ORIGINAL APPLICATION NO. 209 OF 2020

(Shri Akhil Ahmed Mukheed Ahmed Kazi V/s. State of Maharashtra & Ors.)

CORAM: B. P. PATIL, VICE CHAIRMAN

DATE : 29.07.2020.

ORAL ORDER:

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

- 2. Issue notices to the respondents, returnable on 03.09.2020.
- 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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.
- 8. S.O. to 03.09.2020.
- 9. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 985 OF 2019

(Shri Suresh S. Chate V/s. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 996 OF 2019

(Shri Sainath R. Thombre V/s. State of Maharashtra & Ors.)

CORAM: B. P. PATIL, VICE CHAIRMAN

DATE : 29.07.2020.

ORAL ORDER:

O.A. No. 985/2019

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

O.A. No. 996/2019

Heard Shri S.D. Joshi, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri V.B. Wagh, learned Advocate for respondent No. 5.

- 2. Learned Presenting Officer has placed on record a copy of communication dated 28.07.2020 and seeks time for filing short affidavit. Time granted as a last chance.
- 3. S.O. to 10.08.2020.

ORIGINAL APPLICATION NO. 1102 OF 2019

(Shri Rajendra L. Patil and Ors. V/s. State of Maharashtra & Ors.)

CORAM: B. P. PATIL, VICE CHAIRMAN

DATE : 29.07.2020.

ORAL ORDER:

Heard Shri A.S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3, Shri V.G. Pingle, learned Advocate for respondent Nos. 4 to 6 and Shri S.D. Joshi, learned Advocate for respondent Nos. 8 & 9. None appears for respondent No. 7, though duly served.

- 2. Learned Advocate for respondent Nos. 4 to 6 has filed separate affidavit in replies on behalf of respondent Nos. 4 & 5. Same are taken on record and copies thereof have been served on the other side.
- 3. Learned Advocate for respondent Nos. 8 & 9 has submitted that during the course of the day affidavit in reply on behalf of respondent No. 9 would be filed. He undertook to serve copy of the same on the other side.
- 4. Learned Chief Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1 to 3. Time granted as a most last chance.
- 5. S.O. to 13.08.2020.

ORIGINAL APPLICATION NO. 179 OF 2020

(Shri Arun S. Gaware V/s. State of Maharashtra & Ors.)

CORAM: B. P. PATIL, VICE CHAIRMAN

DATE : 29.07.2020.

ORAL ORDER:

Heard Shri S.B. Jadhav, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 to 3 & 5 and Shri A.B. Gaikwad, learned Advocate for respondent No. 4.

2. Learned Presenting Officer has filed affidavit in

reply on behalf of respondent Nos. 1 to 3. Same is

taken on record and copy thereof has been served on

the other side.

3. At the request of learned P.O., S.O. to 20.08.2020

for filing affidavit in reply of respondent No. 5.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 191 OF 2020

(Shri Sunil K. Tangle V/s. State of Maharashtra & Ors.)

CORAM: B. P. PATIL, VICE CHAIRMAN

DATE : 29.07.2020.

ORAL ORDER:

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

- 2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents. Time granted.
- 3. S.O. to 27.08.2020.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 420 OF 2019

(Shri Raju P. Gaikwad V/s. State of Maharashtra & Ors.)

CORAM: B. P. PATIL, VICE CHAIRMAN

DATE : 29.07.2020.

ORAL ORDER:

Heard Shri Amit Dhongde, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 17.09.2020.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 427 OF 2019

(Shri Ranjeet S. Savale (Dhangar) V/s. State of Maharashtra & Ors.)

CORAM: B. P. PATIL, VICE CHAIRMAN

DATE : 29.07.2020.

ORAL ORDER:

Heard Shri Amit Dhongde, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 17.09.2020.

VICE CHAIRMAN

M.A. 454/2019 in O.A. St. No. 1892/2019 (Shri Dnyaneshwar B. Sanap V/s. State of Maharashtra & Ors.)

CORAM: B. P. PATIL, VICE CHAIRMAN

DATE : 29.07.2020.

ORAL ORDER:

Heard Shri Amit Dhongde, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 10.09.2020.

VICE CHAIRMAN

M.A. No. 162/2020 in O.A. St. No. 522/2020

(Shri Sandu Y. Dongre V/s. State of Maharashtra & Ors.)

CORAM: B. P. PATIL, VICE CHAIRMAN

DATE : 29.07.2020.

ORAL ORDER:

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

2. Learned P.O. has filed affidavit in reply on behalf of respondent No. 5 in M.A. Same is taken on record and copy thereof has been served on the other side.

3. At the request of learned P.O., S.O. to 03.09.2020 for filing affidavit in reply of respondent Nos. 1 to 4 in M.A.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 730 OF 2019

(Shri Ejaz Salim Shaikh V/s. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 733 OF 2019

(Shri Sainath B. Anmod V/s. State of Maharashtra & Ors.)

CORAM: B. P. PATIL, VICE CHAIRMAN

DATE : 29.07.2020.

ORAL ORDER:

Heard Shri V.B. Wagh, learned Advocate for the applicants in both the O.As. and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the

respondents in both the O.As.

2. Learned Presenting Officer seeks time to produce

original record regarding transfer of the applicants.

Time granted as a last chance.

3. S.O. to 10.08.2020.

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO. 404 OF 2020 (Shri Rahul Anil Tarwade V/s. State of Maharashtra & Ors.)

CORAM: B. P. PATIL, VICE CHAIRMAN
(The present matter is placed before
Single Bench due to non-availability of
Division Bench)

DATE : 29.07.2020.

ORAL ORDER:

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

- 2. Learned Advocate for the applicant on instruction states that the applicant does not want to proceed with the present O.A. and wants to withdraw the same. Therefore, she seeks leave of this Tribunal to withdraw the present O.A. with liberty to the applicant to approach this Tribunal on fresh cause of action.
- 3. Learned Chief Presenting Officer has prayed to pass necessary order.
- 4. Since the applicant does not want to proceed with the O.A. and wants to withdraw the same, leave as prayed for is granted. The O.A. is disposed of as withdrawn with liberty to the applicant to approach this Tribunal on fresh cause of action. There shall be no order as to costs.

ORIGINAL APPLICATION ST. NO. 405 OF 2020 (Shri Rahul Shridhar Sumbe V/s. State of Maharashtra & Ors.)

CORAM: B. P. PATIL, VICE CHAIRMAN
(The present matter is placed before
Single Bench due to non-availability of
Division Bench)

DATE : 29.07.2020.

ORAL ORDER:

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

- 2. Learned Advocate for the applicant on instruction states that the applicant does not want to proceed with the present O.A. and wants to withdraw the same. Therefore, she seeks leave of this Tribunal to withdraw the present O.A. with liberty to the applicant to approach this Tribunal on fresh cause of action.
- 3. Learned Chief Presenting Officer has prayed to pass necessary order.
- 4. Since the applicant does not want to proceed with the O.A. and wants to withdraw the same, leave as prayed for is granted. The O.A. is disposed of as withdrawn with liberty to the applicant to approach this Tribunal on fresh cause of action. There shall be no order as to costs.

ORIGINAL APPLICATION ST. NO. 406 OF 2020 (Shri Somnath Nandu Gadhve V/s. State of Maharashtra & Ors.)

CORAM: B. P. PATIL, VICE CHAIRMAN
(The present matter is placed before
Single Bench due to non-availability of
Division Bench)

DATE : 29.07.2020.

ORAL ORDER:

Heard Shri S.R. Sapkal, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

- 2. Learned Advocate for the applicant on instruction states that the applicant does not want to proceed with the present O.A. and wants to withdraw the same. Therefore, she seeks leave of this Tribunal to withdraw the present O.A. with liberty to the applicant to approach this Tribunal on fresh cause of action.
- 3. Learned Presenting Officer has prayed to pass necessary order.
- 4. Since the applicant does not want to proceed with the O.A. and wants to withdraw the same, leave as prayed for is granted. The O.A. is disposed of as withdrawn with liberty to the applicant to approach this Tribunal on fresh cause of action. There shall be no order as to costs.

ORIGINAL APPLICATION ST. NO. 407 OF 2020 (Shri Sandeep Sayaji Kale V/s. State of Maharashtra & Ors.)

CORAM: B. P. PATIL, VICE CHAIRMAN

(The present matter is placed before
Single Bench due to non-availability of
Division Bench)

DATE : 29.07.2020.

ORAL ORDER:

Heard Shri S.R. Sapkal, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

- 2. Learned Advocate for the applicant on instruction states that the applicant does not want to proceed with the present O.A. and wants to withdraw the same. Therefore, she seeks leave of this Tribunal to withdraw the present O.A. with liberty to the applicant to approach this Tribunal on fresh cause of action.
- 3. Learned Presenting Officer has prayed to pass necessary order.
- 4. Since the applicant does not want to proceed with the O.A. and wants to withdraw the same, leave as prayed for is granted. The O.A. is disposed of as withdrawn with liberty to the applicant to approach this Tribunal on fresh cause of action. There shall be no order as to costs.

ORIGINAL APPLICATION ST. NO. 408 OF 2020 (Shri Bahiru Kalu Benke V/s. State of Maharashtra & Ors.)

CORAM: B. P. PATIL, VICE CHAIRMAN
(The present matter is placed before
Single Bench due to non-availability of
Division Bench)

DATE : 29.07.2020.

ORAL ORDER:

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

- 2. Learned Advocate for the applicant on instruction states that the applicant does not want to proceed with the present O.A. and wants to withdraw the same. Therefore, she seeks leave of this Tribunal to withdraw the present O.A. with liberty to the applicant to approach this Tribunal on fresh cause of action.
- 3. Learned Presenting Officer has prayed to pass necessary order.
- 4. Since the applicant does not want to proceed with the O.A. and wants to withdraw the same, leave as prayed for is granted. The O.A. is disposed of as withdrawn with liberty to the applicant to approach this Tribunal on fresh cause of action. There shall be no order as to costs.

ORIGINAL APPLICATION ST. NO. 409 OF 2020 (Shri Kiran Ashok Gorde V/s. State of Maharashtra & Ors.)

CORAM: B. P. PATIL, VICE CHAIRMAN
(The present matter is placed before
Single Bench due to non-availability of
Division Bench)

DATE : 29.07.2020.

ORAL ORDER:

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

- 2. Learned Advocate for the applicant on instruction states that the applicant does not want to proceed with the present O.A. and wants to withdraw the same. Therefore, she seeks leave of this Tribunal to withdraw the present O.A. with liberty to the applicant to approach this Tribunal on fresh cause of action.
- 3. Learned Presenting Officer has prayed to pass necessary order.
- 4. Since the applicant does not want to proceed with the O.A. and wants to withdraw the same, leave as prayed for is granted. The O.A. is disposed of as withdrawn with liberty to the applicant to approach this Tribunal on fresh cause of action. There shall be no order as to costs.

ORIGINAL APPLICATION NO. 205/2020 (Dr. Dilip V. Deshmukh Vs. State of Maharashtra & Ors.)

CORAM: B.P. PATIL, VICE CHAIRMAN

[This matter is placed before the Single Bench due to non-availability of Division

Bench.]

DATE : 29.7.2020

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. Issue notice to respondents, returnable on 27.8.2020.
- 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.

- The service may be done by hand delivery, speed 6. and acknowledgment be obtained post, courier and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
- 7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.
- S.O. to 27.8.2020. 8.
- 9. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

C.P. ST. 584/2020 IN O.A. 113/2012 (Bhagwat T. Kadam Vs. State of Maharashtra & Ors.)

CORAM: B.P. PATIL, VICE CHAIRMAN

[This matter is placed before the Single Bench due to non-availability of Division

Bench.]

DATE : 29.7.2020

ORAL ORDER:

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 10.8.2020.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 1014/2019

(Bade R. Shridhar & Ors. Vs. State of Maharashtra & Ors.)

CORAM: B.P. PATIL, VICE CHAIRMAN

[This matter is placed before the Single Bench due to non-availability of Division

Bench.]

DATE : 29.7.2020

ORAL ORDER:

Heard Shri C.V. Dharurkar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

- 2. Learned C.P.O. has filed on record the copy of communication dated 27.7.2020 received to him from the respondent no. 2. It is taken on record and marked as document 'X-2' for the purpose of identification and copy thereof has been supplied to other side. He seeks time to submit the compliance on the line of the aforesaid communication.
- 3. In view of the submission made by the learned C.P.O. one month's time is granted to the respondent no. 2 to submit compliance report on the line of communication dated 27.7.2020.
- 4. S.O. to 27.8.2020.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 95/2020

(Monali B. Late Vs. State of Maharashtra & Ors.)

CORAM: B.P. PATIL, VICE CHAIRMAN

[This matter is placed before the Single Bench due to non-availability of Division

Bench.]

DATE : 29.7.2020

ORAL ORDER:

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

- 2. Learned P.O. has filed on record the copy of communication dated 27.7.2020 received to him from the respondent no. 2. It is taken on record and marked as document 'X-2' for the purpose of identification and copy thereof has been supplied to other side. She seeks time to submit the compliance on the line of the aforesaid communication and also seeks time to file affidavit in reply of the respondents.
- 3. In view of the submission made by the learned P.O. one month's time is granted to the respondent no. 2 to submit compliance report on the line of communication dated 27.7.2020.
- 4. S.O. to 27.8.2020.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 180/2020

(Ganesh N. Suralkar Vs. State of Maharashtra & Ors.)

CORAM: B.P. PATIL, VICE CHAIRMAN

[This matter is placed before the Single Bench due to non-availability of Division

Bench.]

DATE : 29.7.2020

ORAL ORDER:

Heard Shri V.G. Pingle, learned Advocate holding for Smt. Punam Mahajan, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned P.O. S.O. to 14.9.2020 for filing affidavit in reply of the respondents.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 183/2020

(Rajendra G. Sonawane Vs. State of Maharashtra & Ors.)

CORAM: B.P. PATIL, VICE CHAIRMAN

[This matter is placed before the Single Bench due to non-availability of Division

Bench.]

DATE : 29.7.2020

ORAL ORDER:

Heard Shri Amit Dhongde, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned P.O. S.O. to 17.9.2020 for filing affidavit in reply of the respondents.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 184/2020

(Govardhan B. Kawale Vs. State of Maharashtra & Ors.)

CORAM: B.P. PATIL, VICE CHAIRMAN

[This matter is placed before the Single Bench due to non-availability of Division

Bench.]

DATE : 29.7.2020

ORAL ORDER:

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

2. At the request of learned P.O. S.O. to 31.8.2020 for filing affidavit in reply of the respondents.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 211/2020 (Nilesh B. Dighe Vs. State of Maharashtra & Ors.)

CORAM: B.P. PATIL, VICE CHAIRMAN

DATE : 29.7.2020

ORAL ORDER:

Heard Shri M.S. Taur, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

- 2. Issue notice to respondents, returnable or 3.9.2020.
- 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.

::-2-::

- 7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.
- 8. S.O. to 3.9.2020.
- 9. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 212/2020 (Chandrakant G. Jadhav Vs. State of Maharashtra & Ors.)

CORAM: B.P. PATIL, VICE CHAIRMAN

DATE : 29.7.2020

ORAL ORDER:

Heard Shri Santosh S. Jadhavar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

- 2. Learned Advocate for the applicant has submitted that the applicant has challenged the impugned transfer order dated 21.7.2020 by which he been transferred from Regional Laboratory, Aurangabad to District Laboratory, Nanded. He has submitted that against the impugned transfer order dated 21.7.2020 the applicant has filed representation dated 22.7.2020 and it is pending with the respondent no. 2. He has submitted that, if this Tribunal directs the respondent no. 2 to take decision on the representation dated 22.7.2020 filed by the applicant the purpose of filing the present O.A. would be served. Therefore he prayed to dispose of the O.A. with a direction to the respondent no. 2 to take decision on the representation dated 22.7.2020 submitted by the applicant, within the reasonable time.
- 3. Learned Presenting Officer has submitted that the O.A. may be disposed of with a direction to the

respondent no. 2 to take a decision on the representation of the applicant dated 22.7.2020 within the period of six weeks.

4. In view of the submissions made by the learned Advocate for the applicant and the learned Presenting Officer for the respondents, the present O.A. is disposed of with a direction to the respondent no. 2 to take a decision on the representation submitted by the applicant dated 22.7.2020 within a period of four weeks from today and communicate the decision thereof to the applicant in writing. There shall be no order as to costs.

VICE CHAIRMAN