

**ORIGINAL APPLICATION NO.431/2020
(Purushottam G. Khule Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.03.2022

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Advocate for the applicant, Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent nos.1 and 2, Shri S.P.Salgar, learned Advocate for respondent nos.3 to 5 and Shri S.D.Joshi, learned Advocate for respondent no.6.

2. Learned Counsel for the applicant intends to place on record written notes of arguments before the next date. The office shall accept such notes which are intended to be filed.

3. On the request of learned Counsel for the applicant, S.O. to 12-04-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.554/2021
(Harshal Yevle Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.03.2022

ORAL ORDER :

Shri Ravindra B. Ade, learned Advocate for the applicant is **absent**.

Shri M.P.Gude, learned Presenting Officer for the respondents is present.

2. S.O. to 05-05-2022.

MEMBER (A)

MEMBER (J)

**M.A.NO.358/2015 IN O.A.NO.238/2015
(Dinesh Joshi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.03.2022

ORAL ORDER :

Shri R.J.Godbole, learned Advocate for the applicant
is **absent**.

Shri V.R.Bhumkar, learned Presenting Officer for the
respondents is present.

2. S.O. to 04-05-2022.

MEMBER (A)

MEMBER (J)

**M.A.NO.162/2017 WITH M.A.NO.139/2017 IN
O.A.NO.136/2017
(Madhuri Banait Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.03.2022

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. When the present matter is taken up for consideration the learned CPO submits that the recruitment rules are framed and he may place the same rules in this matter on the next date.

3. S.O. to 07-04-2022.

MEMBER (A)

MEMBER (J)

**M.A.NO.82/2021 WITH M.A.ST.NO.276/2021 IN
O.A.NO.34/2011
(Bharat Sangale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.03.2022

ORAL ORDER :

Shri S.R.Kedar, learned Advocate for the applicant is
absent.

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

2. S.O. to 05-05-2022.

MEMBER (A)

MEMBER (J)

**M.A.NO.201/2021 WITH M.A.NO.159/2021 IN
O.A.NO.115/2018
(Nagnath Sawant & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.03.2022

ORAL ORDER :

Shri Ashish Rajkar, learned Advocate holding for Shri S.D.Joshi, learned Advocate for the applicants, Shri D.R.Patil, learned Presenting Officer for the respondent authorities and Shri Ajay Deshpande, learned Advocate for respondent nos.3 in O.A.No.115/2018, are present.

2. S.O. to 26-04-2022.

MEMBER (A)

MEMBER (J)

**M.A.NO.306/2021 IN O.A.ST.NO.1305/2021
(Kiransingh Pal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.03.2022

ORAL ORDER :

Shri Suchita Dhongde, learned Advocate for the applicant, Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities and Shri S.B.Mene, learned Advocate for respondent nos.3 and 4, are present.

2. At the request of learned Presenting Officer, as a most last chance, S.O. to 05-05-2022 for filing affidavit in reply on behalf of the respondents.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.918/2010
(Gayabai Pokale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.03.2022

ORAL ORDER :

Ms. T.B.Bhosale, learned Advocate holding for Mr. M.S.Bhosale, learned Advocate for the applicant, Mr. M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri N.E.Deshmukh, learned Advocate for respondent nos.3 to 6, are present.

2. At the request of learned Advocate for the applicant, S.O. to 29-04-2022 **High on Board.**

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.633/2012
(Sachin Unawane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.03.2022

ORAL ORDER :

Shri H.A.Joshi, learned Advocate for the applicant
and Shri M.S.Mahajan, learned Chief Presenting Officer for
the respondents, are present.

2. S.O. to 29-04-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.491/2013
(Devidas Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.03.2022

ORAL ORDER :

Shri Ashish Rajkar learned Advocate holding for Shri S.D.Joshi, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents, are present.

2. S.O. to 26-04-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.728/2013
(Prashant Jadhav & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 29.03.2022

ORAL ORDER :

Shri A.S.Deshmukh, learned Advocate for the applicant, Shri N.U.Yadav, learned Presenting Officer for the respondents, Shri G.K.Kshirsagar, learned Advocate for respondent no.16, Shri R.P.Dhase learned Advocate for respondent no.19 and Shri K.B.Jadhav learned Advocate for respondent nos.20 to 22, are present.

2. On the request of learned Presenting Officer, S.O. to 31-03-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.159/2016 WITH 31/2017
(Subhash Gutte Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.03.2022

ORAL ORDER :

Shri S.P.Dhoble, learned Advocate holding for Shri A.V.Patil-Indrale, learned Advocate for the common applicant in both cases and Shri S.K.Shirse, learned Presenting Officer for the respondents, are present.

2. On the request of learned Counsel appearing for the applicant, S.O. to 25-04-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.659/2019
(Vijay Suralkar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.03.2022

ORAL ORDER :

Shri Ram S. Shinde-Boralkar, learned Advocate for the applicant is **absent**.

Shri M.P.Gude, learned Presenting Officer for the respondents is present.

2. S.O. to 29-04-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.755/2019
(Dr. Prashant Suryavanshi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 29.03.2022

ORAL ORDER :

Shri M.R.Kulkarni, learned Advocate for the applicant
is **absent**.

Smt. M.S.Patni, learned Presenting Officer for the
respondents is present.

2. S.O. to 29-04-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.293/2019
(Babasaheb Pagare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 29.03.2022

ORAL ORDER :

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

2. S.O. to 08-04-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 112 OF 2022
(Bharat D. Raut Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant filed rejoinder affidavit to the affidavit in reply filed by the respondent Nos. 1 to 3. Same is taken on record and copy thereof has been served on the other side.

3. Learned Advocate for the applicant submits that the present matter being transfer matter, the original record would be necessary.

4. Learned Presenting Officer submits that he would produce original record at the time of hearing.

5. S.O. to 19.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 76 OF 2020
(Shantabai G. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri R.B. Deshmukh, 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 26.04.2022.

MEMBER (J)

KPB ORAL ORDERS 29.03.2022

**M.A. No. 303/2020 in O.A. St. No. 1051/2020
(Bhagyashri N. Boinwad Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

Shri A.D. Hande, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 29.04.2022 for passing necessary order.

MEMBER (J)

KPB ORAL ORDERS 29.03.2022

**ORIGINAL APPLICATION NO. 802 OF 2021
(Ranjana B. Solat Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 11.04.2022.

MEMBER (J)

KPB ORAL ORDERS 29.03.2022

ORIGINAL APPLICATION NO. 286 OF 2022
(Shrikant V. Mundhe Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks permission to withdraw the present Original Application.

3. I have no reason to refuse the permission. Hence, permission to withdraw the present Original Application is granted. The O.A. stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 05 OF 2021
(Dr. Kalimoddin Ajit Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri R.R. Bangar, learned Advocate holding for Shri I.D. Maniyar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Pleadings are complete. The present matter is pertaining to pay protection / arrears. Hence, the O.A. is admitted and it be kept for final hearing on 04.05.2022.

MEMBER (J)

KPB ORAL ORDERS 29.03.2022

ORIGINAL APPLICATION NO. 302 OF 2020
(Rajesh M. Choudhary Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri R.R. Bangar, learned Advocate holding for Shri I.D. Maniyar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 04.05.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 29.03.2022

ORIGINAL APPLICATION NO. 317 OF 2020
(Emam Najir Mirza Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri R.R. Bangar, learned Advocate holding for Shri I.D. Maniyar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 04.05.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 29.03.2022

ORIGINAL APPLICATION NO. 180 OF 2021
(Chandrashekhar S. Kulthe Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

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

2. Pleadings up to rejoinder affidavit are complete. The present matter is pertaining to minor punishment and recovery. Hence, the O.A. is admitted and it be fixed for final hearing on 04.05.2022.

MEMBER (J)

KPB ORAL ORDERS 29.03.2022

**M.A. 138/2020 in M.A. 89/2019 in O.A. ST. 43/2019
(Gunjaji D. Rathod Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

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

2. By this Misc. Application No. 138/2020, the applicant is seeking restoration of M.A. No. 89/2019 in O.A. St. No. 43/2019, which was dismissed in default by the order dated 03.03.2020.

3. The M.A. No. 89/2019 was filed by the applicant seeking condonation of delay caused in filing the accompanying O.A. seeking relief against recovery.

4. The present M.A. No. 138/2020 is made on or about 06.03.2020 i.e. within three days.

5. Learned Presenting Officer opposed the present Misc. Application.

6. Considering the marginal delay of three days, in my considered opinion, this is a fit case to restore the M.A. No. 89/2019 in O.A. St. No. 43/2019 by setting

//2// MA 138/2020 in MA 89/2019
in OA St. 43/2019

aside the order of dismissal dated 03.03.2020. Hence, I
proceed to pass following order :-

ORDER

1. M.A. No. 138/2020 is allowed.
2. M.A. No. 89/2019 in O.A. St. No. 43/2019 is restored to file under it's original number by setting aside the order of dismissal dated 03.03.2020.
3. Accordingly, M.A. No. 138/2020 stands disposed of with no order as to costs.

MEMBER (J)

M.A. No. 89/2019 in O.A. St. No. 43/2019
(Gunjaji D. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

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

2. S.O. to 27.04.2022.

MEMBER (J)

KPB ORAL ORDERS 29.03.2022

M.A. No. 173/2020 in O.A. St. No. 576/2020
(Prakash M. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

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

2. The present matter is to be treated as part heard.
3. By consent of both the sides, S.O. to 11.04.2022.

MEMBER (J)

KPB ORAL ORDERS 29.03.2022

M.A. No. 174/2020 in O.A. St. No. 574/2020
(Dnyanoba W. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

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

2. The present matter is to be treated as part heard.
3. By consent of both the sides, S.O. to 11.04.2022.

MEMBER (J)

KPB ORAL ORDERS 29.03.2022

**M.A. No. 172/2020 in O.A. St. No. 578/2020
(Ashok S. Shelke Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

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

2. The present matter is to be treated as part heard.
3. By consent of both the sides, S.O. to 11.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 238 OF 2022
(Rajabai R. Kawadikar Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

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

2. Issue notice to the respondents, returnable on 29.04.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 29.04.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 239 OF 2022
(Surajkumar N. Vanje Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

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

2. Issue notice to the respondents, returnable on 29.04.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 29.04.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 484 OF 2021
(Shrimant M. Ubale Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The present matter has already been treated as part heard.
3. By consent of both the sides, S.O. to 05.04.2022.

MEMBER (J)

KPB ORAL ORDERS 29.03.2022

**ORIGINAL APPLICATION NO. 506 OF 2021
(Ranjana A. Barde Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. The present matter has already been treated as part heard.
3. By consent of both the sides, S.O. to 05.04.2022.

MEMBER (J)

KPB ORAL ORDERS 29.03.2022

ORIGINAL APPLICATION NO. 939 OF 2016
(Rajendra B. Salvi Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri Dilip Mutalik, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 05.05.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 29.03.2022

ORIGINAL APPLICATION NO. 253 OF 2019
(Laxmikant M. Bhoskar Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Shri R.N. Bharaswadkar, learned Advocate for the applicant (**Leave Note**). Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 22.04.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 29.03.2022

ORIGINAL APPLICATION NO. 564 OF 2019
(Vijay M. Lad Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri D.T. Devane, learned Advocate for respondent No. 5.

2. By consent of all the parties, S.O. to 05.05.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 56 OF 2020
(Anil S. Barkul Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Shri K.D. Khade, learned Advocate for the applicant (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 05.05.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 225 OF 2020
(Subhash M. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 3. Shri K.J. Suryawanshi, learned Advocate for respondent Nos. 4 & 6 (**Absent**).

2. By consent of both the sides, S.O. to 07.04.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 29.03.2022

ORIGINAL APPLICATION NO. 522 OF 2021
(Ravindra D. Raut Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 08.04.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 29.03.2022

ORIGINAL APPLICATION NO. 629 OF 2021
(Dr. Archana V. Bhosle Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 08.04.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 29.03.2022

ORIGINAL APPLICATION NO. 761 OF 2021
(Pradeep B. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri N.N. Desale, learned Advocate for respondent No. 3.

2. By consent of both the sides, S.O. to 04.05.2022 for final hearing.

3. Interim relief granted earlier to continue till then.

MEMBER (J)

DATE : 29.03.2022

ORIGINAL APPLICATION NO. 292 OF 2022

(Ramkishan C. Mavai Vs. The State of Maharashtra & Ors.)

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

1. Shri P.D. Bodade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 28.04.2022. The case be listed for admission hearing on **28.04.2022**.
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

ORIGINAL APPLICATION NO. 567 OF 2017
(Bebabai P. Koli (Sapkale)Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri P.H. Patil, learned Advocate holding for Shri Vinod P. Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. S.O. to 22.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 55 OF 2019
(Bhimrao G. Bramahane Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri P.H. Patil, learned Advocate holding for Shri P.B. Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 to 4.

3. S.O. to 21.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 88 OF 2019
(Kashinath G. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Ms. Tejal Mankar, learned Advocate holding for Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Record shows that the pleadings upto affidavit-in-rejoinder are complete.

3. The matter is pertaining to deemed date of promotion in the cadre of Senior Assistant. It is admitted and fixed for final hearing.

4. S.O. to 22.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 358 OF 2019
(Prem H. Kagade Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Shri J.M. Murkute, learned Advocate for the applicant, is **absent**. Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 25.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 489 OF 2019
(Vinod R. Kandere Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Shri J.M. Murkute, learned Advocate for the applicant, is **absent**. Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 25.04.2022 for filing affidavit-in-rejoinder.

MEMBER (J)

ORIGINAL APPLICATION NO. 568 OF 2019
(Dnyanoba K. Oval Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri D.T. Devane, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Record shows that the affidavit-in-reply is filed only on behalf of the respondent No.3.

3. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of the respondent Nos.1 & 2.

4. S.O. to 22.4.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 1090 OF 2019
(Suresh B. Sonwane Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant produced on record the appointment letter of the applicant dated 01.02.2022 whereby the applicant has been appointed on the post of Sweeper on compassionate ground and the applicant has joined on the same date. The said appointment letter and joining report are taken on record and are placed at page Nos.48, 49 and 50 of Paper Book.

3. In view of above, the grievance raised by the applicant said to have been redressed. Hence, the Original Application stands disposed of with no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 197 OF 2020
(Vijay R. Suryawanshi Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent No.5.

3. S.O. to 22.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 456 OF 2020
(Parvatibai B. Mali Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

Shri V.B. Dhage, learned Advocate for the applicant, is **absent**. Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. As none present on behalf of the applicant, S.O. to 25.04.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

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

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri P.H. Patil, learned Advocate holding for Shri Vinod P. Patil, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Record shows that the affidavit-in-reply is filed only on behalf of the respondent No.4.
3. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 to 3.
4. S.O. to 25.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 544 OF 2020
(Dhanraj B. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri Yogesh H. Jadhav, learned Advocate holding for Shri Girish Nagori, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 25.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 545 OF 2020
(Dayanand U. Rajgiri Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

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

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

3. S.O. to 25.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 52 OF 2021
(Dr. Rekha G. Gaikwad Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos.1 & 2 and Shri S.B. Solanke, learned Advocate for the respondent Nos.3 & 4. None present on behalf of the respondent No.5, though duly served.

2. Learned P.O. submits that the impugned order is appealable as per Rule 11 of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and therefore she would file short affidavit raising preliminary objection of maintainability of the Original Application.

3. Leaned Advocate for the respondent Nos.3 & 4 seeks time for filing affidavit-in-reply. Time is granted.

4. S.O. to 22.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 97 OF 2021
(Shahaji W. Surwase Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

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

2. Record shows that the affidavit-in-reply is filed only on behalf of the respondent No.2.

3. Since the affidavit-in-reply on behalf of respondent No.2 is filed service affidavit is dispensed with.

4. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent No.1.

5. S.O. to 25.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 464 OF 2021
(Vilas K. Hiwale Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of the respondent Nos.3 & 4 is taken on record and copy thereof has been served on the 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 & 2.
4. S.O. to 25.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 512 OF 2021
(Usha A. Gaikwad Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

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

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

3. S.O. to 22.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 541 OF 2021
(Dr. Mangesh M. Ghodke Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent Nos.1 to 3. Nobody present on behalf of the respondent No.4, though duly served.

2. At the request of the learned P.O., one more last chance is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 to 3.

3. S.O. to 18.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 548 OF 2021
(Rajendra M. Gunjal Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri A.T. Jadhavar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Record shows that the applicant was allowed to amend the Original Application bringing on record subsequent event. However the amendment is not carried out.
3. Affidavit-in-reply to Original Application is filed on behalf of the respondent Nos.1 to 3.
4. Learned Advocate for the applicant seeks one week's time to carry out the amendment. Time is granted.
5. The applicant to serve the amended copy of the Original Application on the other side.
6. S.O. to 18.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 558 OF 2021
(Prakash S. Aghav Patil Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. S.O. to 22.04.2022 for admission. Interim relief granted earlier to continue till then.

MEMBER (J)

SAS ORAL ORDERS 29.03.2022

ORIGINAL APPLICATION NO. 575 OF 2021
(Dr. Sonali T. Gadhawe Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Shri Mayur Salunke, learned Advocate for the applicant, is **absent**. Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. S.O. to 19.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 599 OF 2021
(Bhima D. Chavan & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri Yogesh H. Jadhav, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks one week's time to carry out correction in the Original Application which was allowed by order dated 28.02.2022.

3. Learned P.O. for the respondents seeks time for filing affidavit-in-reply as one more last chance. Time is granted.

4. S.O. to 22.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 612 OF 2021
(Dr. Arun B. MoraleVs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri Suresh P. Salgar, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent Nos.1 & 2 and Shri Pramod Pisal, learned Advocate for the respondent Nos.3 to 5.

2. Record shows that the affidavit-in-reply is already filed on behalf of the respondent Nos.3 to 5.

3. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 & 2.

4. S.O. to 25.04.2022. Interim relief granted earlier to continue till then.

MEMBER (J)

**ORIGINAL APPLICATION NO. 811 OF 2021
(Milind B. Gaikwad Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri S.B. Solanke, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos.1 to 6 and Shri S.B. Jadhav, learned Advocate for the respondent No.7.

2. Learned Advocate for the applicant submits that the notices are duly served upon the respondent Nos.2,3 6 and 7 and he would file requisite service affidavit during the course of the day.

3. On his request, issue fresh notice to the respondent Nos.1,4 and 5, returnable on 26.04.2022

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

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

//2//

O.A.811/2021

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

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

8. At the request of the learned P.O. for the respondent Nos.2,3 & 6 and learned Advocate for the respondent No.7, time is granted for filing affidavit-in-reply.

9. S.O. to 26.04.2022.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 821 OF 2021
(Meena L.Gaikwad & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri P.V. Suryawanshi, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 06.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 822 OF 2021
(Anita D. Damodar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri P.V. Suryawanshi, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. S.O. to 06.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.03.2022

ORIGINAL APPLICATION NO. 823 OF 2021
(Sunil B. Sangewar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri P.V. Suryawanshi, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 06.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.03.2022

ORIGINAL APPLICATION NO. 824 OF 2021
(Premal U. Hanumante & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri P.V. Suryawanshi, learned Advocate for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondents.

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

3. S.O. to 06.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.03.2022

ORIGINAL APPLICATION NO. 825 OF 2021
(Datta B. Jadhav & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri P.V. Suryawanshi, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents.

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

3. S.O. to 06.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 214 OF 2022
(Balasaheb A. Awdhut Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

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

2. Await service of notice on the respondents.

3. At the request of the learned Advocate for the applicant, S.O. to 26.04.2022 for filing service affidavit.

MEMBER (J)

**M.A.NO.556 OF 2019 IN O.A.ST.NO.1846 OF 2019
(Sambhaji R. Suryawanshi Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

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

2. At the request of the learned P.O., one more last chance is granted for filing affidavit-in-reply on behalf of the respondents failing which the matter will proceed in accordance with law.

3. S.O. to 25.04.2022 for hearing.

MEMBER (J)

**M.A.NO.558 OF 2019 IN O.A.ST.NO.1845 OF 2019
(Datta L. Sangvikar Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that the applicant does not wish to file affidavit-in-rejoinder.
3. S.O. to 25.04.2022 for hearing.

MEMBER (J)

**M.A.NO.286 OF 2020 IN O.A.ST.NO.1059 OF 2020
(Prabhakar M. Kawathekar Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri Ganesh J. Kore, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.
3. S.O. to 29.04.2022.

MEMBER (J)

**M.A.NO.287 OF 2020 IN O.A.ST.NO.1061 OF 2020
(Bhalchandra P. Dharurkar Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri Ganesh J. Kore, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Record shows that the affidavit-in-reply is already filed on behalf of the respondent No.2 in M.A.
3. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent No.1, if necessary.
4. S.O. to 29.04.2022.

MEMBER (J)

**M.A.NO.289 OF 2020 IN O.A.ST.NO.1065 OF 2020
(Pandharenath B. Dhorge Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri Ganesh J. Kore, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

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

3. S.O. to 29.04.2022.

MEMBER (J)

**M.A.NO.290 OF 2020 IN O.A.ST.NO.1067 OF 2020
(Vilas V. Sathe Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

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

2. Record shows that the affidavit-in-reply is already filed on behalf of the respondent Nos.1 and 2 in M.A.
3. S.O. to 29.04.2022.

MEMBER (J)

SAS ORAL ORDERS 29.03.2022

**M.A.NO.291 OF 2020 IN O.A.ST.NO.1070 OF 2020
(Jilani A. Shaikh Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri Ganesh J. Kore, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent No.1 and Shri Suresh D. Dhongde, learned Advocate for the respondent No.2.

2. At the request of the learned Advocate for the respondent No.2, time is granted for filing affidavit-in-reply.

3. S.O. to 29.04.2022.

MEMBER (J)

**M.A.NO.292 OF 2020 IN O.A.ST.NO.1072 OF 2020
(Shaikh Rahim Shiakh Chand Vs. State of Maharashtra &
Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri Ganesh J. Kore, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Record shows that the affidavit-in-reply is already filed on behalf of the respondent Nos.1 and 2 in M.A.

3. S.O. to 29.04.2022.

MEMBER (J)

SAS ORAL ORDERS 29.03.2022

**M.A.NO.312 OF 2020 IN O.A.ST.NO.1351 OF 2020
(Ajgar Ali Mohiddin Shaikh Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri Ganesh J. Kore, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Record shows that the affidavit-in-reply is already filed on behalf of the respondent Nos1 and 2 in M.A.

3. S.O. to 29.04.2022.

MEMBER (J)

SAS ORAL ORDERS 29.03.2022

**M.A.NO.18 OF 2021 IN O.A.ST.NO.64 OF 2021
(Asef Aslam Shaikh Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri R.R. Bangar, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent No.1 and Shri Suresh D. Dhongde, learned Advocate for the respondent Nos.2 & 3.

2. On the request made on behalf of the respondents, time is granted for filing affidavit-in-reply.

3. S.O. to 29.04.2022.

MEMBER (J)

M.A.NO.136 OF 2021 IN O.A.ST.NO.397 OF 2021
(Dinesh R. Choudhari Vs. State of Maharashtra & Ors.)

WITH

M.A.NO.137 OF 2021 IN O.A.ST.NO.399 OF 2021
(Dinesh R. Choudhari Vs. State of Maharashtra & Ors.)

WITH

M.A.NO.138 OF 2021 IN O.A.ST.NO.401 OF 2021
(Dinesh R. Choudhari Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Shri Sanjay N. Pagare, learned Advocate for the applicants in all these matters, is **absent**. Heard Shri D.R. Patil and Smt. Deepali S. Deshpande, respective learned Presenting Officers and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in respective matters.

2. At the request of the learned P.Os. and learned C.P.O., time is granted for filing affidavit-in-reply on behalf of the respondents in all these M.As.

3. S.O. to 26.04.2022.

MEMBER (J)

**M.A.NO.148 OF 2021 IN O.A.ST.NO.481 OF 2021
(Anita P. Gitey Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

Shri Shirsat S. Bhaskar, learned Advocate for the applicant, is **absent**. Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.
3. S.O. to 26.04.2022.

MEMBER (J)

**M.A.NO.164 OF 2021 IN O.A.ST.NO.580 OF 2021
(Nilesh S. Salve Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

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

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.
3. S.O. to 26.04.2022.

MEMBER (J)

SAS ORAL ORDERS 29.03.2022

**M.A.NO.196 OF 2021 IN M.A.ST.NO.780 OF 2021 IN
O.A.ST.NO.1351 OF 2020
(Harishchandra B. Bhujbal Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

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

2. Await service of notice on the respondents.
3. At the request of the learned Advocate for the applicant, S.O. to 29.04.2022 for filing service affidavit.

MEMBER (J)

**M.A.NO.227 OF 2021 IN O.A.ST.NO.901 OF 2021
(Anil V. Mahajan Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

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

2. Record shows that the affidavit-in-reply is already filed on behalf of the respondent Nos.1 to 4.
3. Learned Advocate for the applicant received the copy of it today.
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 26.04.2022.

MEMBER (J)

**M.A.NO.400 OF 2021 IN O.A.NO.701 OF 2021
(Vijay E. Sonune Vs. State of Maharashtra & Ors.)**

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

DATE : 29.03.2022

ORAL ORDER :

Shri N.D. Sonavane, learned Advocate for the applicant in the present M.A./intervenor, is **absent**. Heard Shri Dinesh Kakde, learned Advocate for the respondent No.1/applicant in O.A. and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos.2 to 5.

2. On the request made on behalf of the respondents, time is granted for filing affidavit-in-reply.

3. S.O. to 19.04.2022. Interim relief granted earlier in O.A. No.701/2021 to continue till then.

MEMBER (J)

M.A.NO.79 OF 2022 IN O.A.ST.NO.216 OF 2022
(Sahebrao C. Shinde & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 29.03.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.
3. S.O. to 20.04.2022.

MEMBER (J)

M.A. 420/2019 IN O.A. 723/2019
(Smt. Pallavi V. Ligade Vs. State of Maharashtra & Ors.)
WITH
M.A. 415/2019 IN O.A. 723/2019
(Shri Shivanand S. Bidve & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **29.3.2022**

ORAL ORDER :

Heard Shri V.B. Wagh, learned Counsel for the applicant in M.A. No. 420/2019, Shri K.G. Salunke, learned Counsel for the applicants in M.A. No. 415/2019 and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in both the Misc. Applications.

2. The learned Counsel, on instructions, seek leave of the Tribunal to withdraw both the Misc. Applications. Hence, the following order :-

ORDER

Both Misc. Applications stand disposed of since withdrawn with no order as to costs.

MEMBER (A)

MEMBER (J)

**O.A. NO. 112/2020 WITH M.A. 426/2021
(Shital B. Tarate Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.3.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. The learned Counsel for the applicant has tendered across the bar the pursis under the signature of the applicant. The same is taken on record. The learned Counsel submits that since now the fresh seniority list has been published, present O.A. has become infructuous and if so required, the applicant may prefer fresh O.A. challenging the fresh seniority list.

3. It is observed that the applicant had filed this Misc. Application No. 426/2021 in O.A. No. 112/2020 on 22.12.2021 with a prayer that order dated 27.02.2020 passed by this Hon'ble Tribunal in O.A. No. 112/2020 may be recalled. Therefore, the learned Counsel for applicant was asked whether cause of action in M.A. no. 426/2021 in O.A. No. 112/2020 exists or not. The learned Counsel for the applicant clarified that the cause of action on the basis of which M.A. 426/2021 in O.A. 112/2020 has been

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**O.A. NO. 112/2020 WITH
M.A. 426/2021**

filed does not continue to exist. He further submitted that the applicant may prefer fresh O.A. challenging final seniority list based on all together new facts and therefore the present M.A. No. 426/2021 in O.A. No. 112/2020 may be allowed to be withdrawn.

4. With the observations as above, present O.A. & M.A. stand disposed of as withdrawn with no order as to costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 418/2018
(Kavita T. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **29.3.2022**

ORAL ORDER :

Heard Shri V.B. Wagh, learned Counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri C.V. Bodkhe, learned Counsel holding for Shri R.V. Gore, learned Counsel for respondent no. 2.

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

ORDER

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 439/2022
(Priyanka M. Warale Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION ST. NO. 440/2022
(Alka N. Bhutekar Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION ST. NO. 441/2022
(Aswini Y. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **29.3.2022**

ORAL ORDER :

Heard Shri P.S. Anerao, learned Counsel for the applicants in all these matters and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these matters. .

2. The learned Counsel for the applicants, on instructions, seek leave of the Tribunal to withdraw the present Original Applications with liberty to file the said applications at the Principal Bench of this Tribunal at Mumbai. In view of above, following order is passed :-

ORDER

All these Original Applications are permitted to be withdrawn with liberty to file the same at Principal Bench of this Tribunal at Mumbai.

MEMBER (A)

MEMBER (J)

**O.A. NOS. 98, 141, 142, 181, 200, 205, 206, 207, 208
WITH O.A. 101/2022
(Sunil B. Rajemod & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.3.2022

ORAL ORDER :

S/shri S.B. Patil, V.B. Wagh, S.S. Kulikarni & M.S. Karad, learned Counsel for the applicants in respective matters and S/shri M.S. Mahajan, M.P. Gude & Smt. Deepali S. Deshpande, learned Chief Presenting Officer & learned Presenting Officers for the respondents in respective matters, are present.

2. On request of learned C.P.O. / P.O.s one week time is granted by way of last chance to submit affidavit in replies of the respective respondents.

3. S.O. to 6.4.2022. All these matters be tagged together.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 436/2017
WITH T.A. 3/2021 (W.P. 3742/2021)
(Shreya B. Momode Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.3.2022

ORAL ORDER :

Ms. Pradnya Talekar, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in both the matters, are present.

2. After having heard the learned Counsel appearing for the applicant in both the matters and learned C.P.O. for the respondents, it is noticed that the marks received by the present applicant in the final examination must come on record for deciding the present applications. We, therefore, direct the M.P.S.C. to declare the result of the present applicant of final examination and place the said result on record of the Tribunal by the next date.

3. S.O. to 5.4.2022. **High on Board.**

MEMBER (A)

MEMBER (J)

T.A. 1/2018 (W.P. 15249/2017)
(Chanda R. Hingole Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 29.3.2022

ORAL ORDER :

Shri S.D. Joshi, learned Counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. The learned Counsel for the applicant has placed on record the written notes of arguments along with copies of judgments relied on by him. The same is taken on record and copy thereof has been supplied to the learned Presenting Officer. The learned P.O. seeks time to go through the written notes of arguments. Short adjournment is asked on that ground. Granted.

3. S.O. to 31.3.2022. **High on Board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 762/2018
(Sahebrao D. Deshmukh & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **29.3.2022**

ORAL ORDER :

Shri S.D. Joshi, learned Counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 29.4.2022. **High on Board.**

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 488/2019
(Anil T. Patil & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.3.2022

ORAL ORDER :

Shri S.D. Kotkar, learned Counsel for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 29.4.2022 for filing rejoinder affidavit.

MEMBER (A)

MEMBER (J)

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

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **29.3.2022**

ORAL ORDER :

Shri A.S. Deshmukh, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing affidavit in reply of the respondents. Time granted.

3. S.O. to 6.4.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 293/2021
(Dr. Khan Bushra Sultana Ataullah Khan Vs. State of
Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **29.3.2022**

ORAL ORDER :

Shri J.S. Deshmukh, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing affidavit in reply of the respondents. Time granted.

3. S.O. to 22.4.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 294/2021
(Dr. Shaikh Kaleem Mustafa Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **29.3.2022**

ORAL ORDER :

Shri J.S. Deshmukh, learned Counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing affidavit in reply of the respondents. Time granted.

3. S.O. to 22.4.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 295/2021

(Dr. Zohra S. Ataulah Khan Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.3.2022

ORAL ORDER :

Shri J.S. Deshmukh, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing affidavit in reply of the respondents. Time granted.

3. S.O. to 22.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 598/2021
(Bramhdev M. Latpate Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.3.2022

ORAL ORDER :

Smt. Suchita A. Dhongde, learned Counsel holding for Shri S.S. Dhongde, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing affidavit in reply of the respondents. Time granted.

3. S.O. to 6.5.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 676/2021
(Navnath J. Kachare Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **29.3.2022**

ORAL ORDER :

Shri A.B. Rajkar, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. In the present matter due opportunities are availed for filing affidavit in reply, however, till today the affidavit in reply is not filed.

3. In the circumstances, list the matter for hearing on 28.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 792/2021
(Rajendra B. Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.3.2022

ORAL ORDER :

Shri K.B. Jadhav, learned Counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing affidavit in reply of the respondents. Time granted.

3. S.O. to 6.5.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 28/2022
(Girish A. Bibave & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 29.3.2022

ORAL ORDER :

Shri P.G. Tambde, learned Counsel holding for Shri S.S. Jadhavar, learned Counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought time for filing affidavit in reply of the respondents. Time granted.

3. S.O. to 12.4.2022.

MEMBER (A)

MEMBER (J)

**REV. ST. 211/2022 IN O.A. 490/2021
(Ninad A. Lande Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.3.2022

ORAL ORDER :

Shri H.H. Padalkar, learned Counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 to 3 and Shri Avinash Khedkar, learned Counsel for respondent nos. 4 & 5 in the present Review Application / applicant in O.A., are present.

2. The learned Counsel for the applicant submits that rejoinder will be filed during the course of the day. The learned Counsel for respondent nos. 4 & 5 submits that this matter may be taken up immediately for hearing.

3. List the matter for further consideration on 12.4.2022. The interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

M.A. 93/2017 IN O.A. ST. 1452/2014
(Manjushree B. Deshpande Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **29.3.2022**

ORAL ORDER :

Shri H.A. Joshi, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. Await service of notice on the respondents.
3. S.O. to 5.5.2022.

MEMBER (A)

MEMBER (J)

M.A. 35/2018 IN O.A. ST. 97/2018
(Nilesh R. Tagad Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **29.3.2022**

ORAL ORDER :

Shri P.G. Tambde, learned Counsel holding for Shri S.S. Jadhavar, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present. Shri M.B. Kolpe, learned Counsel for respondent no. 2 (**absent**).

2. For compliance S.O. to 6.5.2022.

MEMBER (A)

MEMBER (J)

M.A. 90/2020 IN O.A. 1067/2019
(Prakash S. Pawar Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **29.3.2022**

ORAL ORDER :

Shri Dhananjay Mane, learned Counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. The learned Presenting Officer has sought time for filing affidavit in reply of the respondents. Time granted.

3. S.O. to 6.5.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 800/2018
(Dr. Kirankumar I. Bondar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 29.3.2022

ORAL ORDER :

Shri V.M. Chate, learned Counsel for the applicant
(**absent**). Shri M.S. Mahajan, learned Chief Presenting
Officer for the respondent authorities, is present.

2. S.O. to 5.5.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 249/2019
(Ashok R. Khandagale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.3.2022

ORAL ORDER :

Shri S.R. Sapkal, learned Counsel for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 10.5.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 943/2019
(Dattu G. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 29.3.2022

ORAL ORDER :

Shri G.R. Jadhav, learned Counsel holding for Shri A.S. Shelke, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. The learned Counsel for the applicant has tendered across the bar rejoinder affidavit. It is taken on record and copy thereof has been supplied to the learned P.O.

3. S.O. to 5.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 140/2020
(Shrikant K. Bhale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.3.2022

ORAL ORDER :

Shri H.A. Joshi, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. With consent of both the sides, S.O. to 29.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 218/2021
(Mohammad Husain Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.3.2022

ORAL ORDER :

Shri V.Y. Bhise, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. At the request of learned Counsel for the applicant, S.O. to 4.5.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 42/2018
(Tukaram P. Bondre Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **29.3.2022**

ORAL ORDER :

Shri R.N. Bharaswadkar, learned Counsel for the applicant (**leave note**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. For hearing, S.O. to 2.5.2022.

MEMBER (A)

MEMBER (J)

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

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.3.2022

ORAL ORDER :

Shri Avinash S. Deshmukh, learned Counsel for the applicants in all the matters and Shri M.P. Gude, learned Presenting Officer for the respondent authorities in all these matters, are present.

2. When the present matters are taken up for hearing before commencing the arguments in the matter the learned Counsel for the applicants sought leave to delete the prayer clauses and substitute it with fresh prayer clauses in consonance with the pleadings in O.A. Leave granted as prayed for. The necessary amendment be carried out by tomorrow.

3. S.O. to 30.3.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 638/2018
(Rajkumar D. Barwal Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **29.3.2022**

ORAL ORDER :

Shri B.V. Thombre, 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 Counsel for the applicant, S.O. to 30.3.2022 for hearing.

MEMBER (A)

MEMBER (J)

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

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 29.3.2022

ORAL ORDER :

Ms. Pradnya Talekar, learned Counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 7.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 330 OF 2020
(Dilip Tribhuvan & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.3.2022

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present. Shri Satyajeet J. Rahate, learned counsel for respondent Nos. 4, 5, 6, 9, 10, 12, 14 & 15 (**absent**).

2. S.O. to 22.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 738 OF 2016
(Amol Devidas Bedse Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.3.2022

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri Suresh Pidgewar, learned counsel holding for Shri N.L. Choudhary, learned counsel for respondent No. 4, are present. None appears for respondent No. 5

2. S.O. to 4.4.2022. The present case be treated as part heard.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 331 OF 2020
(Santosh Bansi Jadhav Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.3.2022

ORAL ORDER :

Heard Shri Satish P. Dhoble, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. In the present Original Application the applicant is seeking quashment of the charge-sheet served upon him on the ground that the same has not been issued by the appointing authority but a person subordinate to the said authority. The reliance is placed on Article 311(2) of the Constitution of India. According to the applicant, his appointing authority is Chief Conservator of Forest (Regional) Yawatmal, whereas the charge-sheet has been issued by the Divisional Forest Officer, Beed.

3. The contention so raised is opposed by the respondents. Learned Presenting Officer has submitted that the Deputy Conservator of Forest is the appointing authority for the Forest Guards. Our attention is invited to the appointment order dated 25.2.2006, whereby the

present applicant was appointed as Forest Guard and posted at Patur Range.

4. Learned counsel for the applicant has submitted that document referred is only posting order and not the order of appointment. According to the learned counsel the document at pages 22 to 24 is order of appointment, which is under signature of Chief Conservator of Forest (Regional) Yewatmal.

5. We have perused both the documents. The document which has been relied upon by the learned counsel claiming that the same is order of appointment is in fact list of selected candidates declared under the signature of Chief Conservator of Forest. In the said order the directions are given to the regional heads to issue order of appointments to the candidates concerned on the terms and conditions mentioned in the said order and accordingly the order of appointment has been issued by the Deputy Conservator of Forest on 25.2.2006 (document relied upon by the learned P.O. is at page No. 167 of the compilation).

6. It is further brought to our notice that the Deputy Conservator of Forest and the Divisional Forest Officer are the officers of the same rank. This aspect is not disputed by the applicant. In the present matter the charge-sheet has been issued by the Divisional Forest Officer, who is of

the same rank of Deputy Conservator of Forest. The applicant is presently working under the control of the Divisional Forest Officer, Beed.

7. We reiterate that only grievance raised by the applicant is that the Divisional Forest Officer, Beed is not the competent authority to issue charge-sheet against him since he is not his appointing authority. It is his further contention that the Divisional Forest Officer, Beed is subordinate to his appointing authority. As discussed hereinabove the Deputy Conservator of Forest is the appointing authority of the applicant. Presently the applicant is working under the Divisional Forest Officer, Beed, who is officer of the same rank. We, therefore, see no substance in the objection raised by the applicant. The Original Application filed by the applicant, therefore, deserves to be dismissed being devoid of any merit and is accordingly dismissed, however without any order as to costs.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 102 OF 2020
(Swati G. Jagdhane Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 29.3.2022

ORAL ORDER :

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

2. The Original Application has been filed by the present applicant challenging the punishment imposed upon her in the departmental enquiry conducted against her. The main charge against the applicant was that she unauthorizedly remained absent during the period from 14.11.2014 to 11.7.2019. The record shows that the show cause notice was issued to the applicant and since the reply given to the said show cause notice was found unsatisfactory, the decision was taken to conduct the departmental enquiry against the applicant. Accordingly, the said enquiry was conducted. In the said enquiry the charge against the applicant that she unauthorizedly remained absent was held to have been proved and the disciplinary authority has, therefore, imposed the punishment of bringing the applicant to the lower pay scale and to treat the period of her absence as leave without pay. The punishment so

imposed was questioned by the applicant by preferring the departmental appeal. However, the same came to be dismissed and the applicant has, therefore, approached this Tribunal.

3. Shri R.M. Deshmukh, learned counsel appearing for the applicant strenuously urged that the reasons for absence were so genuine that the disciplinary authority must have considered the said reasons and having regard to that, no such punishment could have been imposed on the applicant. Learned counsel pointed out that son of the applicant died on 15.11.2014 and that was the reason she did not resume the duties thereafter for quite long period because of her mental unstable condition. The learned counsel further submitted that thereafter because of her own illness the applicant could not join the duty. It is further contended that the applicant had submitted the applications time to time but they were not considered. It has also been contended that in the year 2018 more particularly on 12.3.2018 & 9.3.2018 the applicant approached the office of the respondents with a request to permit her to join her duties and Medical Board be directed to examine her for the fitness to join the duties; however, instead of permitting her to join the duty and referring her to Medical Board, the show cause notice came to be issued one week thereafter i.e. on 15.3.2018 and without

considering the reply given to the said show cause notice, the departmental enquiry was initiated against her.

4. Learned counsel further submitted that having regard to the nature of misconduct the punishment imposed is harsh and is also disproportionate. Learned counsel further submitted that this is a case, wherein indulgence is required by the Tribunal and the authorities be directed to reconsider the quantum of punishment inflicted on the applicant. Learned counsel in the alternate submitted that even if it is accepted that in the relevant period since the applicant had not worked and, therefore, the said period was liable to be treated as leave without pay, there was no reason for the authorities to give another punishment of bringing the applicant to lower pay scale, which has resulted in causing huge monetary loss to the applicant. Learned counsel in the circumstances prayed for either modifying the said punishment at this stage itself or to direct the authorities to reconsider the quantum of punishment.

5. Learned Presenting Officer has submitted that the authorities have already taken a very lenient view and have not passed any such order, which may require indulgence by this Tribunal. Learned P.O. submitted that in the departmental enquiry it has been amply proved that the applicant unauthorizedly remained absent without taking

any prior permission of the authority for a long period and having regard to the said period the punishment imposed appears to be commensurating to the misconduct proved against the applicant. Learned P.O. in the circumstances, prayed for dismissal of the O.A.

6. We have considered the submissions advanced by the learned counsel appearing for the applicant and the learned Presenting Officer. We have also gone through the documents filed on record more particularly the report of the enquiry officer.

7. It appears that the charge against the applicant that she remained absent without obtaining prior permission of the authority meaning thereby that she unauthorizedly remained absent during the period from 14.11.2014 to 11.7.2019 has been duly proved against the applicant. Though it is the contention of the applicant that she had time to time submitted applications applying for leave, no such documents are filed on record. The only document which has been referred and relied upon by the learned counsel appearing for the applicant is application dated 9.3.2018. By that time the decision was taken by the respondents to hold Departmental Enquiry against the applicant. Further, the fact remains that from the year 2014 to 2018 there was no application presented by the applicant and without obtaining prior permission the

applicant has remained absent. Having considered the facts as aforesaid it does not appear to us that disciplinary authority has committed any error in imposing the impugned punishment upon the applicant and the appellate authority has not caused any interference in the said order.

8. The punishment of bringing the applicant to lower pay scale and to treat the period of her absence as leave without pay has been imposed upon the applicant by the disciplinary authority and the same has been confirmed by the appellate authority. As noted hereinabove, on sympathetic grounds the applicant has sought indulgence of this Tribunal in causing interference with the punishment so imposed on her.

9. However, as discussed hereinabove, having regard to prolonged absence of more than 4 years from duty, it does not appear to us that any case is made out by the applicant to accept her prayer. It is well settled that the penalty imposed must commensurate with the gravity of the misconduct and any penalty disproportionate to the gravity of the misconduct would be violative of Article 14 of the Constitution of India. In the present matter, considering the prolonged unauthorized absence of the applicant from duty, in our opinion, the penalty imposed by the disciplinary authority is commensurating with the gravity of

the misconduct proved against the applicant. No doubt, Tribunal is empowered to cause interference in the punishment inflicted by the disciplinary authority provided it is shockingly disproportionate to the charge leveled and proved against an employee. In the present matter, it does not appear to us that punishment awarded to the applicant is shockingly disproportionate to the misconduct proved against her. We are, therefore, not inclined to cause any interference in the punishment awarded to the applicant by the disciplinary authority. Hence, the following order: -

ORDER

The present Original Application stands dismissed without any order as to costs.

MEMBER (A)

MEMBER (J)