bench
Before: - Court On Leave

Date: -28/07/2023

Suplimentary Board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Urgent Admission Matters						
1	MA87/23 In OA259/21	A'bad	Adv.C.V. Dharurkar (Mesharani P Tarkase&Ors.)	M.A. For Direction	Circulation	21.8.2023

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench
Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -28/07/2023

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Regular Admission Matters						
1	MA518/19 In OA976/22	Nanded	Adv.Amol S Gandhi/ Adv.P.S. Mehta (Shripad K Marakwar)	M.A. For Amendment		-- O.A. 9.8.23
2	OA649/23	Dhule	Adv.Avinash S Deshmukh (Hemantkumar P Patil)	Transfer	Circulation For Withdrawal	Disposed of
Order Matters						
3	MA42/23 In OAS3055/22	Nanded	Adv.S.U. Shaikh/ Adv.P.S. Magar (Sudheer S Bendke)	M.A. For Condonation of Delay	For Further Consideration	9.8.2023
4	MA129/23 In OA534/21	Dhule	Adv.S.D. Dhongde Adv.S.D. Dhongde has Filed Leave Note On 28.07.2023 (Shaikh Mohamed Shoeb Sarfaraz)	M.A. For I.R.		9.8.2023

5	MA330/23 In OA501/23	O'bad	Adv.Amol N Patale (Nagnath R Kamble)	M.A. For Stay		11.8.2023
Due Admission Matters						
6	OA423/23	N'bar	Adv.Rakesh N Jain (Niketa B Nayak)	Transfer	Part Heard Reply Filed by R-2 & R-3	4.8.2023
7	OA369/21	O'bad	Adv.Sushant B Choudhari (Naushadbee Ibrahim Shaikh)	Compassionate Appointment	Reply Filed by R-1 to R-5	9.8.2023
8	OA381/21	J'gaon	Adv.Pramod S Gaikwad (Swapnil S Shimpi)	Compassionate Appointment	For Hearing Reply Filed by R-2 & R-3	9.8.2023
9	OA570/21	Nanded	Adv.C.R. Thorat (Shivkumar B Chamkure)	Compassionate Appointment	For Hearing Reply Filed by R-1, R-2 & R-4	9.8.2023
10	OA766/21	Latur	Adv.V.B. Wagh (Narandra K R Joshi)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R-3	9.8.2023
11	OA781/21	Beed	Adv.A.R. Tapse/ Adv.S.S. Deogude (Afroz Khan Karim Khan)	Compassionate Appointment	For Admission Reply Filed by R-2 & R-3	9.8.2023
12	OA835/21	A'bad	Adv.S.B. Solanke (Vadilal P Rathod) <u>Adv.S.B. Mene for R.Nos.3 & 4</u>	Compassionate Appointment		9.8.2023
13	OA214/22	Jalna	Adv.Avinash Khedkar (Balasaheb A Awdhut)	Compassionate Appointment	For Hearing Reply Filed by R-2 to R-5	9.8.2023
14	OA269/22	A'nagar	Adv.A.S. Shelke (Sharda V Andure & Ors.) <u>Adv.M.P. Gude for R.Nos.1 & 3</u>	Compassionate Appointment	Reply Filed by R-2 & R-3	9.8.2023
15	OA296/22	Beed	Adv.Amar V Lavte (Madhuri U Choudhari)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R-5	9.8.2023

16	OA404/22	Beed	Adv.K.G. Salunke (Manesh D Nagargoje)	Appointment on Compassionat Ground	For Hearing Reply Filed by R-3	9.8.2023
17	OA410/22	Nanded	Adv.Nikhil P Dube (Anand T Chintakute)	Compassionate Appointment	For Hearing	9.8.2023
18	OA438/22	A'nagar	Adv.V.G. Pingle (Sunita S Gaikwad & Ors.)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R-3	9.8.2023
19	OA470/22	P'bhani	Adv.Vivek G Pingle (Prasad D Mule) <u>Adv.S.B. Mene for R.No.3</u>	Compassionate Appointment	For Hearing Reply Filed by R-2 & R-3	9.8.2023
20	OA522/22	Nanded	Adv.S.B. Jadhav (Shobha B Parodwad & Ors.)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R-4	9.8.2023
21	OA603/22	A'bad	Adv.S.D. Kotkar (Sachin G Shelke)	Directions/ Compassionate Appointment	For Hearing Reply Filed by R-2	9.8.2023
22	OA626/22	O'bad	Adv.M.B. Kolpe/ Adv.S.B. Choudhari (Darshan D Kale)	Compassionate Appointment	For Hearing Reply Filed by R-3	9.8.2023
23	OA668/22	Dhule	Adv.V.G. Salgare (Kishor C Koli)	Compassionate Appointment	For Hearing Reply Filed by R-3 to R- 5	9.8.2023
24	OA706/22	Nanded	Adv.Pratap G Rodge (Suhass T Waghmare) <u>Adv.Shirish M Kamble For R.No.4</u>	Directions/ Compassionate Appointment	For Hearing	9.8.2023
25	OA753/22	Nanded	Adv.Amol A Kokad (Shravankumar P Jadhav)	Compassionate Appointment	For Hearing Reply Filed by R-2	9.8.2023
26	OA783/22	Nanded	Adv.H.P. Jadhav (Nilabai P Mumulwar & Ors.) <u>Adv.S.B. Mene for R.Nos. 3 & 4</u>	Compassionate Appointment	For Hearing	9.8.2023
27	OA845/22	O'bad	Adv.S.D. Joshi (Mayur M Kakade)	Compassionate Appointment	For Hearing Reply Filed by R-1 & R-2	9.8.2023

28	OA864/22	Jalgaon	Adv.Vidya A Taksal (Gajanan B Dandge&ors)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R-3	9.8.2023
29	OA935/22	Latur	Adv.K.G. Salunke (Pooja M Patil & Ors.)	Appointment on Compassionate Ground	For Hearing Reply R-3 & R-4	9.8.2023
30	OA973/22	Nanded	Adv.K.B. Jadhav (Abhijeet G Kamble) <u>Adv.S.B. Mene for R.Nos.2 & 3</u>	Compassionate Appointment	For Hearing	9.8.2023
31	OA1051/22	Beed	Adv.D.T. Devane (Dr. Nilima P Pail)	Transfer	For Hearing	9.8.2023
32	OA1144/22	Nanded	Adv.R.I. Wakade (Ritesh C Kamble)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R-5	9.8.2023
33	OA33/23	Jalna	Adv.S.S. Thombre (Prajakta V Devkule)	Compassionate Appointment	For Hearing Reply Filed by R-3 & R-4	9.8.2023
34	OA112/23	Latur	Adv.K.G. Salunke (Ajay L Sonkamble & Ors.)	Compassionate Appointment	For Hearing Reply Filed by R-2 & R- 3	9.8.2023
35	OA113/23	Latur	Adv.K.G. Salunke (Vaibhav R Kakade)	Compassionate Appointment	For Hearing Reply Filed by R-2 & R-3	9.8.2023
Final Hearing Matters						
36	OA420/19	Jalgaon	Adv.Suresh D Dhongde Adv.S.D.Dhongde has Filed Leave Note On 28.07.2023 (Raju P Gaikwad)	Compassionate Appointment	Reply Filed by R-1 to R-3	9.8.2023
37	OA427/19	J'gaon	Adv.S.D. Dhongde Adv.S.D.Dhongde has Filed Leave Note On 28.07.2023 (Ranjeet S Savale(Dhangar)	Compassionate Appointment	Reply Filed by R-2	9.8.2023
38	OA489/19	P'bhani	Adv.J.M. Murkute (Vinod R Kandere)	Compassionate Appointment as per G.R.	Reply Filed by R-1 to R-3	9.8.2023

39	OA543/19	A'bad	Adv.Ganesh R Jadhav (Shivprasad C Potpalliwar & Ors.) <u>Adv.S.B. Mene for</u> <u>R.Nos. 2 & 3</u>	Compassionate Appointment	Reply filed by R-2 & R-3	9.8.2023
40	OA597/20	A'nagar	Adv.Sandip R Andhale (Amol S Shidore)	Compassionate Appointment	Reply filed by R-1 to R-4	9.8.2023
41	OA51/21	Dhule	Adv.Amit S Savale (Devidas F Shinde)	Compassionate Appointment	Reply filed by R-1 to R-4	9.8.2023
42	OA160/21	Dhule	Adv.Avinash S Deshmukh (Mayur R Sonawane)	Compassionate Appointment	Reply Filed by R-3 & R-4	9.8.2023
43	OA226/21	J'gaon	Adv.P.S. Gaikwad (Khilesh K Choudhari)	Appointment on Compassionate Ground	Reply Filed by R-2	9.8.2023
44	OA270/21	J'gaon	Adv.Avinash S Deshmukh (Nanda V Solanki & Ors.)	Compassionate Appointment	Reply Filed by R-2 & R-3	9.8.2023
45	OA296/21	N'bar	Adv.B.K. Patil (Rekhabai C Bahiram)	Compassionate Appointment	Reply Filed by R-2	9.8.2023
46	OA388/21	Beed	Adv.K.B. Jadhav (Navnath L Dhande)	Recovery	Reply Filed by R-1 to R- 4	12.9.2023
47	OA393/21	J'gaon	Adv.Avinash S Deshmukh (Anjanabai M Ingale & Ors.)	Compassionate Appointment	Reply Filed by R-1 & R- 2	9.8.2023
48	OA411/21	Beed	Adv.K.B. Jadhav (Bharat L Bhillare)	Recovery	Reply Filed by R-1 to R- 4	12.9.2023
49	OA469/21	Beed	Adv.K.B. Jadhav (Dhondiba M Zade)	Recovery/ Pension & Pensionary Benefits	Reply Filed by R-1 to R- 4	12.9.2023
50	OA550/21	J'gaon	Adv.C.V. Dharurkar (Shobha S Bidhe & Ors.)	Compassionate Appointment	Reply Filed by R-1 & R- 2	9.8.2023

51	OA63/22	P'bhani	Adv.K.G. Salunke (Sandeep S Jadhav)	Appointment on Compassionate Ground	Reply Filed by R-3 & R- 4	9.8.2023
52	OA173/22	Nanded	Adv.V.P. Kadam (Ajay G Dawane & Ors.)	Compassionate Appointment	Reply Filed by R-1 to R- 4	9.8.2023
53	OA363/22	Jalna	Adv.Nitin T Tribhuwan (Ranjit P Ratnaparkhe)	Compassionate Appointment	Reply Filed by R-2	9.8.2023

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Date: -28/07/2023

for reply board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	OA1/20	Nanded	Adv.Mujahed Hussain (Seema S Dalvi & Ors.)	Compassionate Appointment	For Filing Affidavit in Rejoinder	9.8.2023
2	OA174/20	Nanded	Adv.A.A. Khande (Ravindra P Bibekar) <u>Adv.G.N. Patil for R.No.4</u>	Compassionate Appointment	Await Service	15.9.2023
3	TA12/22 WP3413/22	A'bad	Adv.A.S. Shejwal (Shubham K Gadve)	Compassionate Appointment	Await Service	9.8.2023
4	OA376/22	P'bhani	Adv.S.D. Joshi (Priyanka S Bansode)	Compassionate Appointment	By Way Of Last Chance For Filing Affidavit in Reply	9.8.2023
5	OA405/22	Beed	Adv.Bharat N Gadegaonkar (Sujata R Parsode & Ors.)	Compassionate Appointment	For Filing Affidavit in Reply Reply Filed by R-3 & R- 4	9.8.2023
6	OA440/22	P'bhani	Adv.Shaikh Wajeed Ahmed	Compassionate Appointment	By Way Of Last Chance	9.8.2023

			(Khan Mohammed Arbaz Mohammed Kazim Khan)		For Filing Affidavit in Reply Ref.Order dtd.30.11.20 22	
7	OA517/22	Latur	Adv.M.B. Kolpe (Shital A Gundewad) <u>Adv.K.B. Jadhav for R.Nos.6 to 8</u>	Compassionate Appointment	Reply Filed by R-1 to R- 5	9.8.2023
8	OA577/22	J'gaon	Adv.Avinash S Deshmukh (Yogesh G Salunkhe)	Compassionate Appointment	For Filing Affidavit in Reply	9.8.2023
9	OA649/22	A'bad	Adv.S.D. Joshi (Prema S Gadve)	Compassionate Appointment	Reply Filed by R-1 to R- 2	9.8.2023
10	OA997/22	Dhule	Adv.S.N. Suryawanshi (Rekha D Shinde & Ors.)	Appointment on Compassionate Ground	Reply Filed by R-2 to R- 3	9.8.2023
11	OA1036/22	Nanded	Adv.A.D. Gawale (Sumedh D Waghmare)	Compassionate Appointment	For Reply	17.8.2023
12	OA1138/22	J'gaon	Adv.Dipesh Pande/ Adv.Girish Nagore (Nilesh S Salve)	Compassionate Appointment	For Reply	9.8.2023
13	OA1154/22	A'bad	Adv.Mohit R Deshmukh (Mangesh R Kale & Ors.)	Compassionate Appointment	For Reply	9.8.2023
14	OA29/23	N'bar	Adv.Yogesh H Jadhav (Malsing T Naik(Bhil))	Compassionate Appointment	For Reply	9.8.2023
15	OA32/23	Beed	Adv.A.S. Deshmukh (Babamiya P Pathan)	Compassionate Appointment	Reply Filed by R-1 to R- 4	9.8.2023
16	OA88/23	Thane	Adv.Preeti R Wankahde (Dr. Sachin V Nawale)	Regularisation of Service	For Filing Affidavit in Reply	12.9.2023
17	OA165/23	A'bad	Adv.Priya R Bharaswadkar (Ramesh B Narwade)	Compassionate Appointment	For Reply	9.8.2023
18	OA214/23	J'gaon	Adv.S.D. Joshi	Compassionate	For Reply	9.8.2023

			(Salim S Tadvi)	Appointment		
19	OA232/23	Latur	Adv.V.D. Gunale (Anjali B Narhare) <u>Adv.K.P. Rodge for R.No.3</u>	Appointment on Compassionate Ground	For Filing Affidavit in Reply	17.8.2023
20	OA292/23	A'nagar	Adv.Sujeet D Joshi (Sameer H Umralkar)	Transfer	For Filing Affidavit in Reply	11.8.2023
21	OA416/23	O'bad	Adv.A.S. Deshmukh (Yeshwant S Jamdar(Koli)	Compassionate Appointment	Await Service	9.8.2023
22	OA514/23	A'bad	Adv.Mohit R Deshmukh (Sunil A Malkar)	Transfer	Await Service	11.8.2023

ORIGINAL APPLICATIN NO. 677 OF 2023
(Dr. Prabhas Manikrao Patil Vs. State of Maharashtra & Ors.)

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

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

DATE : 28.07.2023

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent authorities.

2. The applicant has challenged the Notification dated 23.02.2022 by filing the present Original Application. Learned counsel for the applicant submitted that the applicant is completing the age of 58 years on 27/07/2023 and in view of the aforesaid Notification, he will be retired on attaining the age of 58 years on 31.07.2023. Learned counsel further submitted that the aforesaid Notification violates the mandate under Article 14, 16 & 19 of the Constitution of India. Learned counsel pointed out that as per the aforesaid Notification, Medical Officers, who had completed the age of 58 years before 31.05.2023 have been extended the benefit and they will be retiring after the age of 60 years. However, the Medical Officers, who completed the age of 58 years after 31.05.2023 will be retired at the end of the said month on attaining the age of 58 years. Learned counsel pointed out that in the similar circumstances, the Principal Seat of this Tribunal at Mumbai in O.A. No.

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O.A. No. 677/2023

623/2023 has passed interim order, thereby directing the respondents to continue the services of the applicants if they have not crossed the age of 60 years. In the circumstances, learned counsel has sought for same interim relief in favour of the present applicant also.

3. Learned C.P.O. has opposed the request so made. Learned C.P.O. submitted that benefit of amended Rules, was restricted for the period of five years and as such, the applicant cannot claim such relief by way of interim order. Learned C.P.O. in the circumstances opposed for granting any such relief and sought time to file affidavit in reply on behalf of respondents.

4. I have gone through the order passed by the Principal Seat of this Tribunal at Mumbai in O.A. No. 623/2023. I deem it appropriate to reproduce the para Nos. 5 and 6 of the said order, which reads thus :-

“5. Prime facie, perusal of amendment to Rule 10 of M.C.S. (Pension) Rules, 1982 reveals that the age of Medical Officer amongst others is extended from 60 years and they shall retire from services on the afternoon on the last date of the month in which he attained age of 60 years. True, as per last proviso amendment shall be in force till 31.05.2023. Thus last proviso is much debatable. Prima-facie once the Applicants crossed age of 58 years they seems to be

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O.A. No. 677/2023

entitled to extension of age upto 60 years. Admittedly till date the Applicants are in service. Hon'ble High Court, Nagpur Bench granted interim relief to the Medical Officer and the Applicants are also prima-facie similarly situated persons.

6. *In view of above, Respondents are directed to continue the services of the Applicants if they have not crossed 60 years of age and interim relief will be in-force till 08.06.2023.”*

5. After going through the pleadings in the O.A., it is apparent that the present applicant stands at par with the applicants in O.A. No. 623/2023. I therefore, deem it appropriate to adopt the same view which has been taken by the Principal Seat of this Tribunal at Mumbai in the aforesaid matter. Hence, the following order :-

ORDER

(i) Issue notices to the respondents, returnable on 24.08.2023.

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

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

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O.A. No. 677/2023

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

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

(vi) The respondents are directed to continue the services of the applicant until further orders.

(vii) S.O. to 24.08.2023.

(viii) Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATIN ST. NO. 873 OF 2023

(Noor Mohammad Dost Mohammad Pathan Vs. State of Maharashtra & Ors.)

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

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

DATE : 28.07.2023

ORAL ORDER :

Heard Shri Sunil B. Jadhav, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondent authorities.

2. The office has raised objection that before expiry of six months after filing of appeal by the present applicant before the appellate authority, the Original Application has been filed.

3. Learned counsel for the applicant submitted that against the order dated 21.09.2022 the applicant has preferred appeal before the Hon'ble Governor on 26.12.2022. The appeal was forwarded to the office of the Hon'ble Governor by registered post and the postal record shows that the said appeal was received to the office of the Hon'ble Governor on 29.12.2022. The six months period after forwarding the said appeal was to expire on 29.06.2023. The applicant has preferred the present Original Application on 04.05.2023. It is thus evident that before expiry of period of six months after the appeal was preferred, the applicant has filed the

present Original Application. Prima-facie, there appears substance in the office objection raised. However, it has to be noted that though the O.A. has been filed on 04.05.2023, it has been brought before this Tribunal for consideration today for the first time. Learned counsel submitted that till this date appeal has not been decided and there is no such communication from the office of the Hon'ble Governor.

4. Having considered the subsequent facts as narrated by the learned counsel for the applicant, it appears to me that there may not be any difficulty to entertain the present Original Application in the premise of the facts as aforesaid. Hence, the following order :-

ORDER

- (i) Issue notices to the respondents, returnable on 14.09.2023.
- (ii) Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- (iii) Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the

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O.A. St. 873/2023

case would be taken up for final disposal at the stage of admission hearing.

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

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

(vi) S.O. to 14.09.2023.

(vii) Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

**MA St. 1958/22 in MA St. 1611/22 in OA St. 1612/22
(Fakirchand S. Thorat & Ors. Vs. State of Maharashtra & Ors.)**

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

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

DATE : 28.07.2023

ORAL ORDER :

Mrs. M.A. Kulkarni, learned counsel for the
applicants (**Absent**).

Shri V.R. Bhumkar, learned Presenting Officer for
respondent authorities, is present.

2. As none present for the applicants, S.O. to
13.09.2023.

VICE CHAIRMAN

ORIGINAL APPLICATIN ST. NO. 559 OF 2023
(Yuvraj S. Bhosale Vs. State of Maharashtra & Ors.)

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

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

DATE : 28.07.2023

ORAL ORDER :

Shri Vishnu Kande, learned counsel holding for
Shri Ajinkya Reddy, learned counsel for the applicant
and Shri M.S. Mahajan, learned Chief Presenting Officer
for respondent authorities, are present.

2. Learned counsel for the applicant sought time in
the present matter. Time granted as prayed for.

3. S.O. to 21.08.2023.

VICE CHAIRMAN

ORIGINAL APPLICATIN NO. 621 OF 2022
(Dattatray A. Kakade Vs. State of Maharashtra & Ors.)

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

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

DATE : 28.07.2023

ORAL ORDER :

Heard Ms. Pratiksha Kale, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent authorities.

2. When the present matter is taken up for consideration, learned counsel for the applicant on instruction submits that the applicant is praying only relief as mentioned in clause (C) of the prayer clause.

3. Having considered the facts as aforesaid, the present matter can be decided by the Single Bench.

4. Hence, the present matter be placed before the Single Bench for hearing on 01.08.2023.

VICE CHAIRMAN

ORIGINAL APPLICATIN NO. 828 OF 2022
(Shailendra G. Sasane Vs. State of Maharashtra & Ors.)

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

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

DATE : 28.07.2023

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant
and Shri M.S. Mahajan, learned Chief Presenting Officer
for respondent authorities, are present.

2. S.O. to 28.08.2023 for filing rejoinder affidavit by
the applicant. Interim relief granted earlier to continue
till then.

VICE CHAIRMAN

M.A.NO. 87 OF 2023 IN O.A.NO. 259 OF 2021
(Megharani P. Tarkase & Ors. Vs. the state of Maharashtra & Ors.)

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

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

DATE : **28.07.2023**

ORAL ORDER :

Heard Smt. Vinaya Mule-Dharurkar, learned counsel holding for Shri C.V. Dharurkar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Not on board. Taken on board. At the request of the learned counsel appearing for the applicants, re-issue notice to the respondents in M.A., returnable on 21.08.2023.

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

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

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

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

7. S.O. to 21.08.2023.

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

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 662 OF 2023

(Rajesh Ramkrishna Potpallewar Vs. the state of Maharashtra & Ors.)

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

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

DATE : 28.07.2023

ORAL ORDER :

Heard Shri K.B. Jadhav, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 12.09.2023.
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 12.09.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 649 OF 2023
(Hemantkumar Prabhakar Patil Vs. the state of Maharashtra & Ors.)

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

DATE : 28.07.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Learned counsel appearing for the applicant has tendered the copy of letter dated 25.07.2023. The same is taken on record. Learned counsel submits that since the applicant has been again brought back to his original place of posting, the purpose of filing the Original Application is served. The request is therefore made for disposing of the present Original Application. In view of the same, the following order is passed.

ORDER

The Original Application stands disposed of since withdrawn without any order as to costs.

VICE CHAIRMAN

M.A.NO. 223 OF 2023 IN O.A.ST.NO. 1746 OF 2021
(Keshawrao Wamanrao Pawar Vs. the state of Maharashtra
& Ors.)

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

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

DATE : **28.07.2023**

ORAL ORDER :

Heard Shri S.B. Patil, learned counsel for the applicant and Shri M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents in M.A. for amendment, returnable on 11.09.2023.
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 11.09.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION ST.NO. 827 OF 2023
(Smt. Minatai A. Khillare & Ors. Vs. the state of Maharashtra & Ors.)

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

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

DATE : **28.07.2023**

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned counsel for the applicants, Smt. M.S. Patni, learned Presenting Officer for the respondent authorities and Shri D.R. Irale Patil, learned counsel for the respondent No.5.

2. Issue fresh notice to the respondents, returnable on 07.09.2023.

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

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

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

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

7. S.O. to 07.09.2023.

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

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 232 OF 2023
(Anjali Balaji Narhare Vs. the state of Maharashtra & Ors.)

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

DATE : 28.07.2023

ORAL ORDER :

Shri K.B. Bhise, learned counsel holding for Shri V.D. Gunale, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri K.P. Rodge, learned counsel for the respondent No.3, are present.

2. Learned Chief Presenting Officer has tendered across the bar affidavit in reply on behalf of the respondent Nos. 1 & 2. The same is taken on record and copy of it is given to other side. List the matter for hearing on 17.08.2023. In the meanwhile it would be open for the applicant to file affidavit in rejoinder, if she so desires.

3. S.O. to 17.08.2023 for hearing.

VICE CHAIRMAN

SAS ORAL ORDER 28.07.2023

ORIGINAL APPLICATION NO. 8 OF 2023
(Gangadhar Jalindar Wadne Vs. the state of Maharashtra & Ors.)

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

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

DATE : **28.07.2023**

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of the respondent No. 2. The same is taken on record and copy of it is given to other side.

3. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of the respondent Nos. 1 & 3.

4. S.O. to 18.09.2023.

VICE CHAIRMAN

SAS ORAL ORDER 28.07.2023

ORIGINAL APPLICATION NO. 1036 OF 2022
(Sumedh D. Waghmare Vs. the state of Maharashtra & Ors.)

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

DATE : 28.07.2023

ORAL ORDER :

Shri A.D. Gawale, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time to file affidavit in reply. The request is opposed by the learned counsel appearing for the applicant. However, in the interest of justice, time granted by way of last chance till 17.08.2023.

3. S.O. to 17.08.2023.

VICE CHAIRMAN

SAS ORAL ORDER 28.07.2023

M.A.NO. 518/2019 IN O.A.NO. 976/2022
(Shripad K. Marakwar Vs. the state of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench)

DATE : 28.07.2023

ORAL ORDER :

Heard Shri Amol S. Gandhi, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant has not pressed the Misc. Application. The M.A. therefore stands disposed of without any order as to costs.

VICE CHAIRMAN

SAS ORAL ORDER 28.07.2023

ORIGINAL APPLICATION NO. 976 OF 2022
(Shripad K. Karakwar Vs. the state of Maharashtra & Ors.)

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

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

DATE : 28.07.2023

ORAL ORDER :

Heard Shri Amol S. Gandhi, learned counsel
for the applicant and Shri M.P. Gude, learned
Presenting Officer for the respondent authorities.

2. S.O. to 09.08.2023.

VICE CHAIRMAN

SAS ORAL ORDER 28.07.2023

ORIGINAL APPLICATION NO. 892 OF 2018
(Dhananajay D. Chandodkar & Ors. Vs. the state of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 901 OF 2018
(Bhagwat S. Somase Vs. the state of Maharashtra & Ors.)

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

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

DATE : 28.07.2023

ORAL ORDER :

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicants in both the O.As. and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities in both the O.As., are present.

2. S.O. to 24.08.2023 for admission. Interim relief granted earlier in O.A.No. 892/2018 to continue till then.

VICE CHAIRMAN

DATE :28.07.2023

ORIGINAL APPLICATION NO. 678 OF 2023

(Dilip Ramrao Shinde V/s The State of Maharashtra & Ors.)

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

1. Shri A.B. Rajkar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 23.08.2023. The case be listed for admission hearing on **23.08.2023**.
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

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

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

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

DATE : **28.07.2023**

ORAL ORDER :

Heard Shri S.D. Joshi, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. With consent of both the parties, the present Misc. Application is heard. The present M.A. is filed seeking condonation of delay which has occasioned in filing accompanying O.A. by the applicant.

3 By filing the accompanying O.A. the applicant has challenged the order of punishment passed by respondent No. 1. The said order was passed on 20.10.2011. Learned counsel for the applicant submitted that against the said order the applicant has preferred the departmental appeal with the Hon'ble Governor and the said appeal came to be dismissed on 14.6.2016. The applicant was, therefore, required to approach this Tribunal on or before 13.6.2017. Learned counsel submitted that for the reasons, which are

**:: - 2 - :: M.A.NO. 273/2021 IN
O.A.ST.NO. 987/2021**

elaborated in the M.A. the applicant could not file the accompanying O.A. within the stipulated period. The period of delay comes around 4 years and 2 months. Learned counsel submitted that the applicant was suffering from certain urological problem from the year 2012. After 2016 also the said problem cropped up and the applicant was required to undergo long treatment therefor. It is further contended in the application that son of the applicant was in employment in USA and the applicant and his wife both had been there to accompany their son and after coming back from USA by taking advise the applicant has approached this Tribunal. Learned counsel submitted that the delay which has occurred is unintentional and for bona-fide reasons. Learned counsel further submitted that the applicant has serious objection against the impugned order and if the applicant is not given an opportunity to prosecute his matter on merits, he will suffer irreparable loss. Learned counsel, in the circumstances, has prayed for condoning the delay, which has occasioned in filing accompanying O.A.

4. Shri M.P. Gude, learned Presenting Officer submitted that in the affidavit in reply filed on behalf of respondent No. 2 the reasons for opposing application are elaborated. He read out some portion of the affidavit in

**:: - 3 - :: M.A.NO. 273/2021 IN
O.A.ST.NO. 987/2021**

reply. He further submitted that for huge delay of more than 4 years the reasons, which are assigned are insufficient. In the circumstances, he prayed for rejecting M.A.

5. I have duly considered the submissions made on behalf of the applicant, as well as, the respondents. The delay caused in approaching Tribunal late is admittedly of the period more than 4 years. From the documents filed on record there is reason to believe that for quite long period the applicant was out of India and was in the U.S.A. along with his son, who is in employment there. So far as ailment suffered by the applicant is concerned, medical certificate is there on record. The period during which the applicant had been abroad has to be considered. It cannot be said that there is some ill intention in approaching the Tribunal late. On the contrary, the reasons which are stated reveal that for bona-fide reasons the applicant could not approach this Tribunal earlier. Moreover, it has to be kept in mind that the applicant was not likely to achieve any benefit by approaching this Tribunal late. The applicant has been deprived from pensionary benefits by way of punishment. In the circumstances the applicant deserves to be given an opportunity to prosecute his matter on merits. I am,

**:: - 4 - :: M.A.NO. 273/2021 IN
O.A.ST.NO. 987/2021**

therefore, inclined to allow the present M.A. Hence, the following order: -

ORDER

- (i) The Miscellaneous Application is allowed.
- (ii) Delay caused in filing accompanying O.A. is condoned subject to costs of Rs. 5,000 (Rs. Five thousand only).
- (iii) On payment of costs O.A. be registered in accordance with law. Thereafter, notices be issued to the respondents, returnable six weeks thereafter. Amount of costs be deposited in the office of this Tribunal within two weeks from the date of this order.
- (iv) Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- (v) 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.
- (vi) 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.

**:: - 5 - :: M.A.NO. 273/2021 IN
O.A.ST.NO. 987/2021**

(vii) 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.

(viii) Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORAL ORDER 28.07.2023-HDD

**ORIGINAL APPLICATION NO. 360 OF 2019
(Dr. Atul A. Deshmukh Vs. State of Maharashtra &
Ors.)**

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

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

DATE : **28.07.2023**

ORAL ORDER :

Shri Ajay S. Deshpande, learned counsel for the
applicant and Shri M.P. Gude, learned Presenting Officer
for the respondent authorities, are present.

2. At the request and by consent of both the parties,
S.O. to 2.8.2023.

VICE CHAIRMAN

ORAL ORDER 28.07.2023-HDD

**ORIGINAL APPLICATION NO. 67 OF 2018
(Dr. Mohd. Feroz Iqbal Vs. State of Maharashtra &
Ors.)**

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

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

DATE : **28.07.2023**

ORAL ORDER :

Shri Kiran G. Salunke, learned counsel for the
applicant and Shri M.P. Gude, learned Presenting Officer
for the respondent authorities, are present.

2. At the request and by consent of both the parties,
S.O. to 2.8.2023. Interim relief granted earlier to
continue till then.

VICE CHAIRMAN

ORAL ORDER 28.07.2023-HDD

**ORIGINAL APPLICATION NO. 472 OF 2023
(Bajirao E. Gadade Vs. State of Maharashtra & Ors.)**

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

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

DATE : **28.07.2023**

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri S.K. Shirse, 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 Nos. 1 & 2 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. Learned counsel appearing for the applicant submits that the applicant does not wish to file any rejoinder affidavit. List the matter for further consideration on 10.8.2023.

VICE CHAIRMAN

ORAL ORDER 28.07.2023-HDD

**ORIGINAL APPLICATION NO. 282 OF 2023
(Vijay Dattu Puri Vs. State of Maharashtra & Ors.)**

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

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

DATE : **28.07.2023**

ORAL ORDER :

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

2. Learned Presenting Officer has tendered across the bar a copy of letter dated 25th July, 2023 received to respondent No. 2 from State Government. The same is taken on record.

3. The contents of the aforesaid communication reveal that the positive steps are being taken in compliance of the order passed by this Tribunal. Learned P.O. shall inform the Tribunal and to keep the subsequent development on record.

4. List the matter for further consideration on 7.9.2023.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 271/2023
(Anil S. Chavan Vs. State of Maharashtra & Ors.)**

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

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

DATE : **28.07.2023**

ORAL ORDER :

Shri Ajay S. Deshpande, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 4.8.2023 for taking instructions from the respondent authorities.

VICE CHAIRMAN

ARJ ORAL ORDER 28.07.2023

**ORIGINAL APPLICATION NO. 694/2022
(Pradeep D. Pawar Vs. State of Maharashtra & Ors.)**

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

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

DATE : **28.07.2023**

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Today when the present matter is taken up for consideration, the learned counsel for the applicant submitted that the applicant is retiring on 31.8.2023 and in the circumstances has prayed for hearing of the present matter finally. The request cannot be considered for the reason that the Division Bench is not available and the matters of the Division Bench cannot be finally disposed of by the Single Judge unless the respondents consent for the same.

3. On perusal of the record, it is noticed that the applicant had preferred the representation on 27.5.2022 and the same has not yet been decided. Since the applicant has filed the present Original Application, it is possible that the respondents did not consider his representation when the O.A. is filed before this Tribunal.

::-2-::

O.A. NO. 694/2022

4. After having considered the case as aforesaid and more particularly having regard to the fact that the applicant is retiring on 31.8.2023, I deem it appropriate to direct the respondents to consider the representation submitted by the present applicant on 27.5.2022 on its own merit and in accordance with the legal provisions within 2 weeks from the date of this order. List the present O.A. for further consideration one week thereafter.

5. S.O. to 17.8.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 28.07.2023

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

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

DATE : 28.07.2023

ORAL ORDER :

Shri S.B. Salunke, learned counsel for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent nos. 3 & 4, are present.

2. Shri Mene, learned counsel has tendered across the bar the affidavit in reply on behalf of respondent nos. 3 & 4. The same is taken on record and copy thereof has been given to other side.

3. S.O. to 9.8.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 28.07.2023

**ORIGINAL APPLICATION NO. 1051/2022
(Dr. Nilima P. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 28.07.2023

ORAL ORDER :

Heard Shri D.T. Devane, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. The learned counsel for the applicant on instructions seeks leave to withdraw the Original Application. Hence, the following order :-

ORDER

The Original Application stands disposed of since withdrawn without any order as to costs.

VICE CHAIRMAN

ARJ ORAL ORDER 28.07.2023

**ORIGINAL APPLICATION NO. 424/2023
(Lahu M. Chavan Vs. State of Maharashtra & Ors.)**

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

DATE : 28.07.2023

ORAL ORDER :

Heard Shri Rakesh Jain, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities.

2. The learned counsel for the applicant has tendered across the bar the document from the office of District Collector, Nandurbar, which contains the information as about the vacant posts as on 31.5.2022. It is taken on record. The learned counsel submits that he intends to file additional affidavit to substantiate his contention that none of the candidates in the said list has been transferred. Time granted as prayed for.

3. S.O. to 4.8.2023. **Part Heard.**

VICE CHAIRMAN

ARJ ORAL ORDER 28.07.2023

**M.A. NO. 338/2023 WITH M.A. NO. 330/2023 IN O.A.
NO. 501/2023
(Nagnath N. Kamble Vs. State of Maharashtra & Ors.)**

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

DATE : 28.07.2023

ORAL ORDER :

Heard Shri Amol Patale, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. The applicant has filed the present Misc. Application seeking impleadment of one Shri S.S. Jadhav as party respondent in the O.A. The learned counsel for the applicant submitted that the application of said Shri Jadhav is under consideration for his transfer at Latur. The learned counsel submitted that since the applicant has also raised his claim to the said post at Latur, said S.S. Jadhav is necessary party in the matter.

3. Considering the submissions made by the learned counsel, the Misc. Application is allowed. There shall be no order as to costs.

4. Said S.S. Jadhav be impleaded as party respondent no. 5 in the O.A. The learned counsel shall provide complete address of said respondent on or before 2.8.2023. After the address is submitted by the learned

::-2-::

M.A. 338/23 WITH
M.A. 330/23 IN O.A. 501/23

counsel, notice be issued to said respondent, returnable on 11.8.2023.

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

6. 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.

7. 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.

8. 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.

9. S.O. to 11.8.2023.

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

VICE CHAIRMAN

ARJ ORAL ORDER 28.07.2023