

**ORIGINAL APPLICATION NO. 420 OF 2019**  
(Shri Raju P. Gaikwad V/s. State of Maharashtra & Ors.)

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 30.06.2020.**

**ORAL ORDER :**

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 29.07.2020.

**VICE CHAIRMAN**

KPB/ORAL ORDERS 30.06.2020

**ORIGINAL APPLICATION NO. 427 OF 2019**  
(Shri Ranjeet S. Savale (Dhangar) V/s. State of Maharashtra & Ors.)

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 30.06.2020.**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 29.07.2020.

**VICE CHAIRMAN**

KPB/ORAL ORDERS 30.06.2020

**ORIGINAL APPLICATION NO. 188 OF 2020**  
(Shri Sangameshwar K. Rasure 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 : 30.06.2020.**

**ORAL ORDER :**

Heard Shri A.V. Sakolkar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 05.08.2020.

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.

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O.A. No. 188/2020

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 05.08.2020.

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

**VICE CHAIRMAN**

KPB/ORAL ORDERS 30.06.2020

**M.A. St. No. 542/2020 in O.A. St. No. 543/2020**  
(Shri Sanjeev G. Vispute & Ors. V/s. State of Maharashtra & Ors.)

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 30.06.2020**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the Applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. This is an application preferred by the applicants seeking leave to sue jointly.

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

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

**VICE CHAIRMAN**

KPB/ORAL ORDER 30.06.2020.

**ORIGINAL APPLICATION ST. NO. 543 OF 2020**

**(Shri Sanjeev G. Vispute & Ors. V/s. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 30.06.2020**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 05.08.2020.

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.

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O.A. St. 543/2020

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. The point of interim relief is kept open.
9. S.O. to 05.08.2020.
10. Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**

KPB/ORAL ORDERS 30.06.2020

**ORIGINAL APPLICATION ST. NO. 547 OF 2020**  
(Shri Sunil K. Tangde V/s. State of Maharashtra & Ors.)

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 30.06.2020**

**ORAL ORDER :**

Heard Shri A.D. Kulkarni, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that due to inadvertence and mistake name of the Joint Director (Administration), Agriculture Department, Agriculture Commissionerate, Pune, has been twicely mentioned in the O.A., as respondent No. 3 and respondent No. 4. Therefore, he has submitted that the applicant wants to correct the said mistake by amending the O.A. by deleting the name of respondent No. 3.

3. In view of this, the applicant is permitted to delete the name of respondent No. 3. The applicant shall amend the O.A. forthwith.

4. After amendment, issue notices to the respondents, returnable on 29.07.2020.

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



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O.A. St. 547/2020

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

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

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

9. 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.

10. The point of interim relief is kept open.

11. S.O. to 29.07.2020.

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O.A. St. 547/2020

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

**VICE CHAIRMAN**

KPB/ORAL ORDERS 30.06.2020

**ORIGINAL APPLICATION NO. 721 OF 2019**  
(Shri Bhagwan W. Landge V/s. State of Maharashtra & Ors.)

**CORAM : B. P. PATIL, VICE CHAIRMAN**

**DATE : 30.06.2020.**

**ORAL ORDER :**

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

2. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 22.07.2020.

**VICE CHAIRMAN**

KPB/ORAL ORDERS 30.06.2020

**M.A. ST. 533/2020 IN O.A. ST. 534/2020**

**(Mangesh M. Waghlikar 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 : 30.06.2020**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicants seeks time to amend the O.A. Time granted. The learned Advocate for the applicants to make necessary amendment by the next date.

3. In the circumstances, S.O. to 5.8.2020.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30.06.2020

**ORIGINAL APPLICATION NO. 161/2020**

**(Jitendra R. Jadhav 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 : 30.06.2020**

**ORAL ORDER :**

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. The applicant has challenged the impugned communication dtd. 18.3.2019 issued by the respondent no. 3 by which his application for getting compassionate appointment on account of death of his brother has been rejected. Learned Advocate for the applicant has submitted that the deceased Milind Ramesh Jadhav was brother of the applicant and he was in Government service as legal heir of the deceased Government employee. He has submitted that brother of the applicant Shri Milind Ramesh Jadhav died on 1.8.2018 and therefore the applicant filed application on 31.12.2018 for getting employment on compassionate ground. He has submitted that widow of deceased namely Smt. Dipiti W/o Milind Jadhav as well as mother of the deceased have given consent for giving compassionate appointment to the

applicant. But the respondents rejected his application by the impugned communication dated 18.3.2019 stating that the claim for compassionate appointment of the brother of the deceased employee, who was married, cannot be considered as there is no provision in the G.R. dated 20.9.2017 in that regard.

4. On perusal of G.R. dated 20.9.2017 it reveals that the brother of the deceased Government employee is not eligible for getting appointment on compassionate ground, if the deceased employee is married. In the present case the deceased Milind Ramesh Jadhav, the brother of the applicant, was married and he died leaving behind him his widow, mother and a brother i.e. the applicant. There is no provision in the scheme to give employment to the brother of the deceased employee, who was married. The respondents has rightly rejected the application of the applicant and accordingly communicated their decision to him by the impugned communication dated 18.3.2019.

5. In the circumstances, in my view, the impugned communication dated 18.3.2019 issued by the respondent no. 3 is in accordance with the provisions

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**O.A. NO. 161/2020**

of G.R. dated 20.9.2017. There is no merit in the O.A. Hence the O.A. deserves to be rejected. Accordingly the O.A. stands rejected. There shall be no order as to costs.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30.06.2020

**ORIGINAL APPLICATION NO. 170/2020**

**(Piraji L. Sormare Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, VICE CHAIRMAN**

**DATE : 30.06.2020**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 to 3 and Shri K.G. Salunke, learned Advocate holding for Shri V.B. Wagh, learned Advocate for respondent no.4.

2. Learned C.P.O. has submitted that he has received instructions from the Desk Officer, Mantralaya to seek two weeks time for filing affidavit in reply of respondent nos. 1 to 3.

3. In view of the submission of the learned C.P.O. time granted as a last chance for filing affidavit in reply on behalf of respondent nos. 1 to 3. However, it is made clear that if the affidavit in reply is not filed by the respondent nos. 1 to 3 on the next date, the matter will be heard on merit without having affidavit in reply of respondent nos. 1 to 3 on record.

4. In the circumstances, S.O. to 15.7.2020.

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 172/2020**

**(Sudarshan S. Pagar Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, VICE CHAIRMAN**

**DATE : 30.06.2020**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 & 2 and Shri Ajay S. Deshpande, learned Advocate for respondent no. 3.

2. Arguments are heard at length. Matter is reserved for orders.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30.06.2020

**M.A.ST.550/2020 IN O.A.ST.NO. 551/2020**  
**(Divya S. Nandi & 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 : 30.06.2020**

**ORAL ORDER :**

Heard Shri Santosh S. Jadhavar, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. This is an application preferred by the applicants seeking leave to sue jointly.

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

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST.NO. 551 OF 2020**  
**(Divya S. Nandi & 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 : 30.06.2020**

**ORAL ORDER :**

Heard Shri Santosh S. Jadhavar, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 05.08.2020.

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

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**O.A. ST.NO. 551 OF 2020**

(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 05.08.2020.

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

**VICE CHAIRMAN**

ORAL ORDERS 30.06.2020-HDD