

O.A. NO. 664/2021 WITH M.A. 77/2022
(Shri Sanjay D. Gangawane Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 532/2020
(Shri Hemant J. Kinhikar Vs. State of Maharashtra & Ors.)

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

DATE : **29.4.2022**

ORAL ORDER :

S/shri V.B. Wagh & Avinash S. Deshmukh, learned counsel for the applicants in respective matters and S/shri M.S. Mahajan & M.P. Gude, learned Chief Presenting Officer & learned Presenting Officer for the respondents in respective matters, are present.

2. The learned Chief Presenting Officer has tendered across the bar the communication dated 28.4.2022 received to him from the respondents. The learned C.P.O. has sought some short time for filing on record the D.P.C. meeting proceedings. Time granted.

3. S.O. to 4.5.2022. **High on Board.**

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 887/2019
(Asim Kadar Rasool Attar Vs. State of Maharashtra & Ors.)

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

DATE : **29.4.2022**

ORAL ORDER :

Shri N.P. Wangikar, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. When the present matter is taken up for consideration the learned C.P.O. has tendered across the bar the communication dated 22.10.2021. It is taken on record. The learned C.P.O. submitted that the applicant has been promoted and in fact the object of filing the present application has been accomplished.

3. The applicant is not present today. From last few dates no one has caused appearance for the applicant in the present matter. It appears that it may be the reason that the applicant may have been issued with the promotion order, he is not interested in prosecuting the matter.

4. In the circumstances, following order is passed :-

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O.A. NO. 887/2019

ORDER

Original Application stands dismissed for want of prosecution without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 29.4.2022

ORIGINAL APPLICATION NO. 887/2019
(Asim Kadar Rasool Attar Vs. State of Maharashtra & Ors.)

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

DATE : **29.4.2022**

ORAL ORDER :

Shri N.P. Wangikar, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. When the present matter is taken up for consideration the learned C.P.O. has tendered across the bar the communication dated 22.10.2021. It is taken on record. The learned C.P.O. submitted that the applicant has been promoted and in fact the object of filing the present application has been accomplished.

3. The applicant is not present today. From last few dates no one has caused appearance for the applicant in the present matter. It appears that it may be the reason that the applicant may have been issued with the promotion order, he is not interested in prosecuting the matter.

4. In the circumstances, following order is passed :-

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O.A. NO. 887/2019

ORDER

Original Application stands dismissed for want of prosecution without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 29.4.2022

C.P. 06/2021 IN O.A. 165/2019
(Smt. Supriya K. Deshpande & Ors. Vs. State of Maharashtra
& Ors.)

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

DATE : **29.4.2022**

ORAL ORDER :

Heard Shri V.V. Ingle, learned counsel for the petitioners and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. When the present Contempt Petition is taken up for consideration, the learned counsel for the contempt petitioners submitted that, may be late, but the order in question has been complied with. The learned counsel further submitted that the contempt petitioners are likely to challenge the said order. In view of the submissions made, following order is passed :-

ORDER

The Contempt Petition stands disposed of since the order has been complied with. No order as to costs.

MEMBER (A)
ARJ ORAL ORDERS 29.4.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 918/2010

(Smt. Gayabai d/o Gorakh Pokale Vs. State of Maharashtra & Ors.)

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

DATE : **29.4.2022**

ORAL ORDER :

Heard Shri M.S. Bhosale, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents and Shri N.E. Deshmukh, learned counsel for respondent nos. 3 to 6.

2. The present applicant had had applied for the post of Clerk-cum-Typist in pursuance of the advertisement dated 5.11.2009 issued by the Collector, Nanded. There were total 32 posts out of which 06 were reserved for Female category candidates. It is the contention of the present applicant that though she secured more marks than the last selected Female candidate namely Smt. Suryawanshi Ganga Subhashrao, she has been refused the appointment for some erroneous reasons. The learned counsel submitted that non-creamy layer certificate was subsequently produced, however, it has not been considered by the authorities. The learned counsel alleged that according to the information of the application some of

the candidates were given time to submit the caste certificate, as such, the applicant was also required to be given same treatment and the authorities must have given time to file non-creamy layer certificate to the applicant and more particularly on that ground could not have rejected her candidature.

3. The learned Chief Presenting Officer has opposed the submissions so made. He submitted that the applicant has not disputed the fact that along with application the non-creamy layer certificate was not attached by the applicant. The learned C.P.O. pointing out the specific term in the advertisement submitted that it was mandatory on the part of the applicant to annex the said certificate along with her application. He further submitted that the authorities have rightly rejected the candidature of the applicant and no interference is required in the said order.

4. Shri Deshmukh, learned counsel appearing for respondent nos. 3 to 6 submitted that all these candidates have complied with the terms and conditions as incorporated in the advertisement. Since the objection was raised by the learned counsel for the applicant that respondent no. 5, Smt. Betti Subhadra Nagraj, was not holding the non-creamy layer certificate at the time of filing

the application and she submitted the said document later on, Shri Deshmukh pointed out that Smt. Betti Subhadra submitted her application on 23.11.2009, whereas non-creamy layer certificate was obtained by her on 9.11.2009, which was very-well submitted along with her application. He pointed out that the documents in respect of said Smt. Betti Subhadra are filed by the applicant herself, which nullify the allegations made against her.

5. After considering the arguments advanced by the learned counsel appearing for the applicant, learned C.P.O. appearing for the respondent authorities and the learned counsel appearing for the respondent nos. 3 to 6, it appear to us that the applicant has failed in complying with the mandatory requirement of filing on record the non-creamy layer certificate along with application. She also failed to prove that there was any discrimination in considering her candidature. Thus, we are of the opinion that no case is made out by the applicant. Hence, we pass the following order :-

ORDER

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 222/2022
(Annasaheb M. Shinde & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : **29.4.2022**

ORAL ORDER :

Shri Jiwan Patil, learned counsel for the applicants and Shri P.R. Katneshwarkar, learned special counsel for the respondents, are present.

2. With the consent of both the sides, S.O. to 16.6.2022 for hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 29.4.2022

ORIGINAL APPLICATION NO. 390/2022
(Rajdeepsingh G. Sardar Vs. State of Maharashtra & Ors.)

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

DATE : **29.4.2022**

ORAL ORDER :

Shri S.D. Munde, learned counsel holding for Shri Rahul Karpe, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Issue notices to the respondents, returnable on 4.7.2021.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and 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 4.7.2021.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

M.A. ST. 664/2021 IN O.A. ST. 665/2022
(Reshma K. Kamble & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : **29.4.2022**

ORAL ORDER :

Shri P.G. Tambde, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicants, S.O. to 9.6.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 29.4.2022

C.P. 50/2019 IN O.A. 242/2017
(Mohan R. Choudhari Vs. State of Maharashtra & Ors.)
WITH
C.P. 51/2019 IN O.A. 648/2017
(Bhaskar S. Patil Vs. State of Maharashtra & Ors.)
WITH
C.P. 52/2019 IN O.A. 878/2016
(Nitinkumar T. Adhe Vs. State of Maharashtra & Ors.)

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

DATE : **29.4.2022**

ORAL ORDER :

Shri A.D. Sugdare, learned Counsel for the applicants in all the three matters, S/shri N.U. Yadav, I.S. Thorat, B.S Deokar, learned Presenting Officers for the respondent authorities in respective matters and Smt. Sunita D. Shelke, learned Counsel for respondent nos. 2 & 3 / 3 & 4 in respective matters, are present.

2. With the consent of both the sides, S.O. to 20.7.2022 for hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 29.4.2022

C.P. 20/2021 IN O.A. 200/2016
(Shaikh Rahim Shaikh Chand Vs. State of Maharashtra &
Ors.)

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

DATE : **29.4.2022**

ORAL ORDER :

Shri R.K. Ashtekar, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 21.6.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 29.4.2022

**ORIGINAL APPLICATION NO. 888/2019
(Pankaj P. Sapkal Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri N.P. Wangikar, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. When the present matter is taken up for consideration the learned C.P.O. has tendered across the bar the communication dated 22.10.2021. It is taken on record. The learned C.P.O. submitted that the applicant has been promoted and in fact the object of filing the present application has been accomplished.

3. The applicant is not present today. From last few dates no one has caused appearance for the applicant in the present matter. It appears that it may be the reason that the applicant may have been issued with the promotion order, he is not interested in prosecuting the matter.

4. In the circumstances, following order is passed :-

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O.A. NO. 888/2019

ORDER

Original Application stands dismissed for want of prosecution without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 29.4.2022

ORIGINAL APPLICATION NO. 890/2019
(Chetan N. Aundhekar Vs. State of Maharashtra & Ors.)

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

DATE : **29.4.2022**

ORAL ORDER :

Shri N.P. Wangikar, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. When the present matter is taken up for consideration the learned C.P.O. has tendered across the bar the communication dated 22.10.2021. It is taken on record. The learned C.P.O. submitted that the applicant has been promoted and in fact the object of filing the present application has been accomplished.

3. The applicant is not present today. From last few dates no one has caused appearance for the applicant in the present matter. It appears that it may be the reason that the applicant may have been issued with the promotion order, he is not interested in prosecuting the matter.

4. In the circumstances, following order is passed :-

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O.A. NO. 890/2019

ORDER

Original Application stands dismissed for want of prosecution without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 29.4.2022

Date : 29.4.2022

O.A. 401/2022

(Smt. Kirti M. Nagargoje V/s State of Maharashtra & Ors.)

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

1. Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri Deepak R. Patil, learned P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on **10.6.2022**. The case be listed for admission hearing on **10.6.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

ORIGINAL APPLICATION NO.337/2020
(Vithal Bhikaji Chavan Vs. State of Maharashtra & Ors.)

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

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 29.04.2022

ORAL ORDER :

Heard Shri A.B.Chalak, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent.

2. The applicant has filed present O.A. for quashment of order dated 25-03-2022 passed by the Maharashtra Public Service Commission (MPSC) whereby it has cancelled candidature of the applicant for the State Services Preliminary Examination, 2021 and has debarred/disqualified the applicant from appearing in all the competitive examinations conducted by the MPSC permanently. The facts involved in the present matter can be briefly stated thus:

On 29-12-2021, MPSC published notification in respect of State Services Preliminary Examination, 2021. Vide the said notification, MPSC declared that said

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O.A.NO.337/2020

examinations scheduled to be held on 02-01-2022 are postponed and the program/schedule of the next examinations will be published shortly. The applicant belongs to De-notified Tribes (A). On 14-10-2021, he had submitted application online for the said examination, 2021. Hall ticket was issued in favour of the applicant for appearing in the said preliminary examination. Applicant was seriously preparing for the said examination, however, on 29-12-2021, MPSC published aforesaid notification and thereby postponed the preliminary examination. After noticing the notification issued by MPSC, applicant expressed his comment on social media platform "Twitter". While expressing his comments, the applicant has used unparliamentary words and abusive language. MPSC took serious cognizance of the said comment. On 18-01-2022, the MPSC Twitted on its official Twitter Handle that, non-cognizable case has been registered against the applicant for using uncultured and unconstitutional language. Applicant, thereafter, immediately submitted his

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O.A.NO.337/2020

written apology to MPSC and requested not to take any coercive action against him and to accept his apology. In the meanwhile, MPSC has conducted the State Services Preliminary Examination, 2021 on 23-01-2022. Applicant appeared in the said examination. According to the applicant, he must have secured 255 marks out of 400 in the said examination. On 01-02-2022, the applicant received a show cause notice from MPSC. The applicant submitted his explanation to the said notice and again prayed for pardon. MPSC, however, did not accept the explanation so given by the applicant and passed order dated 25-03-2022, which has been impugned in the present O.A.

3. Shri A.B.Chalak, learned Counsel appearing for applicant submitted that applicant is not denying that while expressing his comment on Twitter, he has grossly erred in using filthy language and unparliamentary words. Learned Counsel submitted that applicant got frustrated after knowing that the examination for which he was

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sincerely preparing for last many days has been postponed by the MPSC, and at that time, out of anger, such comment was Twitted by him. Learned counsel submitted that applicant belongs to poor strata of society and comes from backward class. The learned Counsel submitted that the applicant is 33 years old and is feeling scared that his chances of securing Government employment are getting lost. The learned Counsel submitted that like several others, the applicant had undergone trauma of Covid-19 pandemic. His frustration had therefore increased. The learned Counsel, further, submitted that applicant was never intending to undermine the institution like MPSC. However, in fit of anger and out of frustration, the alleged act has occurred by him. Learned Counsel submitted that the applicant is repenting for his alleged act and sincerely feeling guilty for indulging in such an act. Learned Counsel submitted that the applicant in his explanation submitted to MPSC, has expressed his heartfelt apology and explained reasons which have resulted in making such

comment by him. The learned Counsel submitted that the applicant certainly deserves to be punished for his alleged misconduct but the punishment imposed on him by the MPSC is extremely harsh. The learned Counsel submitted that the applicant cannot be permanently debarred from competing in the examinations conducted by the MPSC. Learned Counsel submitted that since the MPSC has not considered the request of the applicant, he has approached this Tribunal. The learned Counsel submitted that the punishment so imposed upon him by MPSC be set aside or may be substituted with some other punishment but the applicant shall not be permanently debarred from appearing in the State Services Examinations conducted by MPSC and resultantly from securing employment in Government sector. Learned Counsel has relied upon the judgments of the Hon'ble Apex Court in the case of **Commissioner of Police and Ors. V/s. Sandeep Kumar [(2011) 4 SCC 644]** to support his argument.

4. Learned CPO has strongly opposed the submissions made on behalf of the applicant. Learned CPO bringing to our notice the language and the words used by the applicant in the alleged Tweet submitted that no such person can be allowed to enter into State Services. Learned CPO submitted that appropriate action has been taken against the applicant by the MPSC and no leniency can be shown in such matters. Learned CPO in the circumstances prayed for rejecting the O.A.

5. We have carefully considered the submissions made by the learned Counsel appearing for the applicant and the learned CPO appearing for MPSC. In the present matter there cannot be two opinions that the applicant has manifestly erred in expressing his concern on Twitter in filthy language using unparliamentary words. It has definitely undermined the prestige of the Constitutional body like MPSC. In such matters, hardly there is any scope for indulgence by this Tribunal. The act committed by the applicant is so grave that, if at all it is to be

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O.A.NO.337/2020

condoned, the only authority to condone the same will be MPSC and none else.

6. The question arises, why the applicant would have gone to such an extent ? It is evident that it is outburst of anger in the mind of an unemployed youth who belongs to weaker section of the society. As has been mentioned by the applicant, he was preparing for the preliminary examination for days together and prior to few days of the scheduled date of examination when he came to know that examinations are postponed, he got frustrated and that resulted in making such comment by him. As has been submitted by the applicant he has all repentance for his acts and he is feeling extremely guilty. It does not appear to us that submission so made by the applicant is camouflage.

7. In case of **Commissioner of Police and Ors. V/s. Sandeep Kumar [(2011) 4 SCC 644]**, Hon'ble Supreme Court has referred to the case of Welsh students mentioned by Lord Denning in his book *Due process of Law*, we find it

appropriate to reproduce the entire said paragraph which reads thus:

“10. We may also here refer to the case of Welsh students mentioned by Lord Denning in his book 'Due Process of Law'. It appears that some students of Wales were very enthusiastic about the Welsh language and they were upset because the radio programmes were being broadcast in the English language and not in Welsh. They came up to London and invaded the High Court. They were found guilty of contempt of court and sentenced to prison for three months by the High Court Judge. They filed an appeal before the Court of Appeals. Allowing the appeal, Lord Denning observed :-

“I come now to Mr. Watkin Powell's third point. He says that the sentences were excessive. I do not think they were excessive, at the time they were given and in the circumstances then existing. Here was a deliberate interference with the course of justice in a case which was no concern of theirs. It was necessary for the judge to show – and to show to all students everywhere – that this kind of thing cannot be tolerated. Let students demonstrate, if they please, for the causes in which they believe. Let them make their protests as they will. But they must do it by lawful means and not by unlawful. If they strike at the course of justice in this land – and I speak both for England and Wales – they strike at the roots of society itself, and they bring down that which protects them. It is only by the maintenance of law and order that they are privileged to be students and to study and live in peace. So let them support the law and not strike it down.

But now what is to be done? The law has been vindicated by the sentences which the judge passed on Wednesday of last week. He has shown that law and order must be maintained, and will be maintained. But on this appeal, things are changed. These students here no longer defy the law. They have appealed to this court and shown respect for it. They have already served a week in prison. I do not think it necessary to keep them inside it any longer. These young people are no ordinary criminals. There is no violence, dishonesty or vice in them. On the contrary, there was much that we should applaud. They wish to do all they can to preserve the Welsh language. Well may they be proud of it. It is the language of the bards – of the poets and the singers – more melodious by far than our rough English tongue. On high authority, it should be equal in Wales with English. They have done wrong – very wrong – in going to the extreme they did. But, that having been shown, I think we can, and should, show mercy on them. We should permit them to go back to their studies, to their parents and continue the good course which they have so wrongly disturbed.” [Vide Morris V. Crown Office, Q.B. at p. 125C-H.]

8. In the present matter, it is the contention of the applicant that the punishment imposed upon him by the MPSC is excessive. At the relevant time and in the circumstances then existing, perhaps this could have been felt the appropriate punishment.

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O.A.NO.337/2020

9. Alike Lord Denning, the same question is also before us..... 'Now what is to be done ?' Now, things and circumstances have bit changed. The applicant has realized his mistake. He has all repentance for his conduct. He commits that no such mistake will occur in rest of his life. It was sudden outburst of anger in the mind of an unemployed youth. No doubt, the manner of expressing the same has gone wrong. Nevertheless, we feel that the request of the applicant needs to be considered. Of course, only MPSC has the prerogative to consider it and none else. We, therefore, direct the applicant to again approach the MPSC and make a request before it which he has made in the present O.A. We are sure that, MPSC Authorities would adopt 'Lord Denning Way' to resolve the dispute finally. Learned CPO shall convey our concern to MPSC authorities.

MEMBER (A)

YUK ORAL ORDERS 29.04.2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO.737/2018
(Dr. Rangnath Sangle Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri A.S.Deshmukh, learned Advocate holding for Shri A.P.Avhad, learned Advocate for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents.

2. Arguments are concluded. Reserved for orders.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.833/2019
(Komal Rathod Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

Shri P.M.Nagargoje, learned Advocate for the applicant is **absent**.

Heard Shri V.R.Bhumkar, learned Presenting Officer for the respondent nos.1 & 2 and Shri R.C.Bora, learned Advocate holding for Shri N.L.Choudhary, learned Advocate for respondent no.3.

2. When the present matter is taken up for hearing, no one has caused appearance for the applicant. On the last date also no one was present for the applicant. Learned Counsel appearing for the respondent no.3 is present before the Tribunal. Learned P.O. is also present for respondent nos.1 and 2. Though the learned Counsel for the applicant is not present, we have carefully gone through the pleadings in the O.A. as well as prayer made in

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O.A.NO.833/2019

the O.A. and the documents filed by the applicant on record in support of his contention.

3. The applicant had applied for the post of Forest Guard from the Open Female category. In the selection list, her name has been included in the waiting list at Sr.No.1. It is the contention of the applicant that a candidate viz. Tejaswini Arun Patil who comes from OBC category must have been selected from the said category and could not have been selected against the Open Female category. It seems to be the contention of the applicant that because the respondents erred in selecting the respondent no.3 in the category of Open Female, her chance of getting the said appointment has been prejudicially affected. In the Circumstances, the applicant has prayed for the following reliefs (p.b.p.10):

“A. This Hon’ble Tribunal may kindly quash and set aside the list of selected candidates Dated 09.09.2019 to the extent of posts of Forest Guard (Open Female Category) declared by Respondent no.2 further may kindly direct the respondent no.2 to add the name of applicant in the select list of the post of Forest Guard from the category of Open Female Category.”

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O.A.NO.833/2019

4. Learned Counsel for the respondent no.3 submits that though the respondent no.3 belongs to OBC, since she has secured more meritorious position than the Open Female candidates, she has been selected from Open Female category and has been rightly shown to be selected in such a manner.

5. Learned P.O. has made submissions on the similar lines. Learned P.O. submitted that no illegality has been committed by the respondents in selecting the respondent no.3 from Open Female category, she being highest in the merit in the said category and has rightly placed the applicant in the waiting list at Sr.No.1 in order of merit.

6. We have scrutinized the documents on record. We find substance in the submissions made by the respondents. From the documents on record, we do not have any doubt in our mind that respondent no.3 being highest meritorious candidate in Female category; she has been rightly shown to have been selected as Open Female though she belongs to OBC.

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O.A.NO.833/2019

7. Now, the law is well settled in so far as the Open seats are concerned, they are to be filled in purely on merit irrespective of castes etc. After having perused the documents on record, it does not appear to us that any illegality is committed by the respondents so as to cause indulgence in the matter. Hence, the O.A. deserves to be dismissed being devoid of merit and accordingly, it is dismissed without any order as to costs.

MEMBER (A)

YUK ORAL ORDERS 29.04.2022

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.783/2019
(Anil P. Chittarwad Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

Shri Sunil B. Jadhav, learned Advocate for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondents, are present.

2. S.O. to 13-07-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 29.04.2022

**ORIGINAL APPLICATION NO.788/2019
(Santoshkumar Kaul Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

Shri Santosh B. Bhosale, learned Advocate for the applicant, Smt. M.S.Patni, learned Presenting Officer for the respondent authorities and Shri S.D.Dhongde, learned Advocate for respondent no.2, are present.

2. S.O. to 16-06-2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.02/2020
(Prakash More Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

Shri M.R.Wagh, learned Advocate for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondents, are present.

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

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 29.04.2022

**ORIGINAL APPLICATION NO.58/2020 & 349/2021
(Ritesh Kawale & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

Shri R.K.Ashtekar, learned Advocate for the applicants, Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities and Shri A.S.Deshmukh, learned Advocate for respondent no.4 in O.A.58/20, are present.

2. S.O. to 02-05-2022.

MEMBER (A)

VICE CHAIRMAN

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

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

DATE : 29.04.2022

ORAL ORDER :

Shri H.A.Joshi, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents, are present.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 and 2. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 21-06-2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.157/2020
(Rohidas Shinde Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

Shri A.S.Deshmukh, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents, are present.

2. S.O. to 21-06-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 29.04.2022

**ORIGINAL APPLICATION NO.265/2020
(Gulab Panchal Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

Shri A.S.Deshmukh, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 21-06-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 29.04.2022

**ORIGINAL APPLICATION NO.485/2020
(Vijay Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

Ku. Preeti Wankhade, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents, are present.

2. S.O. to 22-06-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO. 398 OF 2022
(Yuvraj B. Dharmik Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

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

2. The present Original Application is filed challenging the impugned order / letter of recovery dated 19.01.2022 (Annexure A-19) issued by the respondent No. 4, there by directing the respondent No. 5 to recover the amount of Rs. 8,14,220/- from the salary of the applicant towards the fine rent of Government quarter for the period from 29.5.2013 to 30.03.2017. The applicant is seeking interim relief to stay the said order.

3. During the course of arguments, learned Advocate for the applicant invited my attention to the para No. 21 of the Original Application, whereby it is stated that after receipt of the impugned order / letter dated 19.01.2022 (Annexure A-19) the applicant made representations dated 09.02.2022, 10.02.2022 and 02.03.2022 (Annexure A-21 collectively) requesting not to recover the fine amount stating reasons of illness in family members.

4. In the circumstances, at this stage interim relief can be granted to direct the respondents to consider and decide the above-said representations filed by the applicant on or before the next date of hearing. Ordered accordingly.
5. Issue notices to the respondents, returnable on 23.06.2022.
6. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
7. 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.
8. 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.

//3// O.A. No. 398/2022

9. 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.

10. S.O. to 23.06.2022.

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

MEMBER (J)

**Review St. 1217/2019 in O.A. No. 63/2015
(The Superintending Engineer and Administrator
Command Area Development Authority Vs. Saylu P.
Nawod & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri S.B. Mene, learned Advocate for the applicant in the Review Application / respondent No. 4 in O.A., Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 2 to 6 in the present Review Application / respondent Nos. 1 to 3, 5 and 6 in the O.A. and Shri S.D. Joshi, learned Advocate for the respondent No. 1 in the Review Application / applicant in O.A.

2. The present Review Application is filed seeking clarification of the order dated 11.04.2016 in O.A. No. 63/2015 passed by this Tribunal as per the direction of the Hon'ble High Court in W.P. No. 10262/2018 by the order dated 11.10.2018. There is office objection raised about the point of limitation on or about 02.07.2018. Learned Advocate for the applicant from time to time sought time for taking necessary steps for removing the office objection in Review Application. In that regard detailed order was passed way back on 14.03.2022 in farad sheet. Since then the time was

sought for taking steps on 01.04.2022, to which also the learned Advocate for the applicant is making oral submissions and no corrective steps have been taken for removing office objection of limitation either by moving application for condonation of delay or making necessary action raising appropriate additional pleadings in Review Application or any other form in writing.

3. It is grievance of the learned Advocate for the respondent No. 1/ applicant in O.A. that the hearing of the matter is being delayed.

4. In these circumstances, in my opinion, as an exceptional circumstance and in order to not defeat the cause of justice, the office is directed to register the Review Application keeping open the point of limitation and maintainability.

5. The affidavit in reply is already filed on behalf of respondent No. 1 in the present Review Application.

6. Hence, the present Review Application is now peremptorily fixed for hearing on 17.06.2022.

MEMBER (J)

**O.A. Nos. 457/2020, 458/2020 and 462/2020
(Sambha H. Sarpate & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

Shri P.D. Jarare, learned Advocate for the applicants in all these O.As. (**Absent**). Heard Shri I.S. Thorat and Smt. M.S. Patni, learned Presenting Officers for the respondent Nos. 1, 3 & 4 in all these O.As. and Smt. Anuradha M. Mantri, learned Advocate for respondent No. 2 in all these O.As.

2. Record shows that affidavit in reply is filed only on behalf of respondent No. 4 in all these O.As.

3. Await service of notice on respondent No. 1 in all these O.As.

4. Learned Advocate for respondent No. 2 filed affidavit in reply in all these O.As. Same is taken on record and copy thereof has been served on the learned P.Os. She also deposited one additional copy of affidavit in reply of respondent No. 2 for the applicants.

5. As none present for the applicants, S.O. to 28.06.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

**ORIGINAL APPLICATION NO. 351 OF 2021
(Kautik Y. Kachole Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

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

2. Pleadings are complete. The present matter is pertaining to regularization of suspension period. Hence, the O.A. is admitted and it be fixed for final hearing on 30.06.2022.

MEMBER (J)

**M.A. 312/19 in M.A. St. 1336/19 in O.A. 909/18
(Atmaram N. Mahide Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

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

2. The M.A. No. 312/2019 is filed seeking condonation of delay of about 4 months and 6 days caused in filing the restoration application bearing M.A. St. No. 1336/2019 for restoration of O.A. No. 909/2018, which was dismissed by an order dated 05.02.2019 in view of failure of the applicant to file service affidavit three days before next returnable date of 06.02.2019.

3. It is contention of the applicant that he came to know about this order only on 04.07.2019. In view of the same, the applicant has filed the present Misc. Application for condonation of delay.

4. Restoration application along with delay condonation application is filed on or about 08.07.2019 immediately after knowing about the order of dismissal. However, there is formal delay of about 4

//2// MA 312/2019 in MA St.
1336/2019 in OA 909/2018

months in making the application, as the limitation would start from 06.03.2019. The said delay cannot be said to be deliberate or intentional thereby the applicant had nothing to gain. It is a settled principle of law that the expression “sufficient cause” is to be construed liberally. Refusing to condone the delay is likely to defeat the cause of justice at the threshold. In these circumstances, this is a fit case to condone the delay caused in filing the restoration application bearing M.A. No. 1336/2019 and to restore the O.A. No. 909/2018 by setting aside the order of dismissal dated 05.02.2019. Hence, I proceed to pass following order :-

ORDER

1. M.A. No. 312/2019 and M.A. St. No. 1336/2019 are allowed.
2. The delay of 04 months and 6 days caused in filing M.A. St. No. 1336/2019 in O.A. No. 909/2018 is hereby condoned.

//3// MA 312/2019 in MA St.
1336/2019 in OA 909/2018

3. O.A. No. 909/2018 is restored to file under its original number by setting aside the order of dismissal dated 05.02.2019.
4. Accordingly, M.A. No. 312/2019 and M.A. St. No. 1336/2019 stand disposed of with no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 909/2018
(Atmaram N. Mahide Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

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

2. S.O. to 30.06.2022.

MEMBER (J)

KPB ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO. 96/2022
(Nagraj Shriram Patil Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that there is urgency in the matter, as the applicant is going to retire on superannuation on 31.05.2022. In order to show the same, learned Advocate for the applicant placed on record true copies of School leaving certificate, Aadhaar Card and identity card of the applicant which prima-facie show that the applicant is going to retire on 31.05.2022 on superannuation. Copies of the said documents are taken on record at page Nos. 95 to 99 of the paper book.

3. The present Original Application is filed challenging the order of suspension of the applicant dated 20.12.2021 (Annexure A-1) issued by the respondent No. 1 i.e. the District Collector, Dhule.

4. Short affidavit is filed by the applicant contending that in spite of lapse of requisite period of

//2//

O.A. No. 96/2022

three months from the date of suspension, no any disciplinary enquiry is initiated against the applicant. In view of the same, learned Advocate for the applicant submits that the applicant will be entitled for sending his suspension case to the requisite review committee for revocation of suspension in accordance with law. Perusal of the impugned order dated 20.12.2021 (Annexure A-1) would show that the said order is passed in contemplation of initiation of Departmental Enquiry.

5. Today, the matter was fixed for filing affidavit in reply on behalf of respondents. Learned Presenting Officer seeks time for filing affidavit in reply. She has no instructions as to whether departmental action is initiated against the applicant within the period of three months from the date of suspension.

6. In this regard, learned Advocate for the applicant placed reliance on the G.R. dated 09.07.2019 (Annexure R-1 collectively at page No. 72 of the paper book) issued by the General Administration Department, Government of Maharashtra. Relevant para 1 containing three sub paragraphs are as follows:-

//3//

O.A. No. 96/2022

“ शासन निर्णय:—

१. या अनुषंगाने शासकीय कर्मचाऱ्यांच्या निलंबनाचा आढावा घेण्यासंदर्भात पुढीलप्रमाणे सूचना देण्यात येत आहेत.

i) निलंबित शासकीय सेवकांच्या ज्या प्रकरणी ३ महिन्यांच्या कालावधीत विभागीय चौकशी सुरू करून दोषारोप पत्र बजावण्यात आले आहे, अशा प्रकरणी निलंबन केल्यापासून ३ महिन्यात निलंबनाचा आढावा घेऊन निलंबन पुढे चालू ठेवावयाचे असल्यास त्याबाबतचा निर्णय सुस्पष्ट आदेशासह (कारण मिमांसेसह) सक्षम प्राधिकाऱ्यांच्या स्तरावर घेण्यात यावा.

ii) निलंबित शासकीय सेवकांच्या ज्या प्रकरणी ३ महिन्यांच्या कालावधीत विभागीय चौकशी सुरू करून दोषारोप पत्र बजावण्यात आले नाही, अशा प्रकरणी मा. सर्वोच्च न्यायालयाचे आदेश पाहता, निलंबन समाप्त करण्याशिवाय अन्य पर्याय राहत नाही. त्यामुळे निलंबित शासकीय सेवकांबाबत विभागीय चौकशीची कार्यवाही सुरू करून दोषारोप पत्र बजावण्याची कार्यवाही निलंबनापासून ९० दिवसांच्या आत काटेकोरपणे केली जाईल याची दक्षता/खबरदारी घेण्यात यावी.

iii) फौजदारी प्रकरणात विशेषतः लाचलुचपत प्रकरणी निलंबित शासकीय सेवकांवर विभागीय चौकशी सुरू करून दोषारोप पत्र बजावणेबाबत आवश्यक तो अभिलेख लाचलुचपत प्रतिबंधक विभागाने संबंधीत प्रशासकीय विभागास उपलब्ध करून देणे आवश्यक राहिल.

या आदेशातील तरतुदींमुळे या विषयावरील संदर्भ १ व २ येथील आदेशांतील तरतुदी या आदेशाच्या मर्यादित सुधारण्यात आल्या आहेत असे समजण्यात यावे.”

//4//

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In this regard, learned Advocate for the applicant further placed reliance on the decision of the Hon'ble Supreme Court in the matter of **Ajay Kumar Choudhary Vs. Union of India through its Secretary and Anr. in Civil Appeal No. 1912/2015 (Arising out of SLP @ No. 31761 of 2013)** decided on 16.02.2015. Para No. 14 of the said judgment is as follows :-

“14 We, therefore, direct that the currency of a Suspension Order should not extend beyond three months if within this period the Memorandum of Charges /Chargesheet is not served on the delinquent officer/employee; if the Memorandum of Charges/ Chargesheet is served a reasoned order must be passed for the extension of the suspension. As in the case in hand, the Government is free to transfer the concerned person to any Department in any of its offices within or outside the State so as to sever any local or personal contact that he may have and which he may misuse for obstructing the investigation against him. The Government may also prohibit him from contacting any person, or handling records and documents till the stage of his having to prepare his defence. We think this will adequately safeguard the universally recognized principle of human dignity and the right to a speedy trial and shall also preserve the interest of the Government in the prosecution. We recognize that previous Constitution Benches have been reluctant to quash proceedings on the grounds of delay,

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O.A. No. 96/2022

and to set time limits to their duration. However, the imposition of a limit on the period of suspension has not been discussed in prior case law, and would not be contrary to the interests of justice. Furthermore, the direction of the Central Vigilance Commission that pending a criminal investigation departmental proceedings are to be held in abeyance stands superseded in view of the stand adopted by us.”

7. In view of above and more particularly when the relevant pleadings are not controverted, at this stage, in my considered opinion, interim relief of directing the respondents to place the suspension matter of the applicant before the review committee on or before 20.05.2022 can be granted. It is ordered accordingly.

8. Time is granted to the respondents for filing affidavit in reply.

9. S.O. to 23.06.2022.

MEMBER (J)

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

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

DATE : 29.04.2022

ORAL ORDER :

Heard Ms. Pradnya Talekar, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 02.05.2022 at 3.00 PM.

MEMBER (J)

ORIGINAL APPLICATION NO.666 OF 2019
(Machendrasing N. Girase Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri Nitin Jagadale, learned holding for Shri Mayur V. Salunke, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent No.1. Shri Gajendra D. Jain, learned Advocate for the respondent No.2, is **absent**.

2. Learned Advocate for the applicant received the copy of affidavit-in-reply which is already filed on behalf of the respondent No.1.

3. No affidavit-in-reply is filed on behalf of the respondent No.2 in spite of grant of opportunities.

4. S.O. to 24.06.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

ORIGINAL APPLICATION NO.932 OF 2019
(Dr. Vijaykumar R. Sul Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Shri K.R. Doke/Shri S.K. Doke, learned Advocates for the applicant, are **absent**. Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Record shows that the case is fixed from time to time for filing affidavit-in-rejoinder on behalf of the applicant. However, no affidavit-in-rejoinder is filed till date. Nobody is remaining present on behalf of the applicant since 13.12.2021.

3. In view of above, S.O. to 24.06.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO.371 OF 2020
(Sanjay B. Bhandarawathe Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

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

2. Record shows that the notice is served only upon the respondent Nos.1 & 2. It is un-served in respect of respondent No.3 since 25.02.2022. Nobody is present on behalf of the applicant.
3. In view of same, the matter is fixed for taking necessary steps/for passing necessary order.
4. S.O. to 24.06.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.510 OF 2020
(Priyadarsi S. Maske Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri R.R. Bangar, learned Advocate holding for Shri Vilas S. Panpatte, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. S.O. to 24.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

**ORIGINAL APPLICATION NO.332 OF 2021
(Suraj B. Mundhe Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

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

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

3. S.O. to 27.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.411 OF 2021
(Bharat L. Bhillare Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that he would file affidavit-in-rejoinder during the course of the day.

3. S.O. to 27.06.2022. Interim relief granted earlier to continue till then.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.413 OF 2021
(Pandhari S. Ahankare Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri J.M. Murkute, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Issue fresh notice to the respondents, returnable on 27.06.2022.

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

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

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

//2//

O.A.No.413/21

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 27.06.2022.

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

MEMBER (J)

ORIGINAL APPLICATION NO.422 OF 2021
(Satish A. Trimukhe Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

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

2. Affidavit-in-reply filed on behalf of the respondent Nos.1 to 3 is taken on record.
3. Learned P.O. deposited extra copy of reply for the applicant.
4. S.O. to 27.06.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

ORIGINAL APPLICATION NO.494 OF 2021
(Dr. Dhananjay K. Sawant Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos.1 to 3 and Shri S.B. Patil, learned Advocate for the respondent No.4.

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

3. S.O. to 09.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

**ORIGINAL APPLICATION NO.488 OF 2021
(Sayed Naimuddin Sayed Moinuddin Vs. State of Maharashtra
& Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that he would file affidavit-in-rejoinder during the course of the day.

3. S.O. to 23.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.514 OF 2021
(Gautam G. Dhule Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

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

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

3. S.O. to 15.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.516 OF 2021
(Vishwasrao V. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, issue fresh notice to the respondents, returnable on 27.06.2022.

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

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

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

//2//

O.A.No.516/21

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 27.06.2022.

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

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

**ORIGINAL APPLICATION NO.537 OF 2021
(Balasaheb S. Khirnar Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that he would file affidavit-in-rejoinder during the course of the day.

3. S.O. to 21.06.2022. Interim relief granted earlier to continue till then.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.648 OF 2021
(Dr. Usha N. Bholane Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri A.P. Gase, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent Nos.1 to 4. Shri N.R. Dayama, learned Advocate for the respondent No.5, is **absent.**

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

3. S.O. to 22.06.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.689 OF 2021
(Ajay R. More Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri Kishor Patil, learned Advocate holding for Shri Kiran G. Salunke, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, time is granted for filing affidavit-in-rejoinder.
3. S.O. to 27.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

**O.A.NOs.753, 755, 756 AND 757 ALL OF 2021
(Shankar P. Dhupe & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri P.V. Suryawanshi, learned Advocate for the applicants in all these matters and Shri D.R. Patil, learned Presenting Officer for the respondents in all these matters.

2. Affidavits-in-reply filed on behalf of the respondent Nos.2 to 4 in O.A.No.755/2021 and in O.A.No.756/2021 are taken on record and copies thereof have been served on the other side.

3. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents in O.A.No.753/2021 and in O.A.No.757/2021.

4. S.O. to 14.06.2022.

MEMBER (J)

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

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

DATE : 29.04.2022

ORAL ORDER :

Shri S.B. Ghatol Patil, learned Advocate for the applicant, is **absent**. Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 28.06.2022 for taking necessary steps/ for passing necessary order.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.766 OF 2021
(Narandra K. Rameshdev Joshi Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Heard Smt. Amruta Pansare, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.
3. At the request of the learned Advocate, time is granted for taking necessary steps.
4. S.O. to 28.06.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.796 OF 2021
(Dinesh A. Chavan Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

Shri Amol S. Gandhi, learned Advocate for the applicant, is **absent**. Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of the respondent No.2 is taken on record.
3. Learned P.O. deposited extra copy of reply for the applicant.
4. No necessary steps have been taken to file service affidavit.
5. Now the matter is fixed for taking necessary steps in respect of respondent No.1.
6. S.O. to 28.06.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.832 OF 2021
(Suraj B. Solunke Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri K.P. Shinde, learned Advocate holding for Shri S.P. Dhobale, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted as a last chance for filing affidavit-in-reply on behalf of the respondent Nos.1 to 3 & 5.

3. S.O. to 28.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.10 OF 2022
(Akash T. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri A.D. Aghav, learned Advocate for the applicant and Smt. M.S. Patnik, learned Presenting Officer for the respondents.

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

3. S.O. to 28.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.44 OF 2022
(Rekha D. Wagatkar & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Shri Subhash Chillarge, learned Advocate for the applicanta, is **absent**. Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.
3. S.O. to 29.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.69 OF 2022
(Sudhakar G. Sonawane Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri Shritej Surve, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

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

3. S.O. to 29.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

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

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

DATE : 29.04.2022

ORAL ORDER :

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

2. Affidavit-in-reply filed on behalf of the respondent Nos.2 and 3 is taken on record and copy thereof has been served on the other side.

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

4. S.O. to 13.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

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

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri Onkar Gholap, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

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

3. S.O. to 28.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

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

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri Onkar Gholap, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

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

3. S.O. to 28.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.216 OF 2022
(Usha N. Kute Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Heard Smt. S.P. Chate, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.
3. S.O. to 28.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.275 OF 2022
(Sandip D. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

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

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.
3. S.O. to 29.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.278 OF 2022
(Anwar Khan Aziz Khan Pathan Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

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

2. Await service of notice of the respondents.
3. At the request of the learned Advocate for the applicant, time is granted for taking necessary steps.
4. S.O. to 28.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.304 OF 2022
(Nitin P. Manakar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that during the course of the day he would file service affidavit.

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

4. S.O. to 29.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

**M.A.NO.604 OF 2019 IN O.A.ST.NO.2158 OF 2019
(Venket S. Mundhe Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

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

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

3. S.O. to 29.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

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

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri Manoj Shelke, learned Advocate holding for Shri Ganesh J. Kore, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. S.O. to 27.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

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

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri Manoj Shelke, learned Advocate holding for Shri Ganesh J. Kore, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted as a last chance for filing affidavit-in-reply on behalf of the respondent No.1 in M.A.

3. S.O. to 27.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

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

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri Manoj Shelke, learned Advocate holding for Shri Ganesh J. Kore, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

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

3. S.O. to 27.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

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

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri Manoj Shelke, learned Advocate holding for Shri Ganesh J. Kore, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

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

3. S.O. to 27.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

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

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri Manoj Shelke, learned Advocate holding for Shri Ganesh J. Kore, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent No.1 and Shri S.D. Dhongde, learned Advocate for the respondent No.2.

2. At the request of the learned Advocate for the respondent No.2, time is granted as a last chance for filing affidavit-in-reply on behalf of the respondent No.2 in M.A.

3. S.O. to 27.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

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

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri Manoj Shelke, learned Advocate holding for Shri Ganesh J. Kore, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

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

3. S.O. to 27.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

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

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri Manoj Shelke, learned Advocate holding for Shri Ganesh J. Kore, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

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

3. S.O. to 27.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

M.A.NO.7 OF 2021 IN O.A.ST.NO.1416 OF 2020
(Chandrasen V. Lahade Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

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

2. The present Misc. Application is closed for order.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

**M.A.NO.10 OF 2021 IN O.A.ST.NO.3 OF 2021
(Motiram D. Nahide Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

Heard Smt. Amruta Pansare, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

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

3. S.O. to 28.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

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

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

DATE : 29.04.2022

ORAL ORDER :

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

2. Learned Advocate for the respondent Nos.2 & 3 submits that he would file affidavit-in-reply during the course of the day.

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

4. S.O. to 23.06.2022.

MEMBER (J)

**M.A.NO.196 OF 2021 IN M.A.ST.NO.780 OF 2021 IN
O.A.NO.198 OF 2020
(Harishchandra B. Bhujbal Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri T.J. Polu, learned Advocate holding for Shri W.S. Jadhav, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

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

3. S.O. to 28.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

M.A.NO.217 OF 2021 IN O.A.ST.NO.598 OF 2021
(Vitthal S. Lokhande & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Heard Smt. Amruta Pansare, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondents.

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

3. S.O. to 23.06.2022.

MEMBER (J)

**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 Shri V.D. Dongre, Member (J)

DATE : 29.04.2022

ORAL ORDER :

Heard Shri J.M. Murkute, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Issue fresh notice to the respondents in M.A., returnable on 27.06.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

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M.A.228/2021 IN
O.A.St.No.775/21

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 27.06.2022.

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

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

M.A.NO.288 OF 2021 IN O.A.NO.491 OF 2019
(Satish S. More Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri J.M. Murkute, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Issue fresh notice to the respondents in M.A., returnable on 27.06.2022.

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

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

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

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M.A.288/2021 IN
O.A.No.491/19

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 27.06.2022.

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

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

**ORIGINAL APPLICATION ST.NO.357 OF 2020
(Sanjay D. Bobade Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 27.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

**M.A.NO.303 OF 2020 IN O.A.ST.NO.1051 OF 2020
(Bhagyashri N. Boinwad Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

Shri A.D. Hande, learned Advocate for the applicant, is **absent**. Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Record shows that since long nobody is remaining present on behalf of the applicant. Today also nobody is present on behalf of the applicant.

3. It seems that the applicant is not interested in pursuing the remedy. Hence, the application is dismissed in default.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

M.A.NO.290 OF 2021 IN O.A.NO.921 OF 2019
(Dr. Aasma Kalim Siddiqui Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri R.P. Adgaonkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. This Original Application is filed seeking direction against the respondent authorities to grant deputation order of the applicant for completion of P.G. course by setting aside the impugned orders dated 10.10.2018 and 08.01.2019.

3. The present application is filed seeking permission to produce on record the documents namely the certificate of P.G. Course contending that during pendency of the Original Application, the applicant has completed course in Radiology.

4. Learned P.O. for the respondents submitted that necessary order may be passed.

5. In the facts and circumstances as above, it is evident that the documents sought to be produced by the applicant is relating to the contention raised by the

//2//

M.A.290/2021 In
O.A.921/2019

applicant in O.A. Hence, the documents would be just and necessary to determine the real question of controversy between the parties. Hence I proceed to pass the following order:-

ORDER

- (A) The Misc. Application No.290/2021 is allowed.
- (B) The applicant is allowed to produce the documents on record and the same is taken on page no.36 of P.B.
- (C) No order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO.921 OF 2019
(Dr. Aasma Kalim Siddiqui Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri R.P. Adgaonkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 24.06.2022.

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

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

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

//2//

O.A.No.921/19

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 24.06.2022.

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

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.223 OF 2022
(Rahul V. Padvi Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Shri A.S. Bayas, learned Advocate for the applicant has filed **leave note**. Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. In view of leave note of learned Advocate for the applicant, S.O. to 24.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.376 OF 2022
(Priyanka S. Bansode Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

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

2. The Original Application is filed challenging the impugned order dated 19.05.2021 (wrongly typed as 19.05.2020) (Annex. 'A-1') rejecting representation of the applicant for inclusion of name in the waiting list of compassionate appointees on the establishment of the respondent No.5 on the strength of the G.R. dated 28.03.2001.

3. Upon perusal of the Original Application and more particularly contents of paragraph Nos. V and VI it seems that the applicant has raised specific contention in respect of G.R. dated 28.03.2021 relating to small family stating that the said G.R. should have a prospective effect in respect of the employees, who are recruited on or after 28.03.2001 immediately.

//2//

O.A.376/2022

4. The deceased Government servant left behind him 4th son namely Vaijnath Bansode born in the family after appointment dated 31.12.2001 i.e. on 17.04.2007.
5. In the circumstances, in my considered opinion, the matter is required to be placed before the Divisional Bench for further consideration.
6. S.O. to 09.06.2022.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.721 OF 2017
(Subhash K. Parlikar Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate holding for Smt. Suchita A. Dhongde, Shri S.D. Joshi, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 01.07.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.398 OF 2018
(Dnyaneshwar K. Sanap Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

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

2. Short affidavit filed on behalf of the respondent Nos.1 to 3 is taken on record and copy thereof has been served on the other side.

3. By consent of both the sides, S.O. to 29.06.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

**ORIGINAL APPLICATION NO.698 OF 2017
(Jalmsing D. Valvi Vs. State of Maharashtra & Ors.)**

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

DATE : 29.04.2022

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 01.07.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.406 OF 2019
(Dayanand V. Kadam Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Heard Ms. Megha Mali, learned Advocate holding for Shri Girish Awale, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 30.06.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.640 OF 2019
(Pradeep M. Kaushike Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 30.06.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.930 OF 2016
(Chudaman D. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 17.06.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.932 OF 2017
(Walmik L. Kande Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 20.06.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.853 OF 2018
(Pramod C. Bute Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 22.06.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.103 OF 2019
(Balkrishna R. Chhallare Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Shri Sanket N. Suryawanshi, learned Advocate for the applicant, is **absent**. Heard Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 04.07.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.898 OF 2019
(Babu K. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 30.06.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.137 OF 2020
(Lalit G. Pandule Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 04.07.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.566 OF 2020
(Nathu N. Khadtare & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 10.06.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

ORIGINAL APPLICATION NO.151 OF 2021
(Dattatraya A. Ubale Vs. State of Maharashtra & Ors.)

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri Rahul D. Khadap, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 16.06.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

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

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

DATE : 29.04.2022

ORAL ORDER :

Heard Shri Shamsundar B. Patil, learned Advocate holding for Shri U.B. Bondar, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 01.07.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 29.04.2022

**ORIGINAL APPLICATION NO. 394 OF 2022
(Heena Chand Patel Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Heard Smt. Mayuri G. Kasturkar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned counsel for the applicant has insisted for staying further process of selection. We are not inclined to stay the process of selection. However, it is clarified that appointment, if any will be subject to the outcome of the present O.A.

3. Issue notices to the respondents, returnable on 14.6.2022.

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

5. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case

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

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

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

8. S.O. to 14.6.2022.

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

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 25/2021 IN O.A.NO. 421/2020
(Khudabaksh A. Tadvi Vs. State of Maharashtra & Ors.)

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

DATE : **29.4.2022**

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. In the present contempt petition learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 3 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. On going through the aforesaid affidavit in reply, learned counsel appearing for the applicant submits that the order in question has been complied with and, as such, the present contempt petition may be disposed of.

4. In view of the fact that the order has been complied with as submitted by the learned counsel for the applicant, the contempt petition stands disposed of however, without any order as to costs.

MEMBER (A)
ORAL ORDERS 29.4.2022-HDD

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 137 OF 2017
(Namdeo Sopan Arsale Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Heard Shri S.D. Joshi, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. When the present matter is taken up for consideration, learned Presenting Officer has tendered across the bar communication dated 20.4.2022 received from respondent No. 2. On perusal of the said communication, it reveals that at Nanded Prison there are two posts vacant of Jailor, Grade-II. However, further particulars are not provided. During the course of the arguments it has been pointed out by Shri S.D. Joshi, learned counsel for the applicant that candidate by name Santosh Balram Bhuyal (संतोष बाळराम भुयाळ), who also belongs to S.T. Category though was selected in the said category and resumed on the promotional post resigned from the said post within 3 / 4 months and according to the information of learned counsel the said post is still lying vacant.

3. The respondents are directed to make a statement about the correctness of fact so stated by the learned counsel before this Tribunal and if possible file a short affidavit in that regard.

4. S.O. to 4.5.2022.

5. Steno copy and hamdust is allowed to both the parties.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 93 OF 2019
(Priyanka J. Janephalkar Vs. State of Maharashtra & Ors.)

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

DATE : 29.4.2022

ORAL ORDER :

Shri J.M. Murkute, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. S.O. to 6.5.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

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

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

DATE : 29.4.2022

ORAL ORDER :

Shri Ram Shinde, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 15.6.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**T.A. No. 4/2021 (W.P. No. 8018/2020
(Pratik V. Phutane Vs. State of Maha. & Ors.)
WITH
T.A. No. 5/2021 (W.P. No. 8019/2020
(Raviraj R. manurwar Vs. State of Maha. & Ors.)
WITH
T.A. No. 6/2021 (W.P. No. 8020/2020
(Sayed Akhtar Sayed Lal Vs. State of Maha. & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri Abhay Rathod, learned counsel for the applicants in all these cases and S/Shri M.S. Mahajan and D.R. Patil learned Chief Presenting Officer and learned Presenting Officer for the respective respondents in respective cases, are present.

2. At the request of learned counsel for the applicants, S.O. to 27.6.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 448 OF 2019
(Anil T. Patil & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri S.D. Kotkar, learned counsel for the applicants (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondents, is present.

2. Since nobody appears for the applicants, S.O. to 1.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 615 OF 2019
(Shafi K. Shaikh Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. A.P. Avhad, learned counsel for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.

2. Since nobody appears for the applicant, S.O. to 4.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 987 OF 2019
(Bhimrao B. Shrshipurkar & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. M.R. Wagh, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 4.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 9 OF 2020
(Dr. Anita R. Rathod Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. V.B. Wagh, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 5.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 45 OF 2020
(Shila A. Mule Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. P.D. Bachate, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Await service.
3. S.O. to 5.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 477 OF 2020
(Dr. Pushlata P. Sawant Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. J.S. Deshmukh, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 6.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

ORIGINAL APPLICATION NO. 564 OF 2020
(Shantaram P. Patil & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : **29.4.2022**

ORAL ORDER :

Smt. Suchita A. Dhongde, learned counsel for the applicants, Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 & 2 and Smt. Sunita D. Shelke, learned counsel for respondent No. 3, are present.

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

3. S.O. to 6.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 4 OF 2021
(Kiran S. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. Sandeep G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 6.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

T.A.NO. 7/2021 (W.P.NO. 10329/2021)
(Shilpa A. Chate Vs. State of Maharashtra & Ors.)

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

DATE : **29.4.2022**

ORAL ORDER :

Shri. Abhijeet C. Darandale, learned counsel for the applicant (**absent**). Shri I.S. Thorat, learned Presenting Officer for the respondents, is present.

2. S.O. to 8.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

T.A.NO. 8/2021 (W.P.NO. 10446/2021)
(Sonal R. Raghuwanshi Vs. State of Maharashtra & Ors.)

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

DATE : **29.4.2022**

ORAL ORDER :

Shri. Abhijeet C. Darandale, learned counsel for the applicant (**absent**). Shri I.S. Thorat, learned Presenting Officer for the respondents, is present.

2. S.O. to 8.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

T.A.NO. 9/2021 (W.P.NO. 11027/2021)
(Sahil B. Shaikh & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : **29.4.2022**

ORAL ORDER :

Shri. Hemant U. Dhage, learned counsel for the applicant (**absent**). Shri I.S. Thorat, learned Presenting Officer for the respondents, is present.

2. S.O. to 8.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 447 OF 2021
(Malile A. Gangdhar Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. C.V. Dharurkar, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 11.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 497 OF 2021
(Nitin S. Shear Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

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

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

3. S.O. to 11.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 525 OF 2021
(Guruling N. Tanwade Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Smt. Suchita A. Dhongde, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1, 2, 4 & 5 and Shri D.T. Devene, learned counsel for respondent No. 3, are present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 5 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 11.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 539 OF 2021
(Jagannath S. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. Santosh B. Bhosale, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 12.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 568 OF 2021
(Bhausahab S. Pansare Vs. State of Maharashtra & Ors.)**

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

DATE : **29.4.2022**

ORAL ORDER :

Shri. Avnash S. Khedkar, learned counsel for the applicant, Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri Shamsunder B. Patil, learned counsel for respondent Nos. 3 to 5, are present.

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

3. S.O. to 12.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

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

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

DATE : 29.4.2022

ORAL ORDER :

Shri. Sandeep G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned counsel for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri Shailendra S. Kulkarni, learned counsel for respondent No. 4, are present.

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

3. S.O. to 14.6.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 3 OF 2022
(Sunil S. Ingle Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. C.V. Dharurkar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 2 & 3 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 11.7.2022. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

ORIGINAL APPLICATION NO. 14 OF 2022
(Baburao S. Mule & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : **29.4.2022**

ORAL ORDER :

Shri. A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 13.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 107 OF 2022
(Mohan S. Desale Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. Sunil B. Jadhav, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 13.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

ORIGINAL APPLICATION NO. 108 OF 2022
(Sitaram K Zodage Vs. State of Maharashtra & Ors.)

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

DATE : **29.4.2022**

ORAL ORDER :

Shri. Avinash S. Khedkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 12.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 149 OF 2022
(Sulochana P. Patare Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. V.B. Wagh, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 13.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 178 OF 2022
(Shrikrishna N. Nakate Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

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

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

3. S.O. to 15.6.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

ORIGINAL APPLICATION NO. 301 OF 2022
(Dattaram U. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : **29.4.2022**

ORAL ORDER :

Shri. V.B. Wagh, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 13.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 302 OF 2022
(Rupali P. Rangari Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. V.B. Wagh, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. Await service.
3. S.O. to 13.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 303 OF 2022
(Santosh G. Lungare Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. Manoj U. Shelke, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 29.6.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**M.A.NO. 79/2021 IN O.A.ST.NO. 208/2021
(Pralhad V. Fiske Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. Hemant D. More, learned counsel for the applicant (**absent**). Smt. M.S. Patni, learned Presenting Officer for the respondents, is present.

2. Learned counsel for the applicant has tendered across the bar rejoinder affidavit and the same is taken on record.

3. S.O. to 4.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**M.A.NO. 269/21 IN M.A.ST.802/21 IN O.A.ST.803/21
(Dattatraya S. Sonawane & Anr. Vs. State of Maharashtra &
Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. R.C. Bramhankar, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 4.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**M.A.NO. 315/2021 IN O.A.ST.NO. 1338/2021
(Chandrashekhar S. Iyer Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. Sandeep G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. Await service.
3. S.O. to 5.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**M.A.NO. 95/2022 IN O.A.ST.NO. 109/2022
(Sanjay V. Mhaske Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Smt. Amruta Paranjape Menezes, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Await service.
3. S.O. to 5.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

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

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

DATE : **29.4.2022**

ORAL ORDER :

Shri. S.D. Joshi, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicants, S.O. to 21.6.2022. **High on board.**

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 27 OF 2021
(Mohan G. Wadajkar Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. Dhananjay A. Mane, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted way of last chance.

3. S.O. to 1.7.2022. It is clarified that if the affidavit in reply is not filed on or before the next date, the cost of Rs. 5000/- (Rs. Five thousand) will be imposed on the concerned respondent/s.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 28 OF 2021
(Gorakh B. Dhakne Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. Dhananjay A. Mane, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 1 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 1.7.2022. If the applicant desires to file any rejoinder affidavit, he may file on or before the next date.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 185 OF 2021
(Subhash J. Khote Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. V.B. Wagh, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. S.O. to 28.6.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 312 OF 2021
(Subodh B. Dhonde Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. Avinash Khedkar, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. S.O. to 7.6.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**O.A. 325/21 WITH O.A. 326/21 WITH O.A.327/21
(Pankaj Kelkar & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. P.S. Anerao, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents in all these cases, are present.

2. S.O. to 12.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 518 OF 2021
(Asmita M. Kekan & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. S.O. to 2.5.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**M.A. 25/21 WITH M.A. 206/20 IN O.A. 1100/19
(Yogesh S. Shinde & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. G.K. Kshirsagar, learned counsel for the applicants in M.A. No. 25/2021 & for respondent Nos. 85 to 101 in M.A. No. 206/2020, Shri Avinash Deshmukh, learned counsel for applicant in M.A. No. 206/2020, Shri S.D. Joshi, learned counsel for respondent Nos. 102 to 105 in M.A. No. 206/2020 and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities in all these cases, are present.

Sachin Randive, learned counsel for respondent No. 18, 19, 22, 23, 24, 28 to 32, 34 to 37, 38, 40 & 42 in M.A.NO. 206/2020, Shri Amol P. Ghule Patil, learned counsel for respondent Nos. 81 to 84 in M.A. No. 206/2020 & Shri S.S. Tope, learned counsel for respondent Nos. 12 & 15 in M.A. No. 206/2020, **are absent**,

2. S.O. to 27.6.2022.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO. 194/2021 IN O.A.ST.NO. 497/2019
(Ravindra N. Turkmane Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. Hemant Surve, learned counsel for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, is present.

2. S.O. to 27.6.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**M.A. 169/2022 IN M.A. 161/2022 IN O.A. 282/2022
(Amol Kamble & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. Amol Chalak, learned counsel for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri V.B. Wagh, learned counsel for applicant in M.A. NO. 161/2022, are present.

2. S.O. to 6.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

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

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

DATE : **29.4.2022**

ORAL ORDER :

Shri. H.A. Joshi, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. S.O. to 1.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 583 OF 2014
(Bhausahab S. Gaikwad Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri A.C. Deshpande, learned counsel for respondent Nos. 5 & 6, are present.

2. S.O. to 1.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 876 OF 2016
(Anuradha R. Gavane Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. M.S. Bhosale, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. S.O. to 4.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 332 OF 2017
(Ramkrishna K. Mhaske & Ors. Vs. State of Maha. & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. R.K. Ashtekar, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. S.O. to 4.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 705 OF 2018
(Akbar Khan Nadarkhan Pathan Vs. State of Maha. & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. Avinash S. Deshmukh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. S.O. to 4.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**O.A.NO. 829/18 WITH O.A.NO.96/20
(Kiran P. Kolte & Anr. Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Ms. Pradnya Talekar, learned counsel for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondents in both the cases, are present.

2. S.O. to 5.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 76 OF 2019
(Nilesh S. Badgajar Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. H.V. Patil, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 6.5.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**O.A. 626/19 WITH O.A. 641/19 WITH O.A.642/19
(Sheshrao R. Giri & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Ms. Megha Mali, learned counsel holding for Shri S.K. Mathpati, learned counsel for the applicants and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents in all these cases, are present.

2. S.O. to 6.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 755 OF 2019
(Dr. Prashant N. Suryawanshi Vs. State of Maharashtra &
Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. M.R. Kulkarni, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 7.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 1030 OF 2019
(Dr. Jaya P. Dighe Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Ms. Pradnya Talekar, learned counsel for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, Shri A.B. Rajkar, learned counsel for respondent Nos. 5 to 12 and 14, Shri A.S. Shelke, learned counsel for respondent No. 15 and Shri N.S. Choudhary, learned counsel for respondent No. 13, are present.

2. S.O. to 8.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

**ORIGINAL APPLICATION NO. 83 OF 2021
(Ashok R. Tonde & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 29.4.2022

ORAL ORDER :

Shri. G.K. Kshirsagar, learned counsel for the applicants and Shri I.S. Thorat, learned Chief Presenting Officer for the respondents, are present.

2. S.O. to 8.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.4.2022-HDD

