

**ORIGINAL APPLICATION NO. 764 OF 2024**  
**(Dr. Shrikant Babbruvan Balwande Vs. State of Maha. & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri Sachin S. Tambe, learned counsel holding for Shri Santosh S. Jadhavar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. It is the case of the applicant that though he has secured the qualification of Diploma in Anesthesiology from the Government College, his said qualification has not been entered into the concerned service register and in the circumstances the seniority of the applicant has adversely affected. Learned counsel submitted that now the respondents are in the process of making promotions and only because the qualification of the applicant has not been recorded in the concerned register that he is likely to be excluded from consideration for the promotional post. Learned counsel submitted that information is called from 28 officers, wherein name of the applicant is not included. In the circumstances, learned counsel has prayed for staying the further process of promotions to the extent of 'Specialist in Anesthesia'.

3. Learned Presenting Officer seeks time to file affidavit in reply. Insofar as request for interim relief is concerned, learned Presenting Officer has opposed for grant of such relief stating that presently now the information is sought from the officers concerned and in the circumstances request is made by the applicant is premature.

4. We have duly considered the submissions made by the learned counsel for the applicant as well as learned Presenting Officer for the respondent authorities. We have also gone through the documents placed on record. Documents reflect that the applicant has secured qualification of Diploma in Anesthesiology in the year 2019. However, in the concerned service register the said qualification does not seem to have been taken note of. There appears *prima facie* substance in the contentions raised on behalf of the applicant. However, when the process of giving promotion has been started we may not restrict the process of promotion, instead we deem it appropriate to pass the following order: -

**ORDER**

(i) Issue notice to the respondents, returnable on 02.09.2024. **In the meanwhile if the promotions**

**are made, one post shall be kept vacant while giving such promotions.**

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

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

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

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

(vi) S.O. to 02.09.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 312/2024 IN O.A.ST.NO. 897/2024  
(Bhaskar Babulal Badgujar Vs. State of Maha. & Ors.)**

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri D.T. Devane, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents in M.A. No. 312/2024, returnable on 23.08.2024.

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 23.08.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**T.A.NO. 23/2023 (W.P.NO. 13531/2023)**  
**(Kishor Bharat Deshmukh & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri Ajay S. Deshpande, learned counsel holding for Smt. Suchita Upadhyay, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer submits that the affidavit in reply on behalf of respondent No. 1 has already been filed and in the circumstances separate affidavit in reply of respondent No. 2 may not be necessary. Respondent No. 2 is adopting affidavit in reply filed by respondent No. 1.

3. Learned counsel for the applicants submits that the applicant is not intending to file any rejoinder affidavit. List the matter for hearing on 21.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 1010 OF 2023**  
**(Shubham Bhagwanrao Hingmire Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri G.B. Kangre, learned counsel holding for Shri P.S. Anerao, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks extension of time to carry out the amendment in the O.A. Two weeks' time is granted to carry out the amendment.

3. S.O. to 14.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**C.P.NO. 69/2024 IN O.A.NO. 986/2022**  
(Avinash Ashok Rakh Vs. State of Maharashtra & Ors.)

**C.P.NO. 70/2024 IN O.A.NO. 659/2021**  
(Sushilkumar Babasaheb Rakh Vs. State of Maharashtra & Ors.)

**C.P.NO. 71/2024 IN O.A.NO. 183/2022**  
(Ashok Mahadev Jaybhaye & Ors. Vs. State of Maha. & Ors.)

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri M.S. Karad, learned counsel for the petitioners and S/Shri V.R. Bhumkar & V.G. Pingle, learned Presenting Officers for the respective respondents in respective matters.

2. When the present contempt petitions are taken up for consideration, learned Presenting Officers submit that the State is intending to file WPs in the OAs challenging the order passed by this Tribunal non-compliance of which is alleged in the present petitions.

3. S.O. to 30.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 147 OF 2024**  
**(Amit Shivanand Swami Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri Ajay S. Deshpande, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. In the present matter affidavit in reply of contesting respondent is filed. Learned counsel for the applicant submits that the applicant is not intending to file any rejoinder affidavit. List the matter for hearing on 13.08.2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 600 OF 2023**  
**(Shamla Shivaji Ekhande Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri Joslyn Menezes, learned counsel holding for Shri P.M. Nagargoje, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. On instructions, learned counsel appearing for the applicant seeks leave of this Tribunal to withdraw the present Original Application. Hence, the following order is passed:-

**ORDER**

The Original Application is disposed of since withdrawn. There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

**C.P.NO. 62/2023 IN O.A.NO. 485/2020**  
**(Vijay Shridhar Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Ms. Preeti R. Wankhade, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. List the matter for hearing on 22.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 29.07.2024-HDD

**M.A.NO. 186/2024 IN O.A.NO. 384/2019**  
**(Vinayak Bhagwat Kapse Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri M.B. Kolpe, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. By filing the present Misc. Application the prayer is made to allow the applicant to implead the necessary party in the Original Application No. 384/2019.

3. Learned Presenting Officer has submitted for passing appropriate orders.

4. After having gone through the pleadings in the M.A., we are inclined to allow the same. Hence, the following order is passed: -

**ORDER**

- (i) The Misc. Application is allowed.
- (ii) The necessary amendment be carried out within a period of one week.
- (iii) There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 384 OF 2019**  
**(Vinayak Bhagwat Kapse Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri M.B. Kolpe, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. After amendment is carried out by the applicant, issue notice to the added respondent, returnable on 18.09.2024.

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 18.09.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 175/2024 IN O.A.NO. 208/2024**  
**(Sangita Ashruba Chitale Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

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

2. By filing the present Misc. Application the applicant is intending to bring on record the subsequent events occurred during pendency of the O.A. Learned counsel for the applicant submits that the events which are intended to be brought on record are having nexus with the prayers made in the O.A.

3. Learned Presenting Officer has submitted for passing appropriate orders.

4. In view of the fact that the subsequent events are intended to be brought on record with contextual prayers, the present application is allowed. The necessary amendment be carried out within one week. Copy of the amended O.A. be placed on record. It would be open for the respondents to file affidavit in reply to the amended portion of the O.A.

5. S.O. to 18.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**C.P.ST.NO.799/2024 IN O.A.NO. 373/2019**  
**(Gajendra Ramrao Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time to work-out the matter. Time granted.

3. S.O. to 10.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 29.07.2024-HDD

**ORIGINAL APPLICATION NO. 527 OF 2024**  
**(Sonaji Mahipatrao Shelke Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri D.T. Devane, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer seeks time to file affidavit in reply. Learned P.O. submits that on similar ground the matters are also filed before the Principal Seat of this Tribunal at Mumbai and Bench at Nagpur and request is being for clubbing all those matters.

3. In view of the submissions made, time is granted for filing affidavit in reply.

4. S.O. to 13.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 318 OF 2024**  
**(Vandev Ramdas Meshram & Anr. Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri S.S. Kulkarni, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer seeks time to file affidavit in reply. Request is opposed by the applicant stating that due opportunities are already availed. In the interest of justice, time is granted by way of last chance.

3. S.O. to 14.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**



**T.A.NO. 22/2023 (W.P.NO. 13258/2023)**  
**(Harihar Dattatraya Patki Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**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. Learned counsel for the applicant submits that the applicant is not intending to file any rejoinder affidavit. List the matter for hearing on 03.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 29.07.2024-HDD

**ORIGINAL APPLICATION NO. 184 OF 2024**  
**(Laxman Shekanna Narmwar Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri Dhananjay Chinchole, learned counsel holding for Shri Jiwan J. Patil, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 2 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. We have gone through the pleadings of the parties. It appears to us that amicable settlement is possible in the present matter in view of the previous decision rendered by the Tribunal as well as by the Hon'ble Bombay High Court. The present matter, therefore, be placed before the **LOK ADALAT** to be held on 21.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 210 OF 2024**  
**(Prem Bhojraj Totre Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant has tendered across the bar rejoinder affidavit and the same is taken on record and the copy thereof has been served on the other side.

3. List the matter for hearing on 12.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**C.P.NO. 29/2024 IN O.A.NO. 995/2022**  
**(Shaikh Imroj Shaikh Riyaz Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

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

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondent No. 1. Time granted.

3. S.O. to 13.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 29.07.2024-HDD

**C.P.NO. 50/2024 IN O.A.NO. 229/2021**

**(Balbir Singh S/o Jagannath Prasad Tyagi Vs. State of Maharashtra & Ors.)**

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

**AND**

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 29.07.2024**

**ORAL ORDER :**

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

2. The present matter is not on board. It is taken on board at the request of learned counsel for the applicant.

3. Learned counsel for the applicant seeks leave of this Tribunal to replace the name of respondent Nos. 1 & 2. Leave granted. The necessary amendment be carried out forthwith.

4. After carrying out the necessary amendment, issue simple notice to the added respondents, returnable on 04.09.2024.

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

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**C.P.NO. 50/2024 IN  
O.A.NO. 229/2021**

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 04.09.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**T.A.NO. 07/2023 (W.P.NO. 5233/2020)**  
**(Pralhad Khandu Ugale Vs. State of Maharashtra & Ors.)**

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri A.R. Tapse, learned counsel holding for Shri S.A. Nagargoje, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri R.R. Bangar, learned counsel for respondent No. 1.

2. The present matter is not on board. It is taken on board at the request of Shri U.S. Mote, learned counsel for respondent No. 8, Zilla Parishad, Beed.

3. Learned counsel Shri U.S. Mote submits that in the order passed by this Tribunal on 16.07.2024 in the present matter, inadvertently his name remained to be mentioned.

4. In view of above, registry is directed to mention the name of Shri U.S. Mote, learned counsel appearing for respondent No. 8 in the order passed by this Tribunal on 16.07.2024 and corrected copy of order be supplied to all concerned.

5. Motion for speaking to minutes stands disposed of.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 801 OF 2024**  
**(Sharad Pandurang Jare Vs. State of Maharashtra & Ors.)**

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 29.07.2024**

**ORAL ORDER :**

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

2. The present matter is not on board. It is taken on board at the request of learned counsel for the applicant.

3. The present matter shall not be placed before the Division Bench of which Shri Vinay Kargaonkar, learned Member (A) is party.

4. Registry to ensure that the matter be placed before the appropriate Bench.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 29.07.2024-HDD



**M.A.NO.563/2023 IN O.A.NO.526/2023  
(Angad R. Shinde Vs. State of Maharashtra & Ors.)**

**O.A.NOS.1037, 1038, 1055 TO 1067, 1072 TO 1075 ALL  
OF 2023  
(Sanjay S. Patil & Ors. Vs. State of Maharashtra & Ors.)**

**O.A.NO.757/2023  
(Yashwant Katkar & Anr. Vs. State of Maha. & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri R.P.Bhumkar, learned Counsel for the applicant in M.A. No.563/2023 (**absent**). Shri V.G. Pingle, learned Presenting Officer for the respondent authorities and Shri U.L.Momale, learned Counsel for applicants in all these OAs, are present.

2. It is reported that affidavit in reply on behalf of respondent No. 1 has already been filed in M.A. No. 563/2023 In O.A. No. 526/2023 & O.A. Nos. 1037, 1038, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063 & 1074 ALL OF 2023.

3. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents in remaining matters. Time granted.

4. List the matters for hearing on 19.08.2024. Interim relief if any granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**



**M.A.NO. 200/2024 IN O.A.ST.NO. 1144/2024  
(Ashok P. Kohtkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri D.K. Dagadkhair, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. Issue notices to respondents in M.A., returnable on 27.09.2024.

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.

//2// M.A. 200/2024 in  
O.A.St. 1144/2024

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 27.09.2024.

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

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024

**M.A.NO. 201/2024 IN O.A.ST.NO. 1143/2024  
(Rekha A. Khotkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri D.K. Dagadkhair, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Issue notices to respondents in M.A., returnable on 27.09.2024.

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.

//2// M.A. 201/2024 in  
O.A.St. 1143/2024

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 27.09.2024.

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

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024

**M.A.NO. 202/2024 IN O.A.ST.NO. 1142/2024  
(Kailas G. Ghumre Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri D.K. Dagadkhair, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Issue notices to respondents in M.A., returnable on 27.09.2024.

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.

//2// M.A. 202/2024 in  
O.A.St. 1142/2024

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 27.09.2024.

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

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024



**M.A.NO. 277/2024 IN O.A.NO. 690/2024  
(Vaishali B. Tote Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. By filing this Misc. Application the applicant is seeking permission to amend the Original Application.

3. In the instant case the delay caused in filing the Original Application is condoned.

4. Learned counsel for the applicant submits that the proposed amendment will not change the nature of the Original Application and same is necessary to adjudicate the matter.

4. In view of same and for the reason stated in the application, the Misc. Application is allowed. The applicant is permitted to amend the O.A. as stated in paragraph Nos. 2 & 3 of the application.

5. The amended copy of Original Application shall be submitted before the Tribunal and copy shall also be given to learned P.O. forthwith.

6. The M.A.No. 277/2024 is accordingly disposed of. No order as to costs.

**MEMBER (J)**

**ORIGINAL APPLIATION NO. 690 OF 2024  
(Vaishali B. Tote Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. After carrying out amendment, issue notices to respondents, returnable on 13.09.2024.

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.

//2// O.A.No. 690/2024

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 13.09.2024.

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

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024

**ORIGINAL APPLICATION NO. 781 OF 2024**  
**(Ramchandra B. Shinde Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Smt. Suchita Dhongde, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Issue notices to respondents, returnable on 12.09.2024.
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.

//2// O.A.781/2024

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

7. S.O. to 12.09.2024.

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

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024

**ORIGINAL APPLICATION NO. 785 OF 2024**  
**(Dnyaneshwar B.Bhosale Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Issue notices to respondents, returnable on 21.08.2024.
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.

//2// O.A. 785/2024

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. Learned P.O. is directed to call the record and proceedings.

8. S.O. to 21.08.2024.

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

**MEMBER (J)**

**M.A.NO. 529/2023 IN O.A.NO. 1112/2022**  
**(Mohammad Raza Khan Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

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

Shri M.B. Bharaswadkar, learned counsel for respondent No.3, is **absent**.

2. Learned P.O. submits that during course of the day the application for vacating the interim relief will be filed. But the copy thereof is already given to learned counsel for the applicant.

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

4. S.O. to 19.08.2024 for hearing in **urgent admission category**. The interim relief granted earlier in O.A. to continue till then.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 575 OF 2024**  
**(Ajit B. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri Dhananjay Mane, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. The Original Application is hereby dismissed for the reasons to follow.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 626 OF 2018**  
**(Dilip S. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri S.N. Suryawanshi, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. This is a part heard matter.

3. I have heard both the sides for some time.

4. Learned counsel for the applicant submits that the applicant has approached to the Civil surgeon and accordingly, the Civil Surgeon has issued medical certificate. However, it appears that there is no compliance of Rule 40 of the Maharashtra Civil Services (Leave) Rules, 1981. The department has neither requested the Civil Surgeon concerned to constitute the Medical Board and refer the applicant to Medical Board for determination of his medical leave nor the Civil Surgeon on his own has constituted the Medical Board and issued the certificate. Consequently, there is a failure to comply with the provision of Rule 40 of the M.C.S. (Leave) Rules, 1981.

5. So far as Rule 63 of the M.C.S. (Leave) Rules, 1981 is concerned which prescribes the provision of extraordinary leave in terms of clause (a) which is

//2// O.A. 626/2028

applicable to the applicant, the extraordinary leave may be granted when no other leave is admissible.

6. Learned counsel for the applicant on instructions submits that at the relevant time the applicant has got the title of the earned leave sufficient and adequate to cover the absence on duty due to health issues. However, there is nothing on record from either of the side to substantiate the same.

7. In view of same, the learned P.O. is directed to take specific instructions as to whether at the relevant time the applicant got the title of Earned Leave sufficient and adequate to cover the period of absence of the applicant on account of certain health issues.

8. The applicant is at liberty to place on record the documents indicating that at the relevant time the applicant has got the title of Earned Leave on his account.

9. S.O. to 14.08.2024 for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 571 OF 2020  
(Madhukar R. Mapari Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Heard both the sides finally.

3. S.O. to 30.08.2024 for production of citations by the parties.

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024

**ORIGINAL APPLICATION NO. 732 OF 2021  
(Dashrath D. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. This is a part heard matter.

3. At the request of learned counsel for the applicant, S.O. to 05.08.2024 as a last chance for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 334 OF 2023**  
**(Ramshing H. Sulane Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri R.A. Shinde, learned counsel holding for Shri D.B. Thoke, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. This is a part heard matter.

3. At the request of learned P.O., S.O. to 12.08.2024 as a last chance for filing written notes of arguments.

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024

**M.A.NO. 399/2021 IN O.A.ST.NO. 1725/2021**  
**(Sunanda B. Maske & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri H.P. Jadhav, learned counsel for the applicants, is **absent**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicants, S.O. to 03.10.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024

**ORIGINAL APPLICATION NO. 104 OF 2024  
(Vishnu S. Darade Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri Amit Tandulkar, learned counsel holding for Shri Gajanan Kadam, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

Shri H.P. Jadhav, learned counsel for respondent Nos. 3 & 4 is **absent**.

2. This is a part heard matter.
3. Learned counsel for the applicant requested for short adjournment.
4. The interim relief is running against the respondents and therefore, the learned P.O. raised an objection for granting adjournment.
5. In view of above, time granted to applicant as a last chance.
6. S.O. to 01.08.2024 for hearing. Status quo granted earlier to continue till then.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 399 OF 2022**  
**(Tawshikar G. Gyanoba Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Smt. Sumedha C. Thombre, learned counsel holding for Shri C.V. Thombre, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 18.09.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024

**ORIGINAL APPLICATION NO. 1032 OF 2022  
(Bismilla D. Tadvi Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri Dhananjay Mane, learned counsel holding for Shri A.M. Hajare, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 24.09.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024

**ORIGINAL APPLICATION NO. 330 OF 2023  
(Sanjay P. Satale Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 04.09.2024 for filing affidavit in rejoinder, if any and for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 717 OF 2024  
(Vasant B. Galphade Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri J.B. Choudhary, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for respondent No.4, are present.

2. Learned counsel for the applicant submits affidavit in rejoinder and copy thereof is already given to other sides.

3. Learned counsel appearing for respondent No.4 seeks time to go through the said rejoinder and file sur-rejoinder, if necessary. Time granted.

4. S.O. to 07.08.2024 for filing sur-rejoinder, if any and for hearing in **urgent admission category**.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 212 OF 2023**  
**(Dr. Santosh P. Pardeshi Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. By filing this Original Application the applicant is seeking direction to the respondents to extend leave benefits as admissible and annual increments for past ad-hoc service rendered by the applicant and further seeking direction to the respondents to condone the technical breaks in ad-hoc service given to applicant and service spent on ad-hoc basis may be counted for grant of annual increments as well as earned leave. The applicant has also prayed for direction to the respondents to extend the benefits of earned leave and annual increments by issuing suitable policy decision etc.

3. Learned Present Officer submits that by issuing the Government Resolution dated 15.02.2024 the respondent authorities have

//2// O.A. 212/2023

redressed the grievances raised by the applicant in this application. Learned P.O. submits the copy of said G.R. dated 15.02.2024, which is taken on record and marked as document 'X' for the purpose of identification. Learned P.O. submits that nothing survives for further consideration in this Original Application.

4. Learned counsel for the applicant submits that he has no specific instructions from the applicant in this regard. However, after going through the said G.R. dated 15.02.2024, learned counsel for the applicant submits that the appropriate order may be passed.

5. Having gone through the said G.R. dated 15.02.2024 it appears that the applicant's grievances have been almost redressed and nothing survives for further consideration in this Original Application.

6. In view of same, the Original Application is disposed of. No order as to costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 417 OF 2024**  
**(Digambar B. Kiroale Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri S.B. Ghatol-Patil, learned counsel for the applicant, is **absent**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities and Shri A.D. Gadekar, learned counsel for respondent No.3, are present.

2. At the request of learned counsel for respondent No.3 and learned P.O., time granted for filing affidavit in reply.

3. S.O. to 23.08.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 624 OF 2024  
(Dinesh B. Nerkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri S.S. Tandale, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 22.08.2024.

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024



**M.A.168 OF 2024 IN O.A.NO. 23 OF 2024  
(Sachin V. Ingalkar & Ors. Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Smt. Suchita Dhongde, learned counsel for the applicants and Shri A.B. Basarkar, learned Presenting Officer for the respondent authorities, are present.

None present for respondent No.4.

2. At the request of learned P.O., time granted for filing affidavit in reply.

3. S.O. to 05.08.2024. Status quo granted earlier to continue till then.

**MEMBER (J)**

**M.A.169 OF 2024 IN O.A.NO. 1021 OF 2023  
(Priyanka S. Sanap Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Smt. Suchita Dhongde, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits affidavit in reply on behalf of respondent Nos. 1,3 & 6 in O.A. The same is taken on record and copy thereof is given to other side.

3. S.O. to 05.08.2024 for filing affidavit in rejoinder, if any.

4. Status quo granted earlier to continue till then.

**MEMBER (J)**

**M.A.170 OF 2024 IN O.A.NO. 24 OF 2024**  
**(Vasundhara N. Wahtule & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Smt. Suchita Dhongde, learned counsel for the applicants and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., time granted for filing affidavit in reply.

3. S.O. to 05.08.2024. Status quo granted earlier to continue till then.

**MEMBER (J)**

**M.A.NO. 312/2022 IN O.A.ST.NO. 1121/2022**  
**(Dr. Balasaheb M. Kalegore & Ors. Vs. State of Maharashtra & Ors.)**

**WITH**

**M.A.NO. 238/2023 IN O.A.NO. 438/2023**  
**(Dr. Dilip C. Godse & Ors. Vs. State of Maharashtra & Ors.)**

**WITH**

**M.A.473/2023 IN M.A. 474/2023 IN O.A.St. 2140/2022**  
**(Dr. Gajanan G. Mohalle & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri P.R. Tandale, learned counsel for the applicants in all these matters and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these matters, are present.

2. At the request of learned P.O., S.O. to 21.08.2024 as a last chance for hearing.

**MEMBER (J)**

**M.A.NO. 392/2022 IN O.A.ST.NO. 78/2022  
(Ashru M. Kaldate Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri P.B. Jadhav, learned counsel for the applicants and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Leave to correct the dates and prayers in the Misc. Application seeking condonation of delay so also in the Original Application.
3. The applicant to carry out correction forthwith.
4. S.O. to 26.08.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024

**M.A.NO. 420/2022 IN O.A.ST.NO. 1554/2022  
(Eknath M. Bansode Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri D.B. Pawar Pathrekar, learned counsel for the applicant and Smt. R.S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time file the additional affidavit of the applicant explaining therein as to whether the order has been passed by the Divisional Commissioner on the communication dated 01.06.2020 forwarded by the Collector, Nanded in this regard. Time granted.

3. S.O. to 21.08.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024

**M.A.NO. 427/2023 IN O.A.ST.NO. 1065/2023  
(Madhyamsing P. Maher Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

S/Shri Pradeep Lohiya/Akshay Kulkarni, learned counsel for respondent Nos. 5 & 6, **absent**.

2. Though the learned counsel for the applicant and learned P.O. are ready to work out the matter, the learned counsel appearing for respondent Nos. 5 & 6 is absent.

3. Learned counsel for the applicant has submitted the synopsis of events to explain the delay along with the copy of G.R. dated 08.11.2023 and letter dated 18.12.2023, which is covering letter of proposal submitted by Deputy Director, Health Services, Aurangabad to respondent No.1-State. The same is taken on record.

4. In view of absence of learned counsel appearing for respondent Nos. 5 & 6, S.O. to 13.08.2024 for hearing.

**MEMBER (J)**

**O.A.NOS. 531, 554, 557, 582, 632, 830 AND 832  
ALL OF 2023**

**(Dr. Manohar K. Shelake & Ors. Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard S/Shri S.B. Patil, J.B. Choudhary & M.R. Kulkarni, respective learned counsel for the applicants in respective O.As. and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these O.As.

2. Learned counsel appearing for the applicants in respective O.As. submit that in some identical matters the Government has cancelled the transfer orders. So far as the applicants before this Tribunal are concerned, the matter is under the consideration of the Government. Learned counsel appearing for the applicants thus on instructions submit that the matters may be listed before the ensuing Lok Adalat. Learned counsel appearing for the applicants in respective O.As. have already submitted the consent form to that effect.

3. Learned P.O. submits that in the present scenario there is no hurdle as such to place the



//2// O.A.531/2023 & Ors.

matters before the ensuing Lok Adalat since in the identical matters the Government has cancelled the transfer orders.

4. In view of above, place the present Original Applications before the ensuing Lok Adalat scheduled to be held on 21.09.2024.

5. The interim relief granted earlier to continue till then.

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024

**ORIGINAL APPLICATION NO. 853 OF 2023  
(Swapnali S. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri V.R. Jain, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. The present matter is reserved for order.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 162 OF 2018**  
**(Baliram B. Patil Vs. State of Maharashtra & Ors.)**

**WITH**

**ORIGINAL APPLICATION NO. 163 OF 2018**  
**(Pramod R. Kachare Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri A.D. Sugdare, learned counsel for the applicants in both the O.As. and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities in both the O.As., are present.

Smt. Sunita D. Shelke, learned counsel for respondent Nos. 3 & 4 in both the O.As., is **absent**.

2. At the request of learned P.O., S.O. to 19.08.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 555 OF 2018**  
**(Nirmala S. Bhandari Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. In compliance with the order dated 22.07.2024 learned P.O. submits the copy of Government Circular dated 05.03.2005, which is according to the department squarely applies to the case of the applicant sine the applicant came to be voluntarily retired in the year 2006 and the departmental committee has taken the decision in the year 2011 i.e. before issuance of Government Circular dated 30.07.2013.

3. The Original Application is accordingly dismissed for the reasons to follow. No order as to costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 900 OF 2018  
(Bhika M. Pathare Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri A.B. Rajkar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 14.08.2024 for final hearing.

**MEMBER (J)**

**O.A.NOS. 921 TO 924 ALL OF 2018**  
**(Shriram B. Jadhav & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri P.B. Salunke, learned counsel holding for Shri V.G. Salgare, learned counsel for the applicants in all these O.As. and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities in all these O.As.

Smt. Anuradha Mantri, learned counsel for respondent No.4 in O.A.No. 923/2018 is **absent**.

2. I have heard learned counsel for the applicants and learned P.O. for some time.

3. Learned P.O. is directed to take specific instructions as to whether the order has been passed under Rule 11 (4) of the Maharashtra Civil Services (Pay) Rules, 1981 in connection with the applicants and pursuant to the said order, the recovery has been started.

4. S.O. to 21.08.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 946 OF 2018**  
**(Kailas D. Patil Vs. State of Maharashtra & Ors.)**

**WITH**

**ORIGINAL APPLICATION NO. 139 OF 2019**  
**(Madhukar R. Dusane Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri A.D. Sugdare, learned counsel for the applicants in both the O.As. and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities in both the O.As., are present.

Smt. Sunita D. Shelke, learned counsel for respondent No. 3 in O.A.No. 946/2018 and for respondent Nos. 2 & 3 in O.A.No. 139/2019, is **absent**.

2. In view of absence of learned counsel for respondent Nos. 3 in O.A.No. 946/2018 and for respondent Nos. 2 & 3 in O.A.No. 139/2019, S.O. to 19.08.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 370 OF 2021  
(Jyoti K. Mote Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri J.S. Deshmukh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 30.08.2024 for filing affidavit in rejoinder, if any and for hearing.

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024



**ORIGINAL APPLICATION NO. 1034 OF 2022**  
**(Sukha L. Sathe Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Ms. Rajashree C. Sawale, learned counsel holding Shri S.N. Pagare, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. Learned P.O. seeks leave to file affidavit in reply on behalf of respondent Nos. 2 & 3. Leave granted.

3. The affidavit in reply of respondent Nos. 2 & 3 is accepted and copy thereof is given to other side.

4. Learned P.O. submits that even this Tribunal on the last occasion has directed the respondent No.3 to remain present.

5. As directed by this Tribunal by order dated 12.07.2024 the respondent No.3 namely Shri Sanjay Arvind Sabnis, Deputy Director, Sports and Youth Services, Chh. Sambhajinagar remained present in person today before this Tribunal and tendered his apology in writing by way of short affidavit as the

//2// O.A. 1034/2022

officer holding the previous charge has not timely responded to the communication forwarded by the learned C.P.O. office in this regard.

6. The said apology in writing by way of short affidavit is accepted. The respondent No.3 need not remain present henceforth and on the next date the learned counsel for the applicant and learned P.O. shall work out the matter.

7. S.O. to 28.08.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024

**ORIGINAL APPLICATION NO. 30 OF 2023  
(Pralhad G. Ranveer Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri D.S. Mutalik, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicant, Shri A.B. Basarkar, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent Nos. 2 & 3, are present.

2. S.O. to 23.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 499 OF 2023**  
**(Yamunabai M. Choudhari Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri Ashish S. Hazari, learned counsel holding for Shri Datta Amadake, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 14.08.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024

**ORIGINAL APPLICATION NO. 607 OF 2023**  
**(Gajanan B. Borse Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. By consent of both the sides, S.O. to 14.08.2024 for hearing.

3. The interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 746 OF 2023  
(Popat N. Karhale Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Ms. Preeti R. Wankhade, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 26.08.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024

**ORIGINAL APPLICATION NO. 767 OF 2023  
(Krishna S. Borde Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

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

2. By consent of both the sides, S.O. to 29.08.2024 for hearing.

3. The interim relief granted earlier to continue till then.

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024

**ORIGINAL APPLICATION NO. 768 OF 2023**  
**(Appasaheb S. Abak Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri S.B. Patil, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. By consent of both the sides, S.O. to 29.08.2024 for hearing.

3. The interim relief granted earlier to continue till then.

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024



**ORIGINAL APPLICATION NO. 907 OF 2023**  
**(Satish S. More Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri V.P. Savant, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 14.08.2024 for filing affidavit in rejoinder, if any and for hearing.

**MEMBER (J)**

SAS ORAL ORDER 29.07.2024

**ORIGINAL APPLICATION NO. 923 OF 2023**  
**(Yunus Saybu Tadavi Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Ms. Mayuri G. Kasturkar, learned counsel holding for Shri S.A. Deshmukh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 28.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 290 OF 2024**  
**(Asha B. Garud Vs. State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Not on board. Taken on board.
3. At the request of learned counsel for the applicant, S.O. to 01.08.2024 for hearing.
4. The interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 579 OF 2021**  
**(Siddharth R. Pandurnikar Vs. The State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri Ajay S. Deshpande, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, Shri Shailendra S. Kulkarni, learned counsel for respondent no. 04 and Shri A.S. Shelke, learned counsel for respondent no. 05, are present.

2. For orders, S.O. to 05.08.2024. The interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 1037 OF 2022**  
**(Vijaysing K. Wagh Vs. The State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

None appears for the applicant. Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, is present.

2. S.O. to 21.08.2024. Interim Relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A. NO. 130/2024 IN O.A. ST. NO. 495/2024**  
**(Vinod Narayanrao Nirwal Vs. The State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri K.G. Salunke, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Applicant has filed the present Misc. Application seeking condonation of delay, which has occasioned in filing the Original Application by him annexed to the present application. In the Original Application the applicant is challenging the punishment imposed upon him by the disciplinary authority in the departmental enquiry conducted against him. The disciplinary authority has passed the order of punishment on 10.09.2018. Against the order so passed, the applicant preferred appeal on 29.10.2018 before the Hon'ble Governor and it is the contention of the applicant that the said appeal has not yet been decided and no communication is made to him in that regard. It is the further contention of the applicant that in the meanwhile period CORONA pandemic started and he was prevented from availing the legal remedy. After the CORONA pandemic period was over, the applicant took legal advice

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**M.A. NO. 130/2024 IN**  
**O.A. ST. NO. 495/2024**

and completing the legal formalities has filed the present application. However, in the meanwhile period more than one year period has lapsed, which is sought to be condoned in the present application.

3. The affidavit in reply has not been filed by the respondents. Learned Presenting Officer, however, submitted that the reasons, which are provided by applicant, are insufficient to condone the delay and, as such, has prayed for rejecting the application.

4. We have gone through contents of the Misc. Application, as well as, the contents of the Original Application and the documents annexed therewith. It is true that the delay has occasioned of about 04 years and if the period of CORONA pandemic is excluded, then it can be said to be of 01 year and some odd period. It however, does not appear to us that there is any mala fide intention in delaying the filing of application by the applicant. In the circumstances, we are inclined to allow the Misc. Application so that the applicant can prosecute his O.A. on merit, however, subject to certain costs. Hence, we pass the following order:-

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**M.A. NO. 130/2024 IN**  
**O.A. ST. NO. 495/2024**

**ORDER**

- (i) The Misc. Application is allowed.
- (ii) The delay caused in filing the Original Application is condoned, subject to costs of Rs. 1,000/- (Rs. One thousand only) as condition precedent.
- (iii) On depositing of costs, the O.A. be registered according to law.

**MEMBER (A)**

**VICE CHAIRMAN**



**O.A. ST. NO. 495/2024**

**(Vinod Narayanrao Nirwal Vs. The State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri K.G. Salunke, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 19.08.2024.

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 19.08.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**O.A. NOS. 445, 446, 447, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 494, 113, 114 ALL OF 2017, MA. NO. 325/2017 IN O.A. ST. 941/2017, M.A. NO. 36/2019 IN MA ST. 82/2019 IN OA ST. 83/2019, M.A. NO. 144/2019 IN O.A. ST. NO. 400/2019 (Marathwada Van Va Samajik Vanikaran Rojandari Va Kayam Kamgar Karmachari Va Sarva Shrami Sanghatana, Beed & Ors. Vs. The State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri A.S. Shelke and Shri R.L. Chintalwar, learned counsel, learned counsel for the applicants in respective matters and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in all these matters are present. Shri S.S. Shinde, learned counsel for applicants in MA. NO. 325/2017 IN O.A. ST. 941/2017 (**absent**).

2. S.O. to 14.08.2024. **High on Board.**

**MEMBER (A)**

**VICE CHAIRMAN**

**O.A. NOS. 201, 202 AND 203 ALL OF 2022**  
**(Dr. Raman S. Dalvi & Ors. Vs. The State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

None appears for the applicant. Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 23.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 919 OF 2022**  
**(Rahul R. Burrewar Vs. The State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

None appears for the applicant. Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 29.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 387 OF 2023**  
**(Sachin M. Landge Vs. The State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

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

2. S.O. to 21.08.2024. Interim Relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 487 OF 2023**  
**(Rajesh J. Gangurde Vs. The State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

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

2. S.O. to 21.08.2024. Interim Relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 196 OF 2021  
(Sandip More Vs. The State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

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

2. S.O. to 20.08.2024. Interim Relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 412 OF 2022**  
**(Omprakash Kothari Vs. The State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri Saket Joshi, learned counsel holding for Shri Aviansh S. Deshmukh, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 20.08.2024. Interim Relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 958 OF 2023**  
**(Afroj Tamurkhan Pathan Vs. The State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Shri Kakasaheb B. Jadhav, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits that he will place on record the minutes of the meeting of the DPC held on 09.02.2023 in the next week and sought time. Time granted.

3. S.O. to 07.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 476 OF 2018**  
**(Aasha Suresh Khairnar Vs. The State of Maharashtra & Ors.)**

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

**DATE : 29.07.2024**

**ORAL ORDER :**

Heard Shri Sandesh R. Patil, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. The applicant had applied for the post of Krishi Sevak and initially her name was included in the waiting list. The respondents however, caused modification in the select list as well as waiting list in view of the judgments of various courts including the Hon'ble Supreme Court to the effect that insofar as open category is concerned, even a person from reserved category can compete for the said post on his/her own merit. Considering the said guidelines the select list was revised and the candidates who were more meritorious they were substituted in the select list against the open seats. This has resulted in pushing down the name of the applicant. It is the further grievance of the applicant that two posts reserved for Army persons had remained vacant because of non-availability of the candidate from that category. It is the contention of the applicant that as per the Government guidelines if the persons do not become

available to be appointed against the seats reserved for Army persons, such posts are to be filled in through open category candidate.

3. In a query made by us to the learned counsel appearing for the applicant whether any candidate belonging to the reserved category or falling in Open i.e. Unreserved category securing less marks than the applicant is selected by the respondents, the learned counsel stated that nothing such has happened. It is thus evident that the reserved category candidates, selected on the basis of their merit against the Open seats. No prejudice, therefore, seems to have caused to the applicant.

4. After having considered the facts and circumstances involved in the present matter it does not appear to us that the applicant is entitled for any relief as has been claimed in the original application. Hence, we pass the following order: -

**ORDER**

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

**MEMBER (A)**

**VICE CHAIRMAN**