

**M.A.NO.264/2021 IN O.A.ST.NO.955/2021
(Pradnya Medhe Vs. State of Maharashtra & Ors.)**

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri A.S.Deshmukh, learned Advocate for the Applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the Respondents.

2. This M.A. has been filed for permission to sue jointly. After getting briefing about the sum and substance of the matter, learned C.P.O. also consents for allowing M.A. for sue jointly. Therefore, relief prayed for in the M.A. in Clause 3.A) is granted. M.A. for sue jointly is allowed and disposed of accordingly with no order as to costs.

3. O.A. be registered and numbered after removing office objections, if any.

MEMBER (A)

**ORIGINAL APPLICATION ST.NO.955/2021
(Pradnya Medhe Vs. State of Maharashtra & Ors.)**

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri A.S.Deshmukh, learned Advocate for the Applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the Respondents.

2. Issue notice to the respondents, returnable on 28.10.2021.

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

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

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

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and

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O.A.ST.NO.955/2021

produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 28.10.2021.

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

MEMBER (A)

YUK ORAL ORDERS 28.09.2021

**O.A.NOS.860/2019, 861/2019, 862/2019,
863/2019 AND 864/2019
(Vitthal Desale & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri J.B.Choudhary, learned Advocate for the Applicants and Shri M.S.Mahajan, learned Chief Presenting Officer for the Respondents.

2. Learned CPO prays for time for compliance of order dated 31-08-2021. Time is granted.

3. S.O. to 08-10-2021.

MEMBER (A)

YUK ORAL ORDERS 28.09.2021

ORIGINAL APPLICATION NO.1048/2019
(Ramchandra Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

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

2. Learned P.O. submits that the office of the CPO has already communicated to the respondents the order passed by the Tribunal on 03-09-2021 and for compliance of the said order. He submits that inspite of alert given to them that heavy costs may be imposed on the respondents they have not yet filed reply.

3. In view of above situation, the respondent no.2 Superintending Engineer, Labh Kshetra Vikas Pradhikaran, Beed and respondent no.3 Executive Engineer, Latur Irrigation Division, Latur Division No.1 are hereby called upon to remain present personally and explain the situation on the 30-09-2021 as to why they failed to file reply else both of them will be saddled with heavy costs which would be recovered personally from their own pocket.

3. S.O. to 30-09-2021.

MEMBER (A)

**ORIGINAL APPLICATION NO.1099/2019
(Ramraje Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri K.G.Salunke, learned Advocate for the Applicant and Shri B.S.Deokar, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time for filing sur-rejoinder. Learned Advocate for the applicant consents to the same. Time is granted.

3. S.O. to 14-10-2021.

MEMBER (A)

ORIGINAL APPLICATION NO.88/2021
(Dr. Rajesh Kasralikar Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri Ashish B. Rajkar, learned Advocate for the Applicant and Smt. Deepali Deshpande, learned Presenting Officer for the Respondents.

2. Attention of respondent no.2 is being drawn to paragraph 8 of the order dated 17-02-2021, which reads as follows:

“8. In the meantime, respondents are directed to take review of the suspension in terms of G.R. G.R. dated 14-10-2011 (or relevant G.Rs.) and to approach the Tribunal on returnable date.”

3. However, this order is not complied with till date. Subsequent to this Government may have issued new resolutions and respondents may take into account the same and are directed to take review of the suspension order and incorporate result thereof in the affidavit in reply.

4. S.O. to 14-10-2021.

MEMBER (A)

ORIGINAL APPLICATION NO.169/2021
(Dr. Sonali Sayambar Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri V.B.Wagh, learned Advocate for the Applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the Respondents.

2. Learned Advocate Shri Wagh on instructions received from the applicant states that the applicant does not wish to prosecute the O.A. He therefore, prays for leave to withdraw the same. Leave as prayed for is granted.

3. Accordingly, O.A. stands disposed of as withdrawn with no order as to costs.

MEMBER (A)

ORIGINAL APPLICATION NO.364/2021
(Vinayak Kalambkar Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Shri V.S.Kadam, learned Advocate for the Applicant is **absent**. Smt. M.S.Patni, learned Presenting Officer for the Respondents is present.

2. None is present for the applicant.

3. Learned P.O. seeks time for filing affidavit in reply on behalf of the respondents. Time is granted.

4. S.O. to 29-10-2021.

MEMBER (A)

ORIGINAL APPLICATION NO.428/2021
(Pravin Gawande Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

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

2. Today, learned P.O. submitted two documents, one is notification of competent authority to transfer officer of SDAO rank and second is the note-sheet showing that the competent authority has approved the transfer of the applicant.

3. Learned Advocate Shri Deshmukh on instructions received from the applicant states that the applicant does not wish to prosecute the O.A. He therefore, prays for leave to withdraw the same. Leave as prayed for is granted.

4. Accordingly, O.A. stands disposed of as withdrawn with no order as to costs.

MEMBER (A)

ORIGINAL APPLICATION NO.116/2018
(Sanjay Deokate Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri S.D.Joshi, learned Advocate for the Applicant and Shri B.S.Deokar, learned Presenting Officer for the Respondents.

2. Learned P.O. prays for adjournment. Adjournment is granted.
3. S.O. to 05-10-2021.

MEMBER (A)

**ORIGINAL APPLICATION NO.723/2018
(Arjun Kolamre Vs. State of Maharashtra & Ors.)**

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri K.G.Salunke learned Advocate holding for Shri D.T.Dewane, learned Advocate for the Applicant and Smt. Deepali Deshpande, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant prays for adjournment. Adjournment is granted.

3. S.O. to 25-10-2021.

MEMBER (A)

ORIGINAL APPLICATION NO.546/2021
(Dipak Rohakale Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

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. Learned Advocate for the applicant draws my attention to order passed by the Tribunal on 16-09-2021. On plain reading of paragraph 4 & 5 of the same shows that learned Advocate requested for calling minutes of the meeting of Civil Services Board related to the impugned order of transfer and correspondence related to the same. Learned CPO agreed to same and stated that he will file it on 22-09-2021. However, no record has been presented comprising the minutes of the meeting of Civil Services Board and note-sheet approving impugned transfer order by the competent authority.

3. In view of the urgency in the matter and in the interest of justice Joint Secretary, Stamp Duty and Registration Shri Shridhar Dube-Patil is called upon to personally remain present with the minutes of the meeting of Civil Services Board and copy of notification indicating competent authority and note-sheet of competent authority approving the transfer on 30-09-2021.

4. S.O. to 30-09-2021.

MEMBER (A)

ORIGINAL APPLICATION NO. 832 OF 2018
(Shaikh Nasir Shaikh Miya Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

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

2. The learned Advocate for the applicant has produced on record the copy of compilation i.e. G.R. dated 31.01.1989, G.R. dated 28.10.1994, notification dated 08.08.2001, copy of Maharashtra Government Gazette dated 1.01.1998, G.R. dated 03.09.1999 and copies of letter dated 02.03.2021 and 16.03.2021. The same are taken on record and marked as document 'X' collectively for the purpose of identification.

3. The present matter is already part heard.

4. By consent of both the sides, S.O. to 8.10.2021 for hearing.

MEMBER (J)

**M.A.No.311 OF 2021 IN M.A.ST.NO.1330 OF 2021
IN O.A.NO.189 OF 2020
(Mamta S. Vispute Vs. State of Maharashtra & Ors.)**

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

DATE : 28.09.2021

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 05.10.2021 for order.

MEMBER (J)

ORIGINAL APPLICATION NO.367 OF 2019
(Arvind D. Sulakhe Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

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

2. The present matter is already part heard.
3. By consent of both the sides, S.O. to 08.10.2021 for hearing.

MEMBER (J)

M.A.NO.31 OF 2021 IN O.A.ST.NO.62 OF 2021
(Ramkisan J. Nampalle & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri Vaibhav B. Dhage, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. During the course of arguments it reveals that there is controversy about publishing the provisional seniority list.

3. In view of same, learned P.O. to produce on record the necessary documents to show that provisional seniority list was published and objections were called for.

4. The present matter is already part heard. S.O. to 22.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 407 OF 2020
(Dr. Yashwant S. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate holding for Shri Shamsundar B. Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 08.10.2021. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 1101 OF 2019
(Maruti I. Govindwar Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

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. Pleadings are complete. The matter is pertaining to compassionate pension. It is admitted and fixed for final hearing on 18.11.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 575 OF 2020
(Kondabai R. Ghadge & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri K.M. Nagarkar, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent no.3.
3. S.O. to 25.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 576 OF 2021
(Atmaram M. Raut Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

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

2. Learned Advocate for the applicant has produced the copies of salary slip for the month of December, 2019 and January, 2020. The same are taken on record and marked as document 'X' collectively for the purpose of identification.

3. Learned P.O. for the respondents has also produced the record the copy of drew and drawn statement. The same is taken on record and marked as document 'X-1' for the purpose of identification.

4. By consent of both the sides, S.O. to 29.09.2021 for order.

MEMBER (J)

ORIGINAL APPLICATION NO.426 OF 2021
(Dr. Abhishek A. Pendharkar Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

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., time is granted for filing affidavit-in-reply on behalf of the respondents.
3. The present matter be placed before the Single Bench of Hon'ble Shri Bijay Kumar, Member (A).
4. S.O. to 25.10.2021. Interim relief granted earlier to continue till next date.

MEMBER (J)

ORIGINAL APPLICATION NO. 193 OF 2021
(Dr. Govardhan S. Doifode Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate holding for Shri U.B. Bondar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of the respondent nos.1 to 4 is taken on record and copy thereof has been served on the other side.

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

4. S.O. to 26.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 172 OF 2021
(Baliram S. Pandule Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. S.O. to 26.10.2021. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 186 OF 2021
(Namdeo A. Fad Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

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

2. Learned P.O. for the respondents submits that affidavit-in-reply of respondent no.4 is necessary. Therefore, he seeks permission to file affidavit-in-reply of respondent no.4. Permission is granted.

3. Affidavit-in-reply filed on behalf of the respondent no.4 is taken on record and copy thereof has been served on the other side.

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

5. S.O. to 27.10.2021. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO.140 OF 2021
(Vishnu M. Misal Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

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

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

3. Record shows that pleadings are complete. The matter is pertaining to suspension. It is admitted and fixed for final hearing on 25.10.2021.

MEMBER (J)

Date : 28.09.2021
ORIGINAL APPLICATION NO.587/2021
(Pramod Narsude V/s State of Maharashtra & Ors.)

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

1. Shri A.B.Rajkar Id. Advocate for the applicant and Smt. Sanjivani Ghate Id. PO for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 29.10.2021. The case be listed for admission hearing on 29.10.2021.
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 Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

ORIGINAL APPLICATION NO. 184 OF 2020
(Govardhan B. Kawale Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri V.V. Gujar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The record shows that pleadings are complete. Admit.

3. The present case is fixed for final hearing on 23.11.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1057 OF 2019
(Jivan B. Thosar Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Shri Swapnil A. Deshmukh, learned Advocate for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondents, present.

2. Since none appears for the applicant, S.O. to 22.11.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 115 OF 2020
(Pravin S. Thakre Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

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

2. The learned Presenting Officer seeks time for filing affidavit in reply. Time granted.
3. S.O. to 28.10.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1021 OF 2019
(Dr. Prashant D. Warkari Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

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

3. S.O. to 27.10.2021.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 28.9.2021-HDD

C.P.NO. 29/2020 IN O.A.NO. 1014/2019
(Bade Ratanhari Shridhar Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

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

2. The learned Advocate for the applicant has filed rejoinder affidavit and the same is taken on record and copy thereof has been served on the learned Presenting Officer.

3. S.O. to 22.11.2021.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 28.9.2021-HDD

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

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri V.P. Golewar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. In view of communication dated 15.2.2019, Annexure 'A-6', page-34, addressed by respondent No. 4 – the Divisional Commissioner, Aurangabad to the respondent No. 5 – the Collector, Nanded, directing to take decision in accordance with the Government Resolutions dated 1.12.1995, 21.4.1999 & 25.6.2004, issue notice to the respondent No. 5 i.e. the Collector, Nanded, returnable on 16.11.2021.

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.

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**C.P.NO. 17/2021 IN
O.A.NO. 127/2017**

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 16.11.2021.

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

MEMBER (A)

MEMBER (J)

M.A.NO. 192/2021 IN O.A.NO. 258/2021
(Laxman N. Sormare Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant has filed rejoinder affidavit in O.A. No. 258/2021 and the same is taken on record and copy thereof has been served on the learned Presenting Officer.

3. S.O. to 22.11.2021. Interim relief granted earlier in M.A. No. 192/2021.

MEMBER (A)

MEMBER (J)

M.A.NO. 185/2021 IN O.A.NO. 257/2021
(Nanasaheb L. Gaikwad Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 2, 4 & 5 in M.A. No. 185/2021 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. The learned Advocate for the applicant has filed rejoinder affidavit and the same is taken on record and copy thereof has been served on the learned Presenting Officer.

3. S.O. to 22.11.2021. Interim relief granted earlier in M.A. No. 185/2021 to continue till then.

MEMBER (A)

MEMBER (J)

M.A.NO. 217/2020 IN O.A.ST.NO. 519/2020
(Dipak D. Joshi Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Ms. A.N. Ansari, learned Advocate for the applicant
(**absent**). Shri B.S. Deokar, learned Presenting Officer for
the respondents, present.

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

3. S.O. to 16.11.2021.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 28.9.2021-HDD

**MA 283/21 IN MA149/21 IN O.A.187/21 CP 14/21
(Vimal B. Navpute & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri D.K. Dagadkhair, learned Advocate for the applicant in M.A. No. 283/2021, Shri A.D. Gadekar, learned Advocate for the applicant in M.A. No. 149/2021, Shri V.R. Bhumkar, learned Presenting Officer for respondents and Shri A.S. Shelke, learned Advocate for the applicant in O.A. No. 187/2021.

2. The learned Advocate for the applicant in O.A. has filed affidavit in reply in M.A. No. 283/2021 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 14.10.2021. Interim relief granted earlier in O.A. No. 187/2021 to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 280 OF 2021
(Laxman H. Garud & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri Jiwan J. Patil, learned Advocate for the applicants, Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri Suresh D. Dhongde, learned Advocate for respondent No. 5. None appears for respondent No. 4 though duly served.

2. The record shows that the notice is issued to the respondents by an order dated 17.6.2021. Thereafter, the respondent No. 3 has filed affidavit in reply on 18.8.2021. Today, the learned Advocate for respondent No. 5 is seeking time for filing affidavit in reply. At this stage, learned Advocate for the applicants submits that the present case may be heard on merit for considering the interim relief. The record shows that the notices were already issued to the respondents and, therefore, the Government has already filed affidavit in reply. In our considered opinion that an opportunity should be granted as a

:: - 2 - :: O.A. NO. 280 OF 2021

last chance to the respondent No. 5 to file affidavit in reply and then consider the applicants' request for interim relief. Therefore, short time is granted.

3. S.O. to 20.10.2021.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 28.9.2021-HDD

ORIGINAL APPLICATION NO. 281 OF 2021
(Kusum M. Bhise & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri Jiwan J. Patil, learned Advocate for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3, Shri Vishal A. Bagdiya, learned Advocate for respondent No. 4 and Shri Amol G. Vasmatkar, learned Advocate for respondent No. 5.

2. The record shows that the notice is issued to the respondents by an order dated 17.6.2021. Thereafter, the respondent No. 3 has filed affidavit in reply on 18.8.2021. Today, the learned Advocate for respondent Nos. 4 & 5 are seeking time for filing their affidavit in reply. At this stage, learned Advocate for the applicants submits that the present case may be heard on merit for considering the interim relief. The record shows that the notices were already issued to the respondents and, therefore, the Government has already filed affidavit in reply. In our considered opinion that an opportunity should be granted as a

:: - 2 - :: O.A. NO. 281 OF 2021

last chance to the respondent Nos. 4 & 5 to file affidavit in reply and then consider the applicant's request for interim relief. Therefore, short time is granted.

3. S.O. to 20.10.2021.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 28.9.2021-HDD

ORIGINAL APPLICATION NO. 278 OF 2021
(Dr. Udaykumar D. Padhye Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time to respond the additional affidavit filed by the applicant. Time granted as a last chance.

3. S.O. to 8.10.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 255 OF 2021
(Ashwini M. Dudhbhate Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate for the applicant, Shri N.U. Yadav, learned 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 No. 5.

2. At the request of learned Advocates for the respondents, S.O. to 18.11.2021 for filing affidavit in reply.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 28.9.2021-HDD

ORIGINAL APPLICATION NO. 508 OF 2020
(Bhojane Sangita Prabhakar Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

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

2. Learned Presenting Officer seeks time for filing affidavit in reply. Time granted as a last chance.

3. S.O. to 18.11.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 81 OF 2020
(Sudarshan N. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri V.P. Golewar, learned Advocate holding for Shri M.B. Bharaswadkar, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply. Time granted as a last chance.

3. S.O. to 17.11.2021.

MEMBER (A)

MEMBER (J)

C.P.NO. 26/2020 IN O.A.NO. 772/2018
(Anil Suresh Barkul Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

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

2. Learned Presenting Officer has placed on record a copy of communication dated 22.9.2021 received to him from the office of respondent No. 3. It is taken on record and marked as document 'X' for the purpose of identification. It is thereby informed that the respondent No. 3 - Dilip Zalke, was transferred on 18.9.2020 to Nagpur and thereafter he is retired on 31.7.2021 from Government service. Moreover, respondent No. 2 - Sunil Ramanand, transferred from Pune to elsewhere, the applicant to take note of the same and to take necessary steps.

3. At the request of learned Presenting Officer, S.O. to 16.11.2021 for filing affidavit in reply.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 538/2021
(Sachin S. Pardeshi Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Shri J.S. Gangawane, learned Advocate for the applicant (**absent**). Smt. M.S. Patni, learned Presenting Officer for the respondents, is present.

2. In view of absence of the applicant and his learned Advocate, S.O. to 23.11.2021.

MEMBER(A)

MEMBER (J)

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

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicants in all the three matters and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all the three matters.

2. Learned C.P.O. placed on record today a short affidavit on behalf of the respondent nos. 1 & 2. It is taken on record and copy thereof has been supplied to other side. Learned C.P.O. is directed to place on record the authority letter issued to the Deponent, if any, to sworn the present short affidavit in order to avoid further inconvenience while reading the contents of this short affidavit by way of policy decision of the Government. He further submits that, if any extension is given to the Law Officers like that of the applicants in the present cases in other Regions, he would seek necessary instructions from the respondent nos. 1 & 2 in that regard.

4. S.O. to 7.10.2021.

MEMBER(A)

MEMBER (J)

ORIGINAL APPLICATION NO. 66/2018
(Dnyeshwar P. Kadam Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate along with Shri Kuldeep S. Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. During the course of the arguments the learned Advocate for the applicant was put a query of second advertisement and, on instructions, he submitted that the second advertisement for the post of Food Safety Officer after the advertisement dated 26.8.2015 is not published.

3. Closed for orders.

MEMBER(A)

MEMBER (J)

M.A. 16/2020 IN O.A. ST. 2416/2019
(Sunil L. Mali Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 21.10.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 76/2018
(Purushottam S. Andhale & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent nos. 1 & 2, Shri L.M. Kulkarni, learned Advocate for respondent nos. 3 to 6 and Shri S.R. Shirsat, learned Advocate for respondent nos. 7 to 9.

2. With the consent of both the sides, S.O. to 26.10.2021 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 142/2018
(Suresh L. Mohalkar Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

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

2. With the consent of both the sides, S.O. to 27.10.2021 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 384/2019
(Vinayak B. Kapse & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

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

2. With the consent of both the sides, S.O. to 11.10.2021 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 412/2019
(Mohd. Faiz Mohd. Ibrahim Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri Sushil Patil, learned Advocate holding for Shri D.R. Irale Patil, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. With the consent of both the sides, S.O. to 27.10.2021 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 582/2017
(Sanjay B. Kokate & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 28.09.2021

ORAL ORDER :

Heard Shri A.S. Shelke, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. With the consent of both the sides, S.O. to 11.10.2021.

MEMBER (A)

MEMBER (J)