

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

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

Before: -THE HON'BLE JUSTICE SHRI V. K. JADHAV, MEMBER (J)

Date: -29/11/2023

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	OA49/21	A'bad	Adv D K Dagadkhair (Vandana P Sarode)	Arrears of Wages	Reply Filed By R-3 & For Filing Affidavit in Rejoinder	19.12.2023
2	OA725/21	P'rbn	Adv S B GhatolPatil (Bhagwat R Borchate)	Police Patil	Reply Filed By R-2 & R-3 & Await Service R-5 to R-7	16.01.2024
3	OA76/22	A'bad	Adv.D.K. Dagadkhair (Ashok R Jawale)	Arrears of Wages/ Allowances	Reply Filed By R-2 to R-3 & For Filing Affidavit in Rejoinder <u>Ref Order</u> <u>Dtd.</u> <u>06.02.2023</u>	19.12.2023
4	OA246/22	A'bad	Adv D K Dagadkhair (Dilip Y Rupekar)	Arrears of Wages	For Filing Affidavit in Rejoinder <u>Ref Order</u> <u>Dtd.</u> <u>21.12.2022</u>	19.12.2023
5	OA501/22	A'bad	AdvSuchitaDhongde (Jayvant B Gaikwad) <u>Adv Vilas V Mande For</u> <u>R-3</u>	Recovery	Reply Filed By R-2 & R-3	02.01.2024
6	OA587/22	Latur	Adv A P Gunse (Kantilal S Shahane)	Recovery/ Refund of Recovered Amount	Reply Filed By R-2 & For Filing Affidavit in Rejoinder <u>Ref Order</u> <u>Dtd.</u> <u>15.11.2022</u>	10.01.2024

7	OA611/22	P'bhani	AdvShrikrashna B Solanke (Sultana Begum ShaikhGafoor)	Directions/ Compassionate Appointment (Lad Page)	For Filing Affidavit in Reply R-1 <u>Ref Order</u> <u>Dtd.</u> <u>21.08.2023</u>	22.12.2023
8	OA781/22	A'bad	Adv.S.B. Solanke (ShaikhMohdShahbaz Sk. Mohd. Shakil)	Compassionate Appointment (Lad Page Samiti)	For Filing Affidavit in Reply	22.12.2023
9	OA80/23	P'rbn	Adv S B Solanke (ShaikhMohseenShaikhK hadar)	Compassionate Appointment (Lad- Page Samiti)	For Filing Affidavit in Reply R-1	22.12.2023
10	OA194/23	Beed	Adv S B Solanke (ShaikhArshadMukhtar)	Compassionate Appointment [Lade-Page]	For Filing Affidavit in Reply	22.12.2023
11	OA238/23	Beed	Adv S B Solanke (ShaikhMukhtarShaikh Chand)	Compassionate Appointment [Lad- Page]	For Filing Affidavit in Reply	22.12.2023
12	OA257/23	P'rbn	Adv S B Solanke (Karima Begum ShaikhDaud)	Compassionate Appointment [Lad- Page]	Reply Filed By R-2 & R-3 & For Filing Affidavit in Reply By R-1	22.12.2023
13	OA305/23	A'bad	Adv A B Rajkar (Rahul K Landge)	Compassionate Appointment	Reply Filed By R-1 to R-4	18.01.2024
14	OA358/23	Latur	Adv A D Sugdare (Girdhari G Gunjarge)	Counting service of Pensionery Benefits	For Filing Affidavit in Reply	09.01.2024
15	OA483/23	A'bad	Adv P M Nagargoje (Venkat M Kendre)	Transfer	For Filing Affidavit in Rejoinder	10.01.2024
16	OA576/23	Jalgaon	Adv V B Wagh/ Adv A S Therokar (Dinesh S Thakur)	Minor Punishment	Reply Filed By R-1	12.01.2024
17	OA623/23	P'rbn	Adv V U Rathod/ Adv S SKulkari (Taufik Ali Shaukat Ali)	Time Bound of Promotion/Bene fits of G.R	For Filing Affidavit in Reply	16.01.2024

18	OA624/23	Hingoli	Adv V.U Rathod/ Adv V S Kadam Adv S SKulkarni (Sheshrao S Garole&Ors.)	Time Bound Promotion/ Benefits of G.R	For Filing Affidavit in Reply	16.01.2024
19	OA625/23	Nanded	Adv V.U Rathod/ Adv V S Kadam Adv S SKulkarni (Sambhaji N Honrao&Ors.)	Time Bound Promotion/ Benefits of G.R	For Filing Affidavit in Reply	16.01.2024
20	OA626/23	Hingoli	Adv V U Rathod (Shankar L Devkar&Ors.)	Time Bound Promotion/ Benefits of G.R	For Filing Affidavit in Reply	16.01.2024
21	OA636/23	A'bad	Adv P V Suryawanshi (Sunanda R Lokhande&Ors.)	Arrears of Wages	For Filing Affidavit in Reply R-1 & R-2	02.01.2024
22	OA737/23	Nanded	Adv S B Ghatol- Patil (Devidas S Waghmare)	Compassionate Appointment	For Filing Affidavit in Rejoinder	13.12.2023
23	OA766/23	A'Nagar	AdvJiwan J Patil (Omkar T Pachpute)	Compassionate Appointment	Await Service	09.01.2024
24	OA963/23	A'bad	AdvAnant D Gadekar (Shivkumar M Mungilwar)	Pension & Pension Benefits	For Filing Affidavit in Reply	13.12.2023
Order Matters						
25	MA12/21 In OAS134/21	A'bad	Adv D A Mane (GorakhDhakane)	M.A For Condonation of Delay	Reply Filed By R-1 & As a Last Chance For Filing Affidavit in Rejoinder	02.01.2024
26	MA156/23 In OAS1601/23	Jalna	Adv A B Rajkar (Manisha M Nikalje)	M.A For Condonation of Delay	For Filing Affidavit in Reply	08.12.2023
27	MA192/23 In OA318/23	A'bad	Adv A B Rajkar (MohammadSarvar Abdul Gani)	M.A For Condonation of Delay	For Filing Affidavit in Reply	08.12.2023
28	MA307/23 In OAS11057/23	A'bad	Adv S SKulkarni/ Adv Anil R Ahire (Jayashri U Tribhuvan)	M.A For Condonation of Delay	Await Service	09.01.2024

ORIGINAL APPLICATION NO. 834 OF 2019
(Ravikant R. Hadoltikar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri V.G. Pingle, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

Shri G.N. Patil, learned counsel for respondent No.2, is **absent**.

2. At the request of learned counsel for the applicant, S.O. to 09.01.2024 for hearing.

MEMBER (J)

SAS ORAL ORDERS 29.11.2023

ORIGINAL APPLICATION NO. 457 OF 2020
(Samba H. Sarpate Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 458 OF 2020
(Dr. Abdul Rahim Khan Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 462 OF 2020
(Arvind B. Patil Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri G.D. Maske, learned counsel holding for Shri P.D. Jarare, learned counsel for the applicants in all these O.A., Smt. M.S. Patni, learned Presenting Officer for the respondent authorities in all these O.As. and Smt. A.S. Mantri, learned counsel for respondent No.2 in all these O.As., are present.

2. At the request of learned counsel for the applicants, S.O. to 10.01.2024 for hearing.

MEMBER (J)

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

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri A.B. Rajkar, learned counsel for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri A.D. Gadekar, learned counsel for respondent Nos. 5 & 6, are present.

2. At the request of learned counsel for the applicant, S.O. to 11.01.2024.

MEMBER (J)

SAS ORAL ORDERS 29.11.2023

**ORIGINAL APPLICATION NO. 593 OF 2022
(Shaikh Zubair Shaikh Mahemood Vs. State of
Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks adjournment for the reason that the similar matters at Sr. Nos. 7 to 12 of reply board are not ready and the issue is identical in all these matters.

3. In view of same, S.O. to 22.12.2023 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 850 OF 2022
(Shaikh Jameer Shaikh Manjur Vs. State of Maharashtra &
Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks adjournment for the reason that the similar matters at Sr. Nos. 7 to 12 of reply board are not ready and the issue is identical in all these matters.

3. In view of same, S.O. to 22.12.2023 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 247 OF 2023
(Samadhan B. Shirsath Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Smt. Archana Therokar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time to file affidavit in rejoinder. Time granted.
3. S.O. to 16.01.2024.

MEMBER (J)

**ORIGINAL APPLICATION NO. 711 OF 2018
(Sanjay N. Nade Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri V.G. Pingle, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 09.01.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 112 OF 2019
(Sheela H. Mohite Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri S.P. Dhobale, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 22.12.2023 for final hearing, as a last chance.

MEMBER (J)

SAS ORAL ORDERS 29.11.2023

**ORIGINAL APPLICATION NO. 437 OF 2020
(Arjun D. Kharat Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 21.12.2023 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 1015 OF 2019
(Sakharam P. Ranbavle Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 1016 OF 2019
(Udhav U. Thorat Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 1017 OF 2019
(Sahebrao M. Jadhav Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 1019 OF 2019
(Vitthal B. Patole Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicants in all these O.A. and Shri D.R. Patil, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. At the request of learned counsel for the applicants, S.O. to 21.12.2023 for final hearing.

MEMBER (J)

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

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri D.K. Dagadkhair, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 19.12.2023 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 29.11.2023

**M.A.NO. 490 OF 2023 IN O.A.ST.NO. 1707 OF 2023
(Chandrakant V. Sadakal & Ors. Vs. State of Maharashtra
& Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Heard Shri P.H. Sukale, learned counsel holding for Shri N.B. Narwade, learned counsel for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicants submits that both the applicants are serving in the same department and they were subjected to departmental enquiry. Being aggrieved by the punishment inflicted in the departmental enquiry, both the applicants have preferred the appeal before the Special Inspector General of Police, Nashik and by common order dated 30.06.2022 their appeal came to be disposed of. Being aggrieved by the same, both the applicants have approached to this Tribunal by filing this single application.

3. Learned counsel for the applicants submits that having regard to the cause of action and the nature of relief prayed for, both the applicants have common interest in the matter.

//2// M.A. 490/2023 In
O.A.St. 1707/2023

4. On careful perusal of the order passed in the appeal it appears that it's a common order modifying the order of punishment. Both the applicants are serving in the same department and they have common cause of action and prayed for the same relief.

5. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

6. Accompanying O.A. be registered and numbered, after removal of office objections, if any. The present M.A. stands disposed of accordingly without any order as to costs.

MEMBER (J)

**ORIGINAL APPLICATION ST.NO. 1707 OF 2023
(Chandrakant V. Sadakal & Ors. Vs. State of Maharashtra
& Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Heard Shri P.H. Sukale, learned counsel holding for Shri N.B. Narwade, learned counsel for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 16.01.2024.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicants are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

//2// O.A.St. 1707/2023

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.
7. The learned P.O. appears for all the respondents and seeks time for taking instructions.
8. S.O. to 16.01.2024.
9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

**ORIGINAL APPLICATION ST.NO. 2199 OF 2023
(Rajaram C. Sevalikar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

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

2. Learned counsel for the applicant with regard to the objection raised by this office submits that the applicant will file Misc. Application for condonation of delay within a short period.

MEMBER (J)

ORIGINAL APPLICATION NO. 806 OF 2023
(Sunil R. Mamilwad & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri Dhananjay Mane, learned counsel holding for Shri Nagesh Talekar, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits that during course of day the additional reply on behalf of respondent No.2 will be filed.

3. S.O. to 06.12.2023 in urgent category.

MEMBER (J)

**M.A.NO. 117 OF 2020 IN O.A.ST.NO. 320 OF 2020
(Pamabai D. Wanve Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri G.J. Kore, learned counsel for the applicant, is **absent**. Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O.to 06.12.2023 for passing necessary order.

MEMBER (J)

SAS ORAL ORDERS 29.11.2023

**M.A.NO. 228 OF 2021 IN O.A.ST.NO. 775 OF 2021
(Jagannath T. Mundhe Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

None present for the applicant. Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O.to 06.12.2023 for passing necessary order.

MEMBER (J)

SAS ORAL ORDERS 29.11.2023

**M.A.NO. 128 OF 2023 IN O.A.ST.NO. 218 OF 2023
(Gunaji G. Kamble Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Ms. Anagha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 07.12.2023 for hearing.

MEMBER (J)

SAS ORAL ORDERS 29.11.2023

**ORIGINAL APPLICATION NO. 49 OF 2021
(Vandana P. Sarode Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri D.K. Dagadkhair, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits across the bar the affidavit in rejoinder on behalf of applicant. The same is taken on record and copy thereof is given to other side.

3. S.O. to 19.12.2023.

MEMBER (J)

SAS ORAL ORDERS 29.11.2023

**ORIGINAL APPLICATION NO. 76 OF 2022
(Ashok R. Jawale Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri D.K. Dagadkhair, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits across the bar the affidavit in rejoinder on behalf of applicant. The same is taken on record and copy thereof is given to other side.

3. S.O. to 19.12.2023.

MEMBER (J)

**ORIGINAL APPLICATION NO. 246 OF 2022
(Dilip Y. Rupekar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri D.K. Dagadkhair, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits across the bar the affidavit in rejoinder on behalf of applicant. The same is taken on record and copy thereof is given to other side.

3. S.O. to 19.12.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 611 OF 2022
(Sultana Begum Shaikh Gafoor Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits that the affidavit in reply on behalf of respondent No.1 will be positively filed on or before the next date.

3. S.O. to 22.12.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 781 OF 2022
(Shaikh Mohd. Shahbaz Sk. Mohd. Shakil Vs. State of
Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits that the affidavit in reply on behalf of respondents will be positively filed on or before the next date.

3. S.O. to 22.12.2023.

MEMBER (J)

**ORIGINAL APPLICATION NO. 80 OF 2023
(Shaikh Mohseen Shaikh Khadar Vs. State of Maharashtra
& Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

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

2. Learned P.O. submits that the affidavit in reply on behalf of respondent No.1 will be positively filed on or before the next date.

3. S.O. to 22.12.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 194 OF 2023
(Shaikh Arshad Mukhtar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits that the affidavit in reply on behalf of respondents will be positively filed on or before the next date.

3. S.O. to 22.12.2023.

MEMBER (J)

SAS ORAL ORDERS 29.11.2023

ORIGINAL APPLICATION NO. 238 OF 2023
(Shaikh Mukhatar Shaikh Chand Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits that the affidavit in reply on behalf of respondents will be positively filed on or before the next date.

3. S.O. to 22.12.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 257 OF 2023
(Karima Begum Shaikh Daud Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

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

2. Learned P.O. submits that the affidavit in reply on behalf of respondent No.1 will be positively filed on or before the next date.

3. S.O. to 22.12.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 358 OF 2023
(Girdhari G. Gunjarge Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri A.D. Sugdare, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks time to file affidavit in reply on behalf of respondents. Time granted as a last chance.

3. S.O. to 09.01.2024.

MEMBER (J)

**ORIGINAL APPLICATION NO. 576 OF 2023
(Dinesh S. Thakur Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Pleadings are complete. List the matter for admission hearing on 12.01.2024.

MEMBER (J)

**ORIGINAL APPLICATION NO. 766 OF 2023
(Omkar T. Pachpute Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

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

2. Learned P.O. submits across the bar the affidavit in reply on behalf of all the respondents. The same is taken on record and copy thereof is already given to learned counsel appearing for the applicant.

3. Learned counsel for the applicant seeks time to go through the reply and to file affidavit in rejoinder, if necessary. Time granted.

4. S.O. to 09.01.2024.

MEMBER (J)

M.A.NO. 307/2023 IN O.A.ST.NO. 1057/2023
(Jayashri U. Tribhuvan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

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

2. Await service of notice on the respondents.

3. At the request of learned counsel for the applicant, S.O. to 09.01.2024 for taking necessary steps.

MEMBER (J)

SAS ORAL ORDERS 29.11.2023

ORIGINAL APPLICATION NO. 74 OF 2022
(Siddiqui Mohd. Minhauddin Mohd. Sarдаuddin Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri Avinash A. Phad, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., S.O. to 07.12.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 638 OF 2022
(Jitendra N. Mutkule Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Heard Shri V.G. Pingle, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri S.D. Dhongde, leaned counsel holding for Shri Amit S. Dhongde, learned counsel for respondent No. 3.

2. The present Original Application is allowed for the reasons to follow.

MEMBER (J)

Date : 29.11.2023
ORIGINAL APPLICATION NO. 1014 OF 2023
(Ashok Babanappa Zamkade V/s State of
Maharashtra & Ors.)

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

1. Shri Masood C. Syed, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 21.12.2023. The case be listed for admission hearing on **21.12.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

O.A. Nos. 623, 624, 625 & 626 all of 2023
(Taufik Ali Shaukat Ali & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri V.U. Rathod/S.S. Kulkarni, learned counsel for the applicants in all these O.As. (**Absent**). S/shri D.R. Patil & M.P. Gude, learned Presenting Officers for the respondent authorities in respective O.As., are present.

2. Learned Presenting Officers submit that during the course of the day affidavit in reply would be filed in all these O.As. along with spare copy for other side.

3. S.O. to 16.01.2024 for filing rejoinder affidavit, if any.

MEMBER (J)

KPB ORAL ORDER 29.11.2023

ORIGINAL APPLICATION NO. 725 OF 2021
(Bhagwat R. Borchate Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, issue fresh notice to respondent Nos. 5 to 7, returnable on 16.01.2024.
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 16.01.2024.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

**ORIGINAL APPLICATION NO. 737 OF 2023
(Devidas S. Waghmare Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri S.B. Ghatol-Patil, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 13.12.2023 for filing rejoinder affidavit.

MEMBER (J)

KPB ORAL ORDER 29.11.2023

**ORIGINAL APPLICATION NO. 501 OF 2022
(Jayvant B. Gaikwad Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri Vilas Mande, learned counsel for respondent No. 3, are present.

2. Pleadings are complete.

3. List the matter for hearing on admission on 02.01.2024. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 502 OF 2018
(Bansilal C. Jaiswal Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri A.D. Raut, learned counsel for the applicant, Shri S.D. Joshi, learned counsel for respondent No. 2 and Shri S.B. Talekar, learned counsel for respondent No. 3, are **absent**.

Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer appearing for respondent No. 1 State of Maharashtra is hereby requested to check the present status of W.P. No. 4241/2019 and inform this Tribunal on or before the next date of hearing.

3. S.O. to 19.12.2023.

MEMBER (J)

**ORIGINAL APPLICATION NO. 772 OF 2021
(Prakash J. Salve & Ors. Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Ms. Neha Kamble, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 22.12.2023 for hearing.

MEMBER (J)

KPB ORAL ORDER 29.11.2023

**ORIGINAL APPLICATION NO. 790 OF 2021
(Gajanan B. Aundhekar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 05.12.2023 for hearing.

MEMBER (J)

KPB ORAL ORDER 29.11.2023

ORIGINAL APPLICATION NO. 165 OF 2022
(Bhaskar N. Patil & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri R.P. Bhumkar, learned counsel for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 05.12.2023 for hearing.

MEMBER (J)

KPB ORAL ORDER 29.11.2023

**ORIGINAL APPLICATION NO. 231 OF 2022
(Bharat L. Rudrawar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri R.P. Bhumkar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 08.01.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 29.11.2023

ORIGINAL APPLICATION NO. 744 OF 2022
(Kapil V. Chavhan & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Ms. Neha Kamble, learned counsel for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 22.12.2023 for hearing.

MEMBER (J)

KPB ORAL ORDER 29.11.2023

ORIGINAL APPLICATION NO. 972 OF 2022
(Saurabh J. Tribhuvan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 07.12.2023 for hearing.

MEMBER (J)

KPB ORAL ORDER 29.11.2023

**ORIGINAL APPLICATION NO. 1018 OF 2022
(Mangilal N. Shirsath Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 13.12.2023 for hearing.

MEMBER (J)

KPB ORAL ORDER 29.11.2023

**ORIGINAL APPLICATION NO. 133 OF 2023
(Ramesh S. Mali Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

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

2. S.O. to 05.12.2023 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 396 OF 2023
(Madhavi S. Harne (Kale) Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Heard Shri S.S. Shinde, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities. None present for respondent No. 5, though duly served.

2. Part heard.

3. Learned Presenting Officer is hereby requested to call for the original record and proceedings of transfer order of the present applicant.

4. S.O. to 13.12.2023 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 174 OF 2017
(Dr. Madhav F. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

Shri Avinash Deshmukh, learned counsel for the applicant (**Leave Note**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note filed by learned counsel for the applicant, S.O. to 19.12.2023 for final hearing.

MEMBER (J)

KPB ORAL ORDER 29.11.2023

**ORIGINAL APPLICATION NO. 712 OF 2018
(Sandipan A. Gavali Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 13.12.2023 for final hearing.

MEMBER (J)

KPB ORAL ORDER 29.11.2023

**ORIGINAL APPLICATION NO. 714 OF 2021
(Rahul G. Malsamindar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 29.11.2023

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 18.12.2023 for final hearing.

MEMBER (J)

**M.A. NO. 41/2022 IN O.A. NO. 458/2018
(Anita B. Kolgane Vs. State of Maharashtra & Ors)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman
and
Shri Vinay Kargaonkar, Member (A)**

DATE : 29.11.2023

ORAL ORDER :

Shri R.N. Bharaswadkar, learned Counsel for applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Misc. Application be heard along with Original Application.
3. S.O. to 24.1.2024.

MEMBER (A)

VICE CHAIRMAN

O.A. NO. 979/2023 WITH CAVEAT 23/2023
(Vishvjeet V. Kulkarni Vs. State of Maharashtra & Ors)

O.A. NO. 999/2023 WITH CAVEAT 38/2023
(Shivaji B. Borkar & Ors. Vs. State of Maharashtra & Ors)

**CORAM : Justice Shri P.R. Bora, Vice Chairman
and
Shri Vinay Kargaonkar, Member (A)**

DATE : 29.11.2023

ORAL ORDER :

Shri Sachin Deshmukh, learned counsel holding for Shri M.S. Shaikh, learned Counsel for applicant in O.A. NO. 979/2023, Shri S.S. Dambe, learned counsel for the applicants in O.A. No. 999/2023 and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in both the matters, are present.

2. Learned counsel for the applicants has tendered across the bar the schedule of the examination declared by the respondents. Same is taken on record.

3. Learned Chief Presenting Officer seeks time of one week to file affidavit in reply of the respondents. Time granted as prayed for. Copy of affidavit in reply shall be provided to the learned counsel for the applicants in advance.

4. S.O. to 7.12.2023.

MEMBER (A)

VICE CHAIRMAN

M.A. NO. 145/2023 IN O.A. NO. 268/2022
(Chandrashekar K. Mundhe & Ors. Vs. State of Maharashtra & Ors)

**CORAM : Justice Shri P.R. Bora, Vice Chairman
and
Shri Vinay Kargaonkar, Member (A)**

DATE : 29.11.2023

ORAL ORDER :

Shri Kalyan V. Patil, learned Counsel for applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 14.12.2023.

MEMBER (A)

VICE CHAIRMAN

M.A. NO. 570/2022 IN O.A. ST. NO. 2028/2022
(Faijulkhan Sherkhan Pathan Vs. State of Maharashtra & Ors)

**CORAM : Justice Shri P.R. Bora, Vice Chairman
and
Shri Vinay Kargaonkar, Member (A)**

DATE : 29.11.2023

ORAL ORDER :

Heard Shri Tabrezuddin R. Quadri, learned Counsel for applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Delay occasioned is stated to be of 01 year and few months. The reasons, which are assigned for occurrence of delay, are just and sufficient. We are, therefore, inclined to allow the present Misc. Application. Hence, the following order :-

ORDER

- (i) The delay occurred in filing O.A. condoned.
- (ii) Misc. Application stands disposed of without any order as to costs.
- (iii) In Original Application affidavit in reply is already filed. Hence, list the matter for hearing on 18.12.2023.

MEMBER (A)

VICE CHAIRMAN

M.A. NO. 210/2022 IN O.A. NO. 259/2023
(Sunita D. Jarhad Vs. State of Maharashtra & Ors)

**CORAM : Justice Shri P.R. Bora, Vice Chairman
and
Shri Vinay Kargaonkar, Member (A)**

DATE : 29.11.2023

ORAL ORDER :

Heard Shri V.B. Wagh, learned Counsel for applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Perused the application, as well as, the affidavit in reply filed on behalf of the respondents. The reasons, which are assigned for occurrence of delay, are just and sufficient. We are, therefore, inclined to allow the Misc. Application. Hence, the following order :-

ORDER

- (i) The delay occurred in filing O.A. condoned.
- (ii) Misc. Application stands disposed of without any order as to costs.
- (iii) The Original Application be registered according to law.

MEMBER (A)
ARJ ORAL ORDERS 29.11.2023

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 259/2023
(Sunita D. Jarhad Vs. State of Maharashtra & Ors)

**CORAM : Justice Shri P.R. Bora, Vice Chairman
and
Shri Vinay Kargaonkar, Member (A)**

DATE : 29.11.2023

ORAL ORDER :

Heard Shri V.B. Wagh, learned Counsel for applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 2.1.2024.
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 2.1.2024.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

**C.P. ST. NO. 2202/2023 IN O.A. NO. 87/2019
(Yogiraj V. Mane Vs. State of Maharashtra & Ors)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman
and
Shri Vinay Kargaonkar, Member (A)**

DATE : 29.11.2023

ORAL ORDER :

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

2. Removed from the Board.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 759/2022

(Smt. Manisha Arun Rashinkar Vs. State of Maharashtra & Ors)

**CORAM : Justice Shri P.R. Bora, Vice Chairman
and
Shri Vinay Kargaonkar, Member (A)**

DATE : 29.11.2023

ORAL ORDER :

Heard Shri O.D. Mane, learned Counsel for applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. We have heard the arguments in the present matter. It is the case of the applicant that she has not committed any illegality in reducing the amount of fine imposed by the Tahsildar on the persons or the Institutions running the fodder camps. It is the further contention of the applicant that in such matter she was not the final authority and ultimately such orders were to be confirmed by the District Collector. Learned counsel for the applicant has referred to Government Resolution dated 25.1.2019. Our attention was invited to clause 3 of the said resolution, sub-clause 3 thereof reads thus:

::-2-::

O.A. NO. 759/2022

“३. छावण्यांची देयके पारित करण्याबाबत.

(१) -- -- --

(२) -- -- --

(३) सदर शासन निर्णयातील सुचनांची काटेकोरपणे अंमलबजावणी करण्यात यावी. चारा छावणीवरील खर्चाची देयके तहसिलदारांमार्फत उपविभागीय अधिकारी यांना व त्यानंतर जिल्हाधिकारी यांना सादर करावीत. जिल्हाधिकारी यांनी त्यांच्याकडे प्राप्त झालेल्या देयकांची पडताळणी करावी व तदनंतर खाली नमूद केलेल्या लेखाशिर्षातुन अनुदानाचे प्रदान संस्थेस करावे.”

3. Learned counsel for the applicant has argued that in such matters the applicant i.e. S.D.O. was not the ultimate authority, but the District Collector was the final authority to scrutinize the bills and pass orders regarding payment thereof. Learned counsel has also invited our attention to one of the orders passed by the Collector, Osmanabad on 5.8.2020, which is at page-495 of the paper book. Perusal of the said order reveals that the applicant had imposed fine of Rs. 10,06,149/- on the institution by name Bhagwan Baba Bahuuddeshiya Gramin Vikas Santha Maryadit, Anandwadi, Tq. Bhum, Dist. Osmanabad, which was running the fodder camps. Order passed regarding imposition of fine amount by the applicant in capacity of S.D.O.

was challenged by the said institution before the Collector, Osmanabad and the learned Collector, Osmanabad vide order dated 5.8.2020 partly allowed the application filed by the said institution and reduced the fine to Rs. 8,25,150/-.

4. After having heard the learned counsel for the applicant and the learned Presenting Officer and after having gone through the documents placed on record, following issues are arisen for which we do not find any answer in the pleadings, as well as, in the affidavit in reply filed by the respondents :-

(i) In the G.R. dated 25.1.2019 we do not find any provision which permits or authorizes imposition of fine on any person or institution running fodder camps.

(ii) In the circumstances, question arises under which provision the Tahsildar, Bhoom or Tahsildar, Paranda, passed orders, thereby imposing fine on the persons or institutions running fodder camps.

(iii) Further question arises under which provision the applicant reduced the said fine?

(iv) Third question arises under which provision the Collector, Osmanabad modified the order passed by the applicant i.e. S.D.O., thereby reducing the amount of fine in the matter referred hereinabove.

5. Learned Presenting Officer shall clarify the above aspects by filing affidavit in reply of concerned officer. The relevant Circulars and GRs etc. shall be produced on record. The respondents are also called upon to explain : (a) Whether orders passed by the applicant in capacity of S.D.O. on the basis of which she has been subjected to face departmental proceedings, are revisable or appealable orders? (b) If yes, who is revisional or appellate authority? (c) Whether the orders passed by the S.D.O. are held the final orders? (d) Which is the provision which provides that the order passed by the S.D.O. will be final order ?, (e) If orders are appealable or revisable, further explanation is to be given by the respondents whether the orders passed by the

applicant in capacity of S.D.O. reducing the amount of fine imposed by the Tahsildar were revised by the revisional authority ?, (f) Whether any appeal was preferred in that regard and if yes, the appellate authority whether cancelled or confirmed the order passed by the applicant in capacity of S.D.O.?

6. Since this matter has been heard at least on 3 or 4 occasions, we do not wish to give more time and respondents are expected to produce such information by 13.12.2023.

7. S.O. to 13.12.2023.

8. Steno copy allowed for the use of learned Presenting Officer.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 367 OF 2022
(Ikramoddin K. Bhatib Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 29.11.2023

ORAL ORDER :

Shri R.A. Joshi, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 2 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. S.O. to 15.1.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.11.2023-hdd

**ORIGINAL APPLICATION ST. NO. 2247 OF 2023
(Kaka Bhanudas Waghmare Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)**

DATE : 29.11.2023

ORAL ORDER :

Shri S.A. Wakure, 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 4.12.2023.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.11.2023-hdd

**M.A.NO. 536/2023 IN O.A.ST.NO. 1148/2023
(Vandana S. Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman
AND**

Shri Vinay Kargaonkar, Member (A)

DATE : 29.11.2023

ORAL ORDER :

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

2. Issue notice to respondents on application for condonation of delay, returnable on 15.1.2024.

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

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

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

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

7. S.O. to 15.1.2024.

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

MEMBER (A)

VICE CHAIRMAN

M.A.NO. 209/2023 IN O.A.ST.NO. 746/2023
(Sheshrao G. Jadhav & Anr. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 29.11.2023

ORAL ORDER :

Shri P.M. Shinde, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present.

2. Since none appears for the applicant, S.O. to 14.12.2023.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.11.2023-hdd

C.P.ST.NO. 2231/2023 IN O.A.NO. 620/2023
(Smt. Anita Jagdish Bhartilak Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND

Shri Vinay Kargaonkar, Member (A)

DATE : 29.11.2023

ORAL ORDER :

Heard Shri Sachin G. Joshi, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned counsel appearing for the applicant seeks leave of this Tribunal to delete prayer clause 'B'.

3. Leave granted. The necessary amendment be carried out forthwith.

4. Issue simple notice to respondents in C.P., returnable on 21.12.2023.

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

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

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

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

9. S.O. to 21.12.2023.

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

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 70/2023 IN O.A.NO. 501/2020
(Dr. Prashant B. Shamkuwar Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 29.11.2023

ORAL ORDER :

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

2. Issue simple notice to respondents in C.P., returnable on 16.1.2024.

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 16.1.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.11.2023-hdd

M.A. 223/23 WITH M.A. 12/22 IN O.A.ST. 1746/21

(Keshavrao W. Pawar Vs. State of Maharashtra & Ors.)

**CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)**

DATE : 29.11.2023

ORAL ORDER :

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

2. Learned Chief Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 5 in M.A. No. 223/2023 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 8.12.2023.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.11.2023-hdd

ORIGINAL APPLICATION NO. 474 OF 2023
(Vaishali Vikasrao Hinge Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 29.11.2023

ORAL ORDER :

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

2. Learned Chief Presenting Officer has sought time to file affidavit in reply. The request so made is opposed by the learned counsel for the applicant. However, in the interest of justice, time is granted till 12.12.2023 by way of last chance.

3. It is made clear that if no affidavit in reply is filed by the respondents on or before the next date, the matter will be finally heard on the given date.

4. S.O. to 12.12.2023.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 490 OF 2022
(Satish Limbraj Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 29.11.2023

ORAL ORDER :

Shri R.P. Bhumkar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that he will file rejoinder affidavit during course of the day. He undertakes to serve the copy of the same on the other side.

3. In view of the above, list the matter for hearing on 20.12.2023.

MEMBER (A)

VICE CHAIRMAN

M.A. 437/23 WITH M.A. 35/23 IN O.A. 812/22
(Rashtra Seva Arogya Karmachari Sanghatna & Anr. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 29.11.2023

ORAL ORDER :

Shri G.D. Maske, learned counsel holding for Shri Prasad D. Jarare, learned counsel for the applicants (M.A. No. 437/2023 & O.A.) and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

Shri K.G. Gaikwad, learned counsel appearing for the intervenors (M.A. No. 35/2023), **is absent**.

2. At the request of learned counsel for the applicants in M.A. No. 437/2023, S.O. to 5.1.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.11.2023-hdd

O.A.NOS. 111, 151 & 152 ALL OF 2022
(Pandurang V. Hande & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 29.11.2023

ORAL ORDER :

Shri S.K. Mathpati, learned counsel for the applicants and Shri V.G. Bhumkar, learned Presenting Officer for the respondent authorities in all these cases, are present.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent No. 2. Time granted by way of last chance.

3. S.O. to 18.12.2023.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.11.2023-hdd

ORIGINAL APPLICATION NO. 917 OF 2023
(Balasaheb Saheb Choure Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 29.11.2023

ORAL ORDER :

Shri Mohit R. Deshmukh, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

Shri Ashish Hazari, learned counsel holding for Shri Amol B. Chalak, learned counsel appeared today and he has filed VAKALATNAMA on behalf of respondent No. 3 and the same is taken on record. He has sought time to file affidavit in reply on behalf of the said respondent. Time granted.

2. S.O. to 8.12.2023.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.11.2023-hdd

ORIGINAL APPLICATION NO. 496 OF 2021
(Prathamesh S. Vaidhya & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)**

DATE : 29.11.2023

ORAL ORDER :

Shri R.K. Ashtekar, learned counsel for the applicants, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

Shri K.G. Salunke, learned counsel submits that he has received instructions from respondent Nos. 8, 9 & 12 to appear on their behalf. He has, therefore, filed his separate VAKALATNAMAs on behalf of the said respondents and has sought time to file affidavit in reply. Time granted.

2. S.O. to 15.12.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.11.2023-hdd

ORIGINAL APPLICATION NO. 1132 OF 2022
(Ramesh Laxmanrao Naik Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 29.11.2023

ORAL ORDER :

Shri A.B. Kharosekar, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.

3. S.O. to 12.12.2023

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.11.2023-hdd

ORIGINAL APPLICATION NO. 1133 OF 2022
(Babasaheb P. Rathod Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 29.11.2023

ORAL ORDER :

Shri A.B. Kharosekar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.

3. S.O. to 12.12.2023.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.11.2023-hdd

ORIGINAL APPLICATION NO. 851 OF 2023
(Sagar Vilas Holkar & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 29.11.2023

ORAL ORDER :

Shri Avinash S. Khedkar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned Chief Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 11.12.2023.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.11.2023-hdd

M.A.NO.357/2023 IN O.A.NO.06/2023
(State of Maharashtra & Ors Vs. Pandurang Lomale)

CORAM : Justice Shri P.R. Bora, Vice Chairman
and
Shri Vinay Kargaonkar, Member (A)

DATE : 29.11.2023

ORAL ORDER :

Shri M.S.Mahajan, learned Chief Presenting Officer for the applicants in M.A./respondent authorities in O.A. and Smt. Vijaya Adkine, learned Counsel holding for Shri V.B.Wagh, learned Counsel for respondent in M.A./applicant in O.A., are present.

2. S.O. to 14-12-2023. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.387/2023
(Sachin Madhukar Landge Vs. State of Maharashtra & Ors)

**CORAM : Justice Shri P.R. Bora, Vice Chairman
and
Shri Vinay Kargaonkar, Member (A)**

DATE : 29.11.2023

ORAL ORDER :

Smt. Archana Therokar, learned Counsel holding for Shri V.B.Wagh, learned Counsel for applicant and Shri I.S.Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 14-12-2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN