

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

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

DB is not Available

Date: -30/08/2023

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Urgent Admission Matters						
1	MA281/23 In OAS850/23	Beed/ Jalna/ Latur	Adv.Talekar & Associates (Shaikh Rafeek Gabru & Ors.)	M.A. For Sue Jointly	Circulation	29.09.2023
2	MA290/23 In OAS1138/20	Beed	Adv.A.N. Sabnis (Vishnu S Sanap)	M.A. For Restoration		12.09.2023
3	OA549/23	Jalna	Adv.Kakasaheb Jadhav (Asaram S Chormare)	Removal From Service		04.10.2023
4	OA757/23	Pune Satara	Adv.Uddhav L Momale (Yashwant S Katkar & Ors.)	Seniority List		27.09.2023
5	OA779/23	P'bhani	Adv.Prasad B Kadam (Vitthal C Khillare)	Selection Process		29.09.2023
6	OA472/23	A'nagar	Adv.V.B. Wagh (Bajirao E Gadade)	Promotion	Circulation For Consideration Reply Filed by R-1 & R-2	07.12.2023
7	OA583/23	Beed	Adv.H.P. Jadhav (Machindra M Mane)	Promotion	Circulation For Further Consideration Reply Filed by R-2 & R-3	03.10.2023
Order Matters						
8	MA138/19 In OA805/17	A'bad	Adv.Vishnu Dhoble (Dr.Vanita N Puri) <u>Adv.Avinash Deshmukh for R.No.4 in OA805/17</u>	M.A. For Condonation of Delay	For Hearing	26.09.2023
9	MA100/20 In OA236/18	N'bar	Adv.M.R. Wagh (Krushnalal R Shirshi Gule)	M.A. For Amendment	For Hearing	19.10.2023

10	MA165/21 In OA36/13	Latur	Adv.HemantSurve (Anil B Tirthkar)	M.A. For Restoration	For Hearing	19.10.2023
11	MA94/22 In OAST249/22	O'bad	Adv.G.J. Kore (Dipak S Sherkhane)	M.A. For Condonation of Delay	For Hearing	20.10.2023
12	MA419/22 In OAST1536/22	A'bad	Adv.A.D. Gadekar (Haribhau L Ghodke)	M.A. For Condonation of Delay	For Hearing	20.10.2023
13	MAST1274/22 In MA35/19 In OAST47/19	Latur	Adv.A.B. Chalak In MASt1274/22 (Rajendra P Ghanwat&Ors.) <u>Adv.Vinod Joshi/Adv.K.B.</u> <u>Jadhav in MA35/19 in</u> <u>OAST47/19</u> (Balraj S Lanjile)	M.A. For Intervention	For Hearing With Office Objection	22.09.2023
14	MA58/23 In OA963/22	A'bad	Adv.Talekar& Associates (Sanjaykumar P Deshpande)	M.A. For Amendment	Reply Filed by R-1 & R-2 in OA Await Service of Notice in OA	25.10.2023
15	MA175/23 In OA253/17	A'nagar	Adv.D.A. Bide (Sanjay P Jagtap&Ors.)	M.A. For Bringing LR.s.		25.10.2023
16	MA239/23 In MA359/22 In OA729/222 with	Jalna	Adv.V.B. Waghin MA239/23 in OA729/22 (Dnyaneshwar B Jadhav&Ors.) Adv.Amol B ChalakFor Intervenor in MA359/22 (Pavansing M Chungda&Ors.)	M.A.239/23 For Direction M.A.359/22 For Intervention	Reply Filed by R-1 to R-3 in MA239/23	12.09.2023
17	MA257/23 In MA563/22 In OA730/22	Beed	Adv.V.G. Pingle In MA257/23 in OA730/22 (Gajanan P Chaudhari&Ors.) <u>Adv.R.A. Joshi For</u> <u>Intervenor in MA563/22</u> (Bhausahab R Bhosale&Ors.)	M.A.257/23 For Direction M.A.563/22 For Intervention	Reply Filed by by R-1 to R-3 in MA257/23	12.09.2023
18	MA375/23 In OA254/22	A'nagar	Adv.A.W. Khadse/ Adv.R.J. Nirmal (Sandip W Khadse)	M.A. For Direction/ I.R.		15.09.2023
'High On Board Matters						

19	OA57/18	A'bad	Adv.S.D. Dhongde (Uttam T Dabhade&Ors.)	Dismissal	<u>For Expedited Hearing</u> Reply Filed by R-1 to R-3	13.10.2023
20	OA380/22	N'bar	Adv.J.P. Legal Associates (Bhaskar D Patil)	Major Punishment/ Compulsory Retirement	<u>For Expedited Hearing</u> Reply filed by R- 1 to R-4	13.10.2023
Due Admission Matters						
21	CP50/19 In OA242/17 with	J'gaoan	Adv.Anant D Sugdare (Mohan R Chaudhari) <u>Adv.Sunita D Shelke for R.Nos.2 & 3</u>	Contempt Petition	For Hearing Reply filed By R-1	16.10.2023
22	CP51/19 In OA648/17 with	J'gaoan	Adv.A.D. Sugdare (Bhaskar S Patil) <u>Adv.Sunita D Shelke for R.Nos.3 & 4</u>	Contempt Petition	For Hearing Reply filed By R-1	16.10.2023
23	CP52/19 In OA878/16	J'gaoan	Adv.A.D. Sugdare (Nitinkumar T Adhe) <u>Adv.Sunita D Shelke for R.Nos.3 & 4</u>	Contempt Petition	For Hearing Reply filed By R-1	16.10.2023
24	CP61/19 In OA533/15	Hingoli	Adv.Ajay S Deshpande (Shivaji P Shinde)	Contempt Petition	For Admission Reply Filed by R- 1	17.10.2023
25	CP22/21 In OA947/18 with	J'gaon	Adv.A.D. Sugdare (Bhagwat T Chaudhari) <u>Adv.Sunita D Shelke for R.No.3</u>	Contempt Petition	For Hearing	16.10.2023
26	CP23/21 In OA432/18 with	J'gaon	Adv.A.D. Sugdare (Ajabrao R Patil) <u>Adv.Sunita D Shelke for R.No.3</u>	Contempt Petition	For Hearing	16.10.2023
27	CP24/21 In OA169/18	J'gaon	Adv.A.D. Sugdare (Shankar D Chaudhari) <u>Adv.Yogesh M Patil For R.No.3</u>	Contempt Petition	For Hearing	16.10.2023
28	CP10/22 In OA191/21	A'nagar	Adv.R.J. Nirmal/ Adv.A.W. Khadse (Sandip W Khadse) <u>Adv.M.D. LonkarSpl. Counsel for the Respondents</u>	Contempt Petition	For Hearing Reply Filed by R- 1	15.09.2023

29	OA158/19	O'bad	Adv.G.N. Kulkarni(Mardikar) (Bhagwat M Gaikwad)	Reversion	For Hearing Reply Filed by R- 1 & R-2	25.09.2023
30	OA177/19	O'bad	Adv.Girish N Kulkarni (Vinodkumar V Swami)	Reversion	For Hearing Reply Filed by R- 1 & R-2	25.09.2023
31	OA311/19	Dhule	Adv.C.V. Dharurakar (Rekha I Manikhedkar)	Selection/ Appointment	For Admission Reply Filed by R- 1 & R-2	26.10.2023
32	OA448/19	A'bad	Adv.S.D. Kotkar (Anil T Patil&Ors.)	Challenging G.R.	For Admission Reply Filed by R- 1 to R-3	26.10.2023
33	OA625/19	Nanded	Adv.M.D. Narwadkar (Dattatrya N Shastri)	Selection	For Hearing	26.10.2023
34	OA40/20	A'bad	Adv.R.J. Nirmal (Shankar P Dange)	Promotion/ Appointment	For Hearing	15.09.2023
35	OA412/20	Nanded	Adv.Avinash S Deshmukh (Omprakash H Kothari) <u>Adv.S.B. Patil for R.Nos.2 & 4</u>	Departmental Enquiry	For Hearing Reply Filed by R- 1 to R-4	26.09.2023
36	OA426/20	A'bad	Adv.A.S. Deshmukh (Sunil S Pagare)	Termination	For Hearing Reply Filed by R- 1 to R-3	26.09.2023
37	OA427/20	Beed	Adv.A.S. Deshmukh (Rahul B Chaudhare)	Termination	For Hearing	26.09.2023
38	OA145/21	J'gaon	Adv.A.S. Bayas (Jagdish N Saindane)	Promotion	For Admission Reply Filed by R- 1 to R-7	27.10.2023
39	OA225/21	A'nagar	Adv.Santosh S Jadhavar (Surekha B Andhale)	Promotion	For Hearing Reply Filed by R- 1 & R-2	27.10.2023
40	OA227/21	A'nagar	Adv.Santosh S Jadhavar (Surekha B Andhale&Ors)	Promotion	For Hearing Reply Filed by R- 1 to R-3	27.10.2023
41	OA785/21	Latur	Adv.G.K. Muneshwar (Ashok N Godbole)	Promotion	For Hearing Reply Filed by R- 1 to R-3	27.10.2023
Final Hearing Matter						

42	OA383/17	Nanded	Adv.Ajay S Deshpande (Uttam S Mundhe)	Promotion	Reply Filed by R-1 & R-2	30.11.2023
43	OA664/17	A'bad	Adv.AjayDeshpande (ShaikhKalimSkMannu)	Dismissal	Reply Filed by R-1 to R-4	30.11.2023
44	OA922/17	A'nagar	Adv.A.S. Deshmukh (Pandurang R Chinchale) <u>Adv.D.T. devane for R.No.2 & 3</u>	Recovery	Reply Filed by R-1 to R-3	30.11.2023
45	OA141/18	A'bad	Adv.V.B. Wagh (Nanda P Bankar) <u>Adv.A.S. Deshmukh for R.No.2</u>	Promotion/ Seniority List	Reply Filed by R-1 & R-2	01.12.2023
46	OA805/18 With	A'bad	Adv.N.R. Thorat (Nagorao V Karbhari) <u>Adv.R.N. Bharaswadkar for R.Nos.4, 5 & 7</u>	Promotion	Reply Filed by R-1 to R-5, R-7	01.12.2023
47	OA806/18	A'bad	Adv.N.R. Thorat (Zumber K Sonawane) <u>Adv.AjayDeshpande for R.No.4</u>	Promotion	Reply Filed by R-1 to R-3	01.12.2023
48	OA927/18	Beed	Adv.Vilas P Savant (Shamrao N Kadam&Ors.)	Seniority/ Promotion	Reply Filed by R-2 & R-4	04.12.2023
49	OA659/19	A'bad	Adv.Ram S Shinde (Boralkar) (Vijay M Suralkar)	Challenging G.R.	Reply Filed by R-1 to R-5	26.09.2023
50	OA515/20	N'bar	Adv.B.R. Kedar (Aniket D Rakh)	Challenging G.R	Ind Set Not Filed Reply filed by R-2& R-3	04.12.2023

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

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

DB is not Available

Date: -30/08/2023

for reply board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	CP20/23 In OA295/21	P'bhani	Adv.J.S. Deshmukh (Dr. Zohra Sultana Ataullah Khan)	Contempt Petition	Await Service	17.10.2023
2	CP21/23 In OA293/21	Nanded	Adv.J.S. Deshmukh (Dr. Khan Bushra Sultana)	Contempt Petition	Await Service	17.10.2023
3	CP22/23 In OA294/21	P'bhani	Adv.J.S. Deshmukh (Dr. ShaikhKaleem Mustafa)	Contempt Petition	Await Service	17.10.2023
4	CP23/23 In OA526/18	Latur	Adv.J.S. Deshmukh (Dr. Prachi K Haridas)	Contempt Petition	Await Service	17.10.2023
5	CP24/23 In OA780/19	Jalna	Adv.J.S. Deshmukh (Dr.ShaikhHeenaNavbahar)	Contempt Petition	Await Service	17.10.2023
6	CP39/23 In OA1005/22	A'bad	Adv. Prashant M Nagargoje (Ganpat H Darade)	Contempt Petition	Notice of R.No.2 Return	18.10.2023
7	OA55/21	A'bad	Adv.P.S. Anerao (Arvind S Bhavar)	Selection List/ Appointment	As a Last Chance For Filing Affidavit in Rejoinder	18.10.2023
8	OA441/22	Beed	Adv.P.S. Anerao (Gajanan A Taralkar)	Promotion	As a Last Chance For Filing Affidavit in Rejoinder	19.10.2023
9	OA519/22	A'bad	Adv.C.V. Dharurkar/ Adv.AjinkyaMirajgaonkar (Dnyaneshwar B Wadile)	Departmental Enquiry	As a Last Chance For Filing Affidavit in Reply	19.10.2023
10	OA833/22	J'gaon	Adv.C.V. Dharurkar (Sampat L Mallad)	Departmental Enquiry	As a Last Chance For	19.10.2023

					Filing Affidavit in Reply	
11	OA1047/22	J'gaon	Adv.C.V. Dharurkar (Nilesh B Rathod)	Departmental Enquiry	As a Last Chance For Filing Affidavit in Rejoinder	19.10.2023
12	OA 36/23	Nanded	Adv.Avinash S Khedkar (Vishal N Sonsale&Ors.)	Implementor of G.R./ Promotion	For Filing Affidavit in Reply For R-1, R-2 & R-5	20.10.2023
13	OA183/23	A'nagar	Adv.S.S. Jadhavar (Sahebrao S Woyal)	Advertisement	For Filing Affidavit in Rejoinder	20.10.2023
14	OA186/23	A'bad	Adv.A.D. Sugdare (Anand I Dhale)	Termination	For Filing Affidavit in Reply	20.10.2023
15	OA233/23	Beed	Adv.Sachin S Deshmukh (Bhagwat B Garje)	Termination/ Departmental Enquiry	For Filing Affidavit in Reply	27.09.2023
16	OA234/23	Latur	Adv.Sachin S Deshmukh (Navnath B Anwane)	Termination/ Departmental Enquiry	For Filing Affidavit in Reply	27.09.2023
17	OA235/23	Beed	Adv.Sachin S Deshmukh (Devendra T Jadhav)	Termination/ Departmental Enquiry	For Filing Affidavit in Reply	27.09.2023
18	OA263/23	A'bad	Adv.V.G. Pingle (Vinesh V Maher)	Reversion	For Filing Affidavit in Reply	20.10.2023
19	OA705/23	Beed	Adv.Mohit R Deshmukh (Santosh Z Raut)	Departmental Enquiry	Await Service	20.10.2023
20	OA728/23	Beed	Adv.D.P. Madkar (Ravindra V Madkar)	Dismissal From Service	Await Service	25.10.2023
Order Matters						
21	MA148/23 In OA268/23	P'bhani	Adv.G.V. Mohekar (Kishor M Nikam)	M.A. For I.R.	For Filing Affidavit in Reply	27.09.2023
22	MA166/23 In OAS191/21	Beed	Adv.A.S. Shelke (MarathwadaVanVaSamajikVanikaranRojandariVaKayamKamgarKarmachariVaSarvaShramikSanghtana through its General Secretary Uddhav G Mahanor)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	19.10.2023
23	MA167/23 In OAS168/21	A'bad	Adv.A.S. Shelke (SarvaShramikSanghShri)	M.A. For Condonation of	For Filing Affidavit in	19.10.2023

			Through its President H.S. Sonwane&Ors.)	Delay	Reply	
24	MA168/23 In OAS241/21	A'bad	Adv.A.S. Shelke (SarvaShramikSanghShri Through its President H.S. Sonwane&Ors. &Ors.)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	19.10.2023
25	MA169/23 In OAS246/21	A'bad	Adv.A.S. Shelke (MarathwadaSarvaShramikSa nghtana through its Vice President H.S. Sonwane)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	19.10.2023
26	MA170/23 In OAS274/21	Nanded	Adv.A.S. Shelke (MarathwadaSarvaShramikSa nghtanaShriUddhav N Shinde&Ors.)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	19.10.2023

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

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

Before: - THE HON'BLE SMT. JUSTICE MRIDULA BHATKAR, CHAIRPERSON

Date: -30/08/2023 Through Video Conferencing at 12:45 P.M.

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Regular Admission Matter						
1	OA772/23	A'bad	Adv.MS A.N. Ansari (Vijaya S Nilewad)	Transfer/ Direction		06.09.2023
2	OA775/23	Nanded	Adv.M.R. Kulkarni (Dr.Dhondba Bhurke)	Transfer		13.09.2023
3	OA781/23	Nanded	Adv.J.B. Choudhary/ Adv.P.D. Bodade (Dr.Hemant V Godbole)	Transfer	Circulation	13.09.2023
4	OA791/23	A'bad	Adv.Ajay S Deshpande (Dr.Meenakshi A Bhattacharya)	Transfer		13.09.2023
5	MA384/23 In OA393/23	A'bad	Adv.K.G. Salunke (Shivaji G Wadje)	M.A. For Recalling Order	Circulation	
Due Admission Matters						
6	OA537/23 with	A'bad	Adv.P.R. Wankhade (Dr.Snehalata T Yellambkar)	Transfer	For Hearing	06.07.2023
7	OA538/23 with	A'bad	Adv.P.R. Wankhade (Dr.AsmaFarheen Abdul Quadeer)	Transfer	For Hearing	06.09.2023

8	OA539/23 With	A'bad	Adv.P.R. Wankhade (Dr.ShaikhJunaidMinhajMobin Ahmed)	Transfer	For Hearing	06.09.2023
9	OA550/23 with	A'bad	Adv.J.B. Choudhary (Dr.Surajkumar S Kuril)	Transfer	For Hearing Reply Filed by R-1 to R-3	06.09.2023
10	OA551/23 with	A'bad	Adv.J.B. Choudhary (Dr.Amarnath V Awargaonkar)	Transfer	For Hearing	06.09.2023
11	OA552/23 with	A'bad	Adv.J.B. Choudhary (Dr.Smita M Mundada)	Transfer	For Hearing	06.09.2023
12	OA553/23 with	Nanded	Adv.J.B. Choudhary (Dr.Sarfraz Ahmed Sirajuddin)	Transfer	For Hearing Reply Filed by R-1 to R-5	06.09.2023
13	OA554/23 with	A'bad	Adv.J.B. Choudhary (Laiq Ahmed Jaffari)	Transfer	For Hearing	06.09.2023
14	OA555/23 with	A'bad	Adv.J.B. Choudhary (Dr.Pratibha R Deshmukh)	Transfer	For Hearing	06.09.2023
15	OA556/23 with	A'bad	Adv.J.B. Choudhary (Dr.Rupali A Gaikwad)	Transfer	For Hearing	06.09.2023
16	OA557/23 with	A'bad	Adv.J.B. Choudhary (Dr.Shilpa Y Pawar)	Transfer	For Hearing	06.09.2023
17	OA558/23 with	A'bad	Adv.J.B. Choudhary (Dr.Deelip G Jaiswal)	Transfer	For Hearing	06.09.2023
18	OA559/23 with	A'bad	Adv.J.B. Choudhary (Dr.AbdullahMohdmateenuddin Ansari)	Transfer	For Hearing	06.09.2023
19	OA563/23 with	Latur	Adv.J.B. Choduhary (Dr.Shashikant B Kukale)	Transfer	For Hearing Reply Filed by R-1 to R-5	06.09.2023
20	OA565/23 with	A'bad	Adv.J.B. Choudhary (Dr.Mukta N Khaparkhantkar)	Transfer	For Hearing	06.09.2023
21	OA566/23 with	Latur	Adv.J.B. Choudhary (Dr. Anita G Pawar)	Transfer	For Hearing Reply Filed by R-1 to R-5	06.09.2023
22	OA571/23 with	Latur	Adv.J.B. Choudhary (Dr. Rahul S Abhange)	Transfer	For Hearing Reply Filed by R-1 to R-5	06.09.2023
23	OA581/23 with	Dhule	Adv.J.S. Deshmukh (Dr. Hitesh R Adchitre)	Transfer	For Hearing Reply Filed by R-1 to R-3	06.09.2023

24	OA582/23 with	A'bad	Adv.J.B. Choudhary (Shaikh Nek Parveen H.)	Transfer	For Hearing	06.09.2023
25	OA585/23 with	Dhule	Adv.J.B. Choudhary (Dr.Jinendra M Jain)	Transfer	For Hearing Reply Filed by R-1 to R-5	06.09.2023
26	OA629/23 with	Dhule	Adv.J.B. Choudhary (Dr.Bhavana P Kothari(Kakaria))	Transfer	For Hearing Reply Filed by R-1 to R-5	06.09.2023
27	OA531/23	A'bad	Adv.S.B. Patil (Dr.Manohar K Shelake)	Transfer	Reply Filed by R-1 to R-3	06.09.2023
28	OA586/23	Nanded	Adv.K.B. Jadhav (Umesh R Kavle)	Transfer	By Way of Last Chance For Filing Affidavit in Reply	08.09.2023

29	OA591/23	A'nagar	Adv.P.B. Umrani (Sanjay P Shinde)	Transfer	For Filing Affidavit in Reply	06.09.2023
30	OA631/23	A'bad	Adv.J.B. Choudhary (Dr.Rajendra T Ankushe)	Transfer	Reply Filed by R-1 to R-5	06.09.2023
31	OA632/23	A'bad	Adv.Shamsunder B Patil (Dr. Anil A Gaikwad)	Transfer	Reply Filed by R-1 to R-3	06.09.2023
32	OA633/23	A'bad	Adv.Shamsunder B Patil (Dr.Nilesh I Kachnerkar)	Transfer	Reply Filed by R-1 to R-3	06.09.2023
33	OA635/23	Beed	Adv.K.G. Salunke (Dr.Namdev P June)	Transfer	Reply Filed by R-1 to R-3	06.09.2023
34	OA749/23	Nanded	Adv.M.R. Kulkarni (Dr.HumeraNishat Md. Mujataba Khan)	Transfer	For Filing Affidavit in Reply	06.09.2023

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

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench
Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -30/08/2023

Suplimentary Board Transfer 1

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	OA991/22	Nanded	Adv V P Golewar (Shrinivas G Gangthade)	Transfer	Reply Filed By R-1 & R-3 & For Filing Affidavit in Rejoinder	15.09.2023
2	OA1094/22	Nanded	Adv.D.K. Dagadkhair (Madhav B Wangaje)	Transfer/ Posting	Await Service R.No.8, 11, 12, 14, 17, 18	18.09.2023
3	OA1095/22	Naded	Adv.D.K. Dagadkhair (Tukaram S Pohare)	Transfer/ Posting	Await Service R.No.8, 11, 12, 14, 17, 18	18.09.2023
4	OA77/23	P'bhani	Adv.R.L. Jakhade/ Adv.S.A. Kulkarni (Deepak H Jadhav)	Transfer	By Way of Last Chance For Filing Affidavit in Reply	22.09.2023
5	OA78/23	P'bhani	Adv.R.L. Jakhade/ Adv.S.A. Kulkarni (Mahesh B Kavthale)	Transfer	By Way of Last Chance For Filing Affidavit in Reply	22.09.2023
6	OA376/23 With	A'nagar	Adv.Jiwan J Patil (Tushar V Gaikwad)	Transfer	<u>For Further Consideration</u> Reply Filed by Respondents	
7	OA377/23 with	A'nagar	Adv.Jiwan J Patil (Abasaheb S Gore)	Transfer	<u>For Further Consideration</u> Reply Filed by Respondents	
8	OA378/23	A'nagar	Adv.Jiwan J Patil (Amol V Gaikwad)	Transfer	<u>For Further Consideration</u>	

					Reply Filed by Respondents	
9	OA392/23	Latur	Adv.R.K. Ashtekar (Vishnu K Kore)	Transfer	By Way of Last Chance For Filing Affidavit in Reply	22.09.2023
10	OA415/23	Nanded	Adv.S.S. Thombre (Santosh T Pawar)	Direction/ Transfer	Await Service	26.09.2023
11	OA453/23	Latur	Adv.V.D. Gunale/ Adv.K.B. Bhise (Shamkumar V Wallekar)	Transfer	For Filing Affidavit in Reply	13.09.2023
12	OA468/23	A'nagar	Adv.Jayant S Deshmukh (Dr.Prashant S Shelar) <u>Adv.Amol A Kokad for R.No.4</u>	Transfer	For Filing Affidavit in Reply	29.09.2023
13	OA469/23	Beed	Adv.U.P. Giri (Santosh P Raut)	Transfer	For Hearing	04.09.2023
14	OA470/23	Nanded	Adv.R.A. Joshi (Ramesh P Degloorkar)	Transfer	For Hearing Repply Filed by R-1 & R-2	04.09.2023
15	OA484/23	J'gaon	Adv.A.D. Gade (Hemant R Deore)	Transfer	<u>For Further Consideration</u> Reply Filed by R-1 to R-3	05.09.2023
16	OA485/23	A'nagar	Adv.M.D. Lonkar (Dynaneshwar B Jagtap)	Transfer	Await Service	07.09.2023
17	OA486/23	A'nagar	Adv.M.D. Lonkar (Yogesh B Sarje&Ors.)	Transfer	Await Service	07.09.2023
18	OA492/23	Jalna	Adv.P.R. Wankhade (Dr.Jagannath G Kundkar)	Transfer	For Filing Affidavit in Reply	20.09.2023
19	OA512/23	J'gaon	Adv.C.V. Dharurkar (Jaykumar R Koli)	Transfer	For Filing Affidavit in Reply	21.09.2023
20	OA522/23	A'bad	Adv.Dhananjay Mane (Mahesh E Vipute)	Transfer	Await Service of Notice	08.09.2023
21	OA527/23	A'bad	Adv.K.G. Salunke (Vidya A Mohite) <u>Adv.U.A. Khakale for R.Nos. 3 & 4</u>	Transfer	For Hearing	20.09.2023
22	OA529/23	Jalna	Adv.J.S. Deshmukh (Dr.ShaikhIrfanUsman)	Transfer	For Filing Affidavit in Reply	20.09.2023
23	OA532/23	A'bad	Adv.P.R. Wankhade	Transfer	<u>For Further Consideration</u>	04.09.2023

			(Prahsant C Nikalje)		Reply Filed by R-1 to R-3 In the meanwhile, it would be open for the applicant to file affidavit in rejoinder, if he so desires	
24	OA540/23	A'bad	Adv.M.R. Deshmukh (Dr.Gitesh D Chawada)	Transfer	For Filing Affidavit in Reply For R-1 to R-4	20.09.2023
25	OA541/23	A'bad	Adv.M.R. Deshmukh (Dr. Sanjay K Muley)	Transfer	For Filing Affidavit in Reply	20.09.2023
26	OA568/23	Jalna	Adv.Vivek G Pingle (Dr.Shyamkant D Gawande)	Transfer	For Filing Affidavit in Reply	29.09.2023
27	OA587/23	N'bar	Adv.S.D. Joshi (Dr.Manlal D Shelte)	Transfer	For Hearing	29.09.2023
28	OA593/23	A'bad	Adv.Mukund R Kulkarni (Chetan S Malunde)	Transfer/ Posting	For Filing Affidavit in Reply	14.09.2023
29	OA620/23	Jalna	Adv.A.D. Sugdare (Anita J Bhaltilak)	Transfer	For Hearing Short Affidavit Filed by R-3 In the Meanwhile It would be open for the applicant For Filing Affidavit in Rejoinder if he so desires	01.09.2023
30	OA621/23	Hingoli	Adv.V.B. Wagh (Chhandak G Lokhande) <u>Adv.R.N. Bharaswadkar for R.No.3</u>	Transfer	For Hearing Reply Filed by R-1 to R-3	31.08.2023
31	OA630/23	Latur	Adv.J.S. Deshmukh (Dr.Govind K Reddy)	Transfer	For Filing Affidavit in Reply	20.09.2023

32	OA639/23	O'bad	Adv.Sujeet D Joshi (Sandhya V Pawar) <u>Adv.Pooja S Mundhe for R.No.4</u>	Directions/ Transfer	By Way of Last Chance For Filing Affidavit in Reply	04.12.2023
33	OA645/23	P'bhani	Adv.R.B. Ade (Pralhad V Kurewad)	Directions/ Transfer	For Filing Affidavit in Reply	25.09.2023
34	OA709/23	A'bad	Adv.K.B. Jadhav (Deepak R Chavan)	Transfer	Await Service	25.09.2023
35	OA713/23	Nanded	Adv.Mukund R Kulkarni (Dr.Waman N Bahatre)	Transfer	For Filing Affidavit in Reply	25.09.2023
36	OA722/23	A'bad	Adv.Ashish B Rajkar (Aparna A Surywanshi)	Transfer	For Filing Affidavit in Reply	27.09.2023
Order Matters						
37	MA400/21 In OA701/21	A'bad	Adv.N.D. Sonavane (Vijay E Sonune) <u>Adv.DineshKakde/Adv.R.V. Gore in OA701/21</u> (Kishor B Marathe)	M.A. For Intervention for Adding Pary Respondent	For Hearing	27.09.2023
38	MA367/23 In OA424/22	A'bad	Adv.K.B. Jadhav (Raosaheb K Jare)	M.A. For Amendment		27.09.2023

Hon'ble Single Bench

Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -30/08/2023

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Regular Admission Matters						
1	MA372/23 In OAS1590/23	P'bhani Etc.	Adv.Vaibhav U Pawar (Ramrao K Yadav&Ors.)	M.A. For Sue Jointly		12.10.2023
2	OA717/23	J'gaon	Adv.K.B. Jadhav/ Adv.V.B. Madan (Rajendra D Patil)	Suspension Period		13.10.2023
3	OA790/23 With Caveat29/23	J'gaon	Adv.Bharat R Waramaa (Dinesh C Mailagir) <u>Adv.Anjanwatikar For R.No.5 i.e. Caveator</u>	Police Patil	Circulation	14.09.2023
4	OA792/23	Nanded	Adv.S.S. Thombre	Suspension	Circulation	14.09.2023

			(Jyoti R Pawar)			
5	OAS1607/23	N'bar	Adv.Anudeep Sonar (Chandrakant R Sonar)	Suspension/ Pension	Circulation with Office Objection	03.10.2023
6	OA509/20	Beed	Adv.C.V. Dharurkar/ Adv.A.S. Mirajgaonkar (Dr.NomaniMuhammed Mufti Tahir)	Study Leave		07.09.2023
Order Matters						
7	MA206/21 In OAS1608/21	J'gaon	Adv.V.B. Wagh (Nitin M Baviskar)	M.A. For Condonation of Delay	Part Heard For Further Consideration Reply Filed by R-1 to R-4	
8	MA41/20 In OAS1928/19	Latur	Adv.Kakasaheb B Jadhav (Chandmiya B Munde)	M.A. for Condonation of Delay	For Further Considertation Reply Filed by R-3 to R-6	05.10.2023
9	MA399/21 In OAS1725/21	P'bhani	Adv.H.P. Jadhav (Sunanda B Maske&Ors.)	M.A. For Condonation of Delay		06.10.2023
10	MA214/22 With MA148/21 In OAS1481/21	A'nagar	Adv.S.B. Shirsath (Anita P Gitey)	M.A. For Amendment	For Hearing	07.10.2023
11	MA284/22 In MA1635/22 In OAS1536/22	A'bad	Adv.Aniket V Patil (Anna B Holkar&Ors.)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R-4	12.09.2023
12	MA304/22 In OAS11027/22	Dhule	Mohit R Deshmukh (Ravikiran R Ahire&Ors.)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-3 & R-4	17.10.2023
Due Admission Matters						
13	OA199/21	A'bad	Adv.G.J. Pahlwan (Ravindra N Kshirsagar)	Minor Punishment	Reply Filed by R-1 to R-4	05.10.2023
14	TA09/22 WP8518/22 with	A'nagar	Adv.A.G. Ambetkar (Laxman M Kashid&Ors.)	Refund of Recovered Amount	For Hearing Reply Filed by R-1 to R-4	18.09.2023
15	TA10/22 WP4726/22	A'nagar	Adv.A.G. Ambetkar (Namdev V Shelar&Ors.)	Refund of Recovered Amount	For Hearing Reply Filed by R-1 to R-4	18.09.2023

16	OA859/22	Beed	Adv.B.R. Kedar (Dr.Madhukar D Tandale)	Duty Period/ Salary/ Pension & Other Benefits	Reply Filed by R-1 to R-4	
17	OA349/23	Latur	Adv.P.R. Wankhade (Suresh M Hakke)	Suspension/ Reinstatement	For Hearing	
18	OA652/23	A'bad	Adv.S.S. Thombre (Jyoti R Pawar)	Suspension/ Reinstatement	<u>For Further Consideration</u> Reply Filed by R-1 to R-3 It would be open for the applicant to file rejoinder affidavit	
Final Hearing Matters						
19	OA950/12	Nanded	Adv.J.B. Choudhary (Sanjeev R Kadam)	Benefits of Time Bound Promotion/ ACPS	Reply Filed by R-1 to R-4	27.09.2023
20	OA578/16	A'bad	Adv.SuchitaDhongde (C.H. Dongaonkar) <u>Adv.D.T. Devane for R.Nos.2 to 5</u>	Time Bound Promotion/ ACPS Direction (Consequential Benefit)	Reply filed by R-2 to R-5	25.09.2023
21	OA395/17	A'bad	Adv.S.D. Joshi (Shobha R Pathak) <u>Adv.S.B. Mene for R.Nos.2 & 3</u>	Pension & Pensionery Benefits	Reply Filed by R-1 to R-3	29.09.2023
22	OA158/18	J'gaon	Adv.A.S. Deshpande/ Adv.S.P. Manchekar (Dr.Yogesh U Sathe)	Non Release of Salary	Reply filed by R-1 to R-3	03.10.2023
23	OA406/18	A'bad	Adv.V.B. Wagh (Arun S Gosavi)	Withdrawal of Benefit of Assured Career Progressive Scheme	Reply filed by R-1 & R-2	27.09.2023
24	OA781/18	Nanded	Adv.J.B. Choudhary (Suryakant M Garude&Ors.)	Deemed Date of Promotion	Reply Filed by R-1 to R-3	03.10.2023
25	OA540/19	Latur	Adv.P.R. Tandale (The Maharashtra State Gazetted Veterinary Officers'S Union Through its Vice	Time Bound Promotion/ ACPS/ Revised In Service Assured Progress	Reply Filed by R-1 to R-4	27.09.2023

			President Dr.Nilkanth S Mane)	Scheme		
26	OA1045/19	Nanded	Adv.Ajay S Deshpande (Sunil P Pathirkar)	Direction to Complete Departmental Enquiry/ Retirement Benefits	Reply Filed by R-1 to R-3	03.10.2023
27	OA251/20	A'bad	Adv.D.K. Dagadkhair (Sandu R Magar)	Salary/ Pension & Pensionary Benfit	Reply filed by R-1 to R-5	29.09.2023
28	OA293/20	A'bad	Adv.M.R. Kulkarni (Vilas U Jagtap)	Deem Date	Reply Filed by R-1 to R-3	13.10.2023
29	OA103/21	N'bar	Adv.S.D. Joshi (Dr.Harishchandra T Kokani) <u>Adv.Rakesh N Jain for R.No.3</u>	Reinstatement (Suspension)	Reply Filed by R-1 to R-3	16.10.2023
30	OA272/21	A'nagar	Adv.V.B. Wagh (Jayawant R Bhangare)	Minor Punishment	Reply Filed by R-1 & R-2	16.10.2023

Hon'ble Single Bench

**Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN
Compassionate Appointment Substitution Matters**

Date: -30/08/2023

Time : 03:00 P.M.

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	OA239/22	Nanded	Adv S D Joshi (Surajkumar N Vanje)	Directions Compassionate Appointment	For Filing Affidavit in Reply	31.08.2023
2	OA296/22	Beed	Adv.Amar V Lavte (Madhuri U Choudhari)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R-5	31.08.2023
3	OA366/22	Dhule	Adv.K.B. Jadhav (Rahul I Pawar)	Compassionate Appointment	Reply Filed by R-1 & R-3	31.08.2023
4	OA405/22	Beed	Adv Bharat N Gadegaonkar (Sujata R Parsode)	Compassionate Appointment	Reply Filed By R-3 & R-4 & For Filing Affidavit in Reply	31.08.2023
Final Hearing Matters						
5	OA99/22	O'bad	Adv.K.B. Jadhav (Rohit C Mote)	Appointment on Compassionate Ground	Reply Filed by R-1 to R-6	31.08.2023

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

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

Before: -THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -30/08/2023

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	OA803/21	Nanded	Adv Madhur A Golegaonkar (Parmeshwar D Bellale&Ors.)	Benefits of Time Bound Promotion/ A.C.P.S	Reply Filed By R-1 to R-4 & For Filing Affidavit in Rejoinder	27.09.2023
2	OA804/21	Nanded	Adv Madhur A Golegaonkar (Vilas S Rokade&Ors.)	Benefits of Time Bound Promotion/ A.C.P.S	Reply Filed By R-1 to R-4 & For Filing Affidavit in Rejoinder	27.09.2023
3	OA229/22	P'rbn	Adv R L Jakhade Adv S A Kulkarni (Suresh K Bharati)	Posting	By Way of Last Chance For Filing Affidavit in Repl <u>Ref Order Dtd. 20.01.2023</u>	21.09.2023
4	OA326/22	Nanded	Adv K B Jadhav (Ulhas S Pawar&Ors.)	Pension & Pensionery Benefits	Reply Filed By R-1 to R-3 & For Filing Affidavit in Rejoinder	06.10.2023
5	OA1091/22	A'nagar	Adv Avishkar S Shelke (Babasaheb N Rakte)	Pension & Pensionery Benefits	Reply Filed By R-1 to R-4 & For Filing Affidavit in Rejoinder	10.10.2023
6	OA04/23	Beed	Adv K B Jadhav (Sunil L Jadhav) <u>Adv D T Devane For R-4</u>	Compassionate Appointment	For Reply	15.09.2023
7	OA22/23	Jalgaon	Adv K B Jadhav (Sudhakar O Jadhav)	Recovery/ Refund of	Reply Filed By R-1 to R-5	18.09.2023

				Amount	& For Filing Affidavit in Rejoinder	
8	OA67/23	Dhule	Adv V B Wagh (Nilesh C Nemane)	Suspension	Await Service	21.09.2023
9	OA110/23	Hingoli	AdvKakasaheb B Jadhav (Balkrushna S Lanjewar) <u>Adv R T Deshmukh For R- 5</u>	Directions/ Counting of Earlier Temporary Service for A.C.P.S Benefit	For Filing Affidavit in Reply	29.09.2023
10	OA168/23	Beed	Adv S SThombre (Ishwar V Dhiphale)	Directions/Back- wages of Termination Period	Await Service	10.10.2023
11	OA196/23	P'rbn	AdvVivekPingle (Ganesh U Chavan)	Recovery	Reply Filed By R-2 & For Filing Affidavit in Rejoinder	27.09.2023
12	OA241/23	Nanded	Adv A S Deshpande (Punjaram N Wathore)	T.B.P/Assured Career Progress Scheme	Await Service	27.09.2023
13	OA242/23	Nanded	Adv A S Deshpande (Digambar L Chavan)	T.B.P/Assured Career Progress Scheme	Await Service	27.09.2023
14	OA243/23	Nanded	Adv A S Deshpande (Abdul RakhibGulamNabi)	T.B.P/Assured Career Progress Scheme	Await Service	27.09.2023
15	OA244/23	Nanded	Adv A S Deshpande (Mirza Rashid Abdul Baig)	T.B.P/Assured Career Progress Scheme	Await Service	27.09.2023
16	OA245/23	Nanded	Adv A S Deshpande (Pandurang B Nilewar)	T.B.P/Assured Career Progress Scheme	Await Service	27.09.2023
17	OA276/23	Beed	Adv V B Wagh (Dr.Shivaji G Mundhe)	Refixation of Pay/ Time Bound of Promotion / Pension	Await Service	26.09.2023
18	OA333/23	Beed	Adv A S Deshmukh (Bhagwan S Gitte)	Suspension	Await Service	06.10.2023

19	OA358/23	Latur	Adv A D Sugdare (Girdhari G Gunjarge)	Counting Service of Pensionery Benefits	For Reply	08.10.2023
20	OA367/23	Nanded	Adv Anil P Basarkar (Jagdish N Karadpalle)	Compassionate Appointment	For Reply	11.10.2023
21	OA478/23	Latur	AdvKiran G Salunke (Vishwajit V Udate)	Compassionate Appointment	For Reply	03.10.2023
22	OA499/23	Jalgaon	AdvDattaAmadake (Yamunabai M Choudhari)	Family Pension	For Reply	03.10.2023
23	OA597/23	Nanded	Adv V B Wagh (Ashish N Hiwale)	Suspension	For Reply	14.09.2023
24	OA646/23	Beed	AdvVivekBhavthankar (Sahebrao N Shewale)	Provisinal Pension &Pensionery Benefits	For Reply	06.10.2023

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

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

Before: -THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -30/08/2023

Supplimentary Board -2

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
High On Board						
1	OA364/22	Latur	AdvAnand V Patil (Indrale) (Laxmibai U Potdar)	Leave/Family Pension &Pensionery Benefits	<u>Further Consideration</u> Reply Filed By R-1 to R-3	06.09.2023
Due Admission Matter						
2	OA382/22	Jalna	Adv R A Joshi (Rajendra R Shah)	Time Bound Promotion & A.C.P.S Benefits of G.R	For Hearing Reply Filed By R-1 to R-4	15.09.2023

					The Applicants are at Liberty to file affidavit in Rejoinder	
3	OA383/22	A'bad	Adv R A Joshi (Gangadhar R Muley)	Time Bound Promotion & A.C.P.S Benefits of G.R	For Hearing Reply Filed By R-1 to R-4 The Applicants are at Liberty to file affidavit in Rejoinder	15.09.2023
4	OA384/22	A'bad	Adv R A Joshi (Suresh L Ghule)	Time Bound Promotion & A.C.P.S Benefits of G.R	For Hearing Reply Filed By R-1 to R-4 The Applicants are at Liberty to file affidavit in Rejoinder	15.09.2023
5	OA385/22	A'bad	Adv R A Joshi (Yuraj S Kalshetty)	Time Bound Promotion & A.C.P.S Benefits of G.R	For Hearing Reply Filed By R-1 to R-4 The Applicants are at Liberty to file affidavit in Rejoinder	15.09.2023
Final Hearing Matter						
6	OA830/18	Dhule	Adv S B Patil (Shailendra H Mali)	Kotwal	For Final Hearing Reply Filed By R-3 to R-5 The Respondents are Directed to Make Available Original Record for Perusal of this Tribunal	11.09.2023

M.A.NO. 372 OF 2023 IN O.A.ST.NO. 1590 OF 2023
(Ramrao Kalyanrao Yadav & Ors. Vs. The State of Maharashtra & Ors.)

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

DATE : 30.08.2023

ORAL ORDER :

Heard Shri Vaibhav U. Pawar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

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

3. 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

SAS ORAL ORDER 30.08.2023

ORIGINAL APPLICATION ST.NO. 1590 OF 2023
(Ramrao Kalyanrao Yadav & Ors. Vs. The State of Maharashtra & Ors.)

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

DATE : 30.08.2023

ORAL ORDER :

Heard Shri Vaibhav U. Pawar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 12.10.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicants are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.
7. S.O. to 12.10.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 485 OF 2023
(Dynaneshwar B. Jagtap Vs. The State of Maharashtra & Ors.)

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

DATE : **30.08.2023**

ORAL ORDER :

Shri M.D. Lonkar, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. has tendered across the bar the affidavit in reply on behalf of the respondent No.2. The same is taken on record along with extra copy for the applicant. Learned P.O. submits that no separate reply by the respondent No.1 may be necessary.

3. List the matter for hearing on 05.09.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 486 OF 2023
(Yogesh B. Sarje & Ors. Vs. The State of Maharashtra & Ors.)

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

DATE : **30.08.2023**

ORAL ORDER :

Shri M.D. Lonkar, learned counsel for the applicants (**absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. has tendered across the bar the affidavit in reply on behalf of the respondent No.2. The same is taken on record along with extra copy for the applicants. Learned P.O. submits that no separate reply by the respondent No.1 may be necessary.

3. List the matter for hearing on 05.09.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 733 OF 2023
(Shahikant Uttamrao Patil Vs. The State of Maharashtra & Ors.)

Speaking to Minutes

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

DATE : **30.08.2023**

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The present matter is not on board. At the request of learned counsel for the applicant it is taken on board. This motion is moved for speaking to minutes and for seeking permission to correct the name of applicant in index, synopsis and list of documents of O.A. Learned counsel appearing for the applicant submits that in the index, synopsis and list of documents of O.A., the name of the applicant is wrongly mentioned as 'Shashik' whereas it should be as 'Shashikant'. Learned counsel has sought leave to carry out the necessary corrections. Leave as sought for is granted.

3. Learned counsel further submits that in the order passed by this Tribunal on 18.08.2023 in

//2// O.A.733/2023

the present matter in the title the name of the applicant has been mentioned as 'Shashik' whereas it should have been as 'Shashikant'. The motion deserves to be considered. Accordingly the necessary correction be carried out in the order and corrected copy of order be immediately issued to all the concerned.

4. S.O. to 05.10.2023.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

ORIGINAL APPLICATION NO. 77 OF 2023
(Deepak H. Jadhav Vs. The State of Maharashtra & Ors.)

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

DATE : 30.08.2023

ORAL ORDER :

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

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

3. List the matter for hearing on S.O. to 22.09.2023. In the meanwhile it would be open for the applicant to file affidavit in rejoinder, if he so desires.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

ORIGINAL APPLICATION NO. 492 OF 2023
(Dr. Jagannath G. Kundkar Vs. The State of Maharashtra & Ors.)

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

DATE : **30.08.2023**

ORAL ORDER :

Ms. Preeti R. Wankhade, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has sought time to file affidavit in reply on behalf of the respondents. Time granted by way of last chance till 20.09.2023.
3. Learned P.O. shall also take instructions as about the payment of salary to the applicant whether has been made or not.
4. S.O. to 20.09.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

ORIGINAL APPLICATION NO. 276 OF 2023
(Dr. Shivaji G. Mundhe Vs. The State of Maharashtra & Ors.)

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

DATE : **30.08.2023**

ORAL ORDER :

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

2. The present matter though is shown in the await service category, learned counsel for the applicant submits that the service affidavit has been filed and all the respondents are duly served.

3. Learned P.O. submits that he will also take instructions and sought time to file affidavit in reply. Time granted.

4. S.O. to 26.09.2023.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

ORIGINAL APPLICATION NO. 453 OF 2023
(Shamkumar V. Wallekar Vs. The State of Maharashtra & Ors.)

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

DATE : 30.08.2023

ORAL ORDER :

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

2. Learned P.O. has sought time to file affidavit in reply. The request is opposed by learned counsel appearing for the applicant. However, in the interest of justice, time granted by way of last chance till 13.09.2023.

3. S.O. to 13.09.2023.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

ORIGINAL APPLICATION NO. 512 OF 2023
(Jaykumar R. Koli Vs. The State of Maharashtra & Ors.)

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

DATE : **30.08.2023**

ORAL ORDER :

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

2. Learned P.O. has tendered across the bar affidavit in reply filed on behalf of respondent Nos. 1 to 4. The same is taken on record and copy thereof has been served on the other side.

3. List the matter for hearing on 21.09.2023. In the meanwhile the applicant may file rejoinder, if he so desires.

4. S.O. to 21.09.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

ORIGINAL APPLICATION NO. 593 OF 2023
(Chetna S. Malunde Vs. The State of Maharashtra & Ors.)

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

DATE : 30.08.2023

ORAL ORDER :

Ms. Rujuta Kulkarni, learned counsel holding for Shri M.R. Kulkarni, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has sought time to file affidavit in reply. The request is opposed by learned counsel appearing for the applicant. However, in the interest of justice time granted by way of last chance till 14.09.2023.

3. S.O. to 14.09.2023.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

ORIGINAL APPLICATION NO. 1091 OF 2022
(Babasaheb N. Rakte Vs. The State of Maharashtra & Ors.)

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

DATE : **30.08.2023**

ORAL ORDER :

Shri G.R. Jadhav, learned counsel holding for Shri A.S. Shelke, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that he has not received the copy of affidavit in reply filed on behalf of respondent Nos. 1 to 4.

3. Learned P.O. undertakes to supply the copy of reply to learned counsel appearing for the applicant.

4. List the matter for hearing on 10.10.2023. In the meanwhile the applicant may file rejoinder, if he so desires.

5. S.O. to 10.10.2023.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

ORIGINAL APPLICATION NO. 587 OF 2023
(Dr. Manlal D. Shelte Vs. The State of Maharashtra & Ors.)

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

DATE : 30.08.2023

ORAL ORDER :

Ms. Pooja Mundhe, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has sought four weeks' time to file affidavit in reply. Time granted.

3. S.O. to 29.09.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

ORIGINAL APPLICATION NO. 639 OF 2023
(Sandhya V. Pawar Vs. The State of Maharashtra & Ors.)

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

DATE : **30.08.2023**

ORAL ORDER :

Shri A.B. Rajkar, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Ms. Pooja Mundhe, learned counsel for the respondent No.4, are present.

2. In the present matter the learned P.O. has tendered across the bar the communication dated 28.08.2023 received from the respondents. The same is taken on record. It appears that some temporary arrangements are made to give posting to the applicant as well as the respondent No.4 according to their convenience. The time is sought by respondents for filing affidavit in reply. Time granted.

3. S.O. to 04.12.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 110 OF 2023
(Balkrushna S. Lanjewar Vs. The State of Maharashtra & Ors.)

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

DATE : **30.08.2023**

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present. Shri R.T. Deshmukh, learned counsel for respondent No.5 is **absent**.

2. Learned P.O. has sought time to file affidavit in reply. Though the due opportunities are already availed, in the interest of justice, time granted for filing such affidavit in reply till 29.09.2023.

3. S.O. to 29.09.2023.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

ORIGINAL APPLICATION NO. 4 OF 2023
(Sunil L. Jadhav Vs. The State of Maharashtra & Ors.)

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

DATE : **30.08.2023**

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned counsel for the respondent No.4, are present.

2. At the request made on behalf of respondents, time granted to file affidavit in reply by way of last chance.

3. S.O. to 15.09.2023.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

ORIGINAL APPLICATION NO. 470 OF 2023
(Ramesh P. Degloorkar Vs. The State of Maharashtra & Ors.)

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

DATE : 30.08.2023

ORAL ORDER :

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

2. S.O. to 04.09.2023 for hearing.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

ORIGINAL APPLICATION NO. 484 OF 2023
(Hemant R. Deore Vs. The State of Maharashtra & Ors.)

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

DATE : 30.08.2023

ORAL ORDER :

Shri A.D. Gade, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 05.09.2023.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

ORIGINAL APPLICATION NO. 427 OF 2020
(Rahul B. Chaudhare Vs. The State of Maharashtra & Ors.)

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

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

DATE : **30.08.2023**

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 26.09.2023 for hearing. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

ORIGINAL APPLICATION NO. 426 OF 2020
(Sunil S. Pagare Vs. The State of Maharashtra & Ors.)

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

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

DATE : **30.08.2023**

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 26.09.2023 for hearing. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

ORIGINAL APPLICATION NO. 412 OF 2020
(Omprakash H. Kothari Vs. The State of Maharashtra & Ors.)

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

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

DATE : **30.08.2023**

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri S.B. Patil, learned counsel for the respondent Nos. 2 & 4, are present.

2. S.O. to 26.09.2023 for hearing. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

ORIGINAL APPLICATION NO. 529 OF 2023
(Dr. Shaikh Irfan Usman Vs. The State of Maharashtra & Ors.)

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

DATE : **30.08.2023**

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has sought time for filing affidavit in reply on behalf of the respondents. Time granted.
3. S.O. to 20.09.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

ORIGINAL APPLICATION NO. 540 OF 2023
(Dr. Gitesh Dhiraj Chawada Vs. The State of Maharashtra & Ors.)

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

DATE : 30.08.2023

ORAL ORDER :

Shri M.R. Deshmukh, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned C.P.O. has sought time for filing affidavit in reply on behalf of respondent Nos. 1 to 4. Time granted.

3. S.O. to 20.09.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

ORIGINAL APPLICATION NO. 541 OF 2023
(Dr. Gitesh Dhiraj Chawada Vs. The State of Maharashtra & Ors.)

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

DATE : 30.08.2023

ORAL ORDER :

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

2. Learned P.O. has sought time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 20.09.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

M.A. 239/2023 IN M.A. 359/2022 IN O.A. 729/2022
(Dnyaneshwar B. Jadhav & Ors. Vs. The State of Maharashtra & Ors.)

M.A. 257/2023 IN M.A. 563/2022 IN O.A. 730/2022
(Gajanan P. Choudhari & Ors. Vs. The State of Maharashtra & Ors.)

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

(These matters are placed before the Single Bench
due to non-availability of Division Bench)

DATE : 30.08.2023

ORAL ORDER :

Shri V.B. Wagh, learned counsel for applicants in M.A.No. 239/2023 and in O.A.No. 729/2022, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri Amol Chalak, learned counsel for the applicants in M.A. 359/2022, are present.

Shri V.G. Pingle, learned counsel for applicants in M.A. No. 257/2023 and in O.A.No. 730/2022, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri R.A. Joshi, learned counsel for the applicants in M.A.No. 563/2022, are present.

2. S.O. to 12.09.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 382/2022, 383/2022,
384/2022 & 385/2022**
(Rajendra Shah & Ors. Vs. the state of Maharashtra & Ors.)

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

DATE : 30.08.2023

ORAL ORDER :

Shri R.A. Joshi, learned counsel for the applicants in all these matters and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities in all these matters, are present.

2. S.O. to 15.09.2023 for hearing at 3:00 p.m.

VICE CHAIRMAN

SAS ORAL ORDER 30.08.2023

DATE :30.08.2023

ORIGINAL APPLICATION NO. 796 OF 2023

(Laxman Narayan Mandale V/s The State of Maharashtra & Ors.)

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

1. Shri Bhagwant Deshpande, learned counsel holding for Smt. Priyanka Deshpande, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 27.09.2023. The case be listed for admission hearing on **27.09.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

ORIGINAL APPLICATION NO.472/2023
(Bajirao E. Gadade Vs. The State of Maharashtra & Ors.)

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

DATE : 30-08-2023

ORAL ORDER :

Heard Shri V.B.Wagh, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities.

2. Applicant has filed the present O.A. seeking following reliefs:

- “B. To hold and declare the applicant is entitled for promotion from the cadre of Talathi to the cadre of Circle Officer as per the seniority list maintained by the respondent No. 2.*
- C. To direct the respondent authorities to consider the claim of the applicant for promotion to the cadre by opening the sealed cover procedure and to take the decision to promote him from the cadre of Talathi to the cadre of Circler Officer, forthwith and for that purpose necessary orders may kindly be passed.*
- D. To quash and set aside the order dated 20.02.2023 **(ANNEXURE “A-4”)** cancelling the order passed in departmental enquiry and regularization of suspension period*

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O.A.NO.472/2023

*from 16.09.2014 to 20.01.2016 vide its order dated 28.09.2022 **(ANNEXURE "A-3")** and to restore the order dated 28.09.2022 **(ANNEXURE "A-3")** to its original position and for that purpose necessary orders may kindly be passed.*

Applicant has also sought following interim reliefs in the O.A.

- a) *Pending hearing and final disposal of this Original Application, the respondent authorities may be directed to consider the representations dated 03.04.2023 and 13.04.2023 and to take the decision and to communicate the same to applicant, forthwith.*
- b) *Pending hearing and final disposal of this Original Application, to direct the respondent authorities to open the sealed cover procedure and further to take the decision in respect of granting the promotion to the applicant from the cadre of Talathi to the cadre of Circle Officer."*

3. Respondent nos.1 and 2 have filed their affidavit in reply thereby opposing the submissions made in O.A. and prayers made therein. From the pleadings in the O.A. and the affidavit in reply, it reveals that the applicant has been acquitted by the

Special Court from the offences framed against him under the Prevention of Corruption Act. It further reveals that the State has preferred appeal against the said decision before the Hon'ble High Court and the same is pending. Documents on record further reveal that after the applicant was acquitted by the Special Court, the decision was taken by the Sub Divisional Officer – respondent no.2 to drop the enquiry being conducted against the applicant. It was further directed to regularize the period of suspension undergone by the applicant. The documents on record reveal that the aforesaid decision was taken on 28-09-2022. Thereafter, on 20-02-2023 respondent no.2 has passed another order thereby cancelling the earlier order dated 28-09-2022 relying on the G.R. dated 30-08-2018.

4. It is stated that the applicant is in the zone of consideration for promotion on the post of Circle Officer, however, he has not been considered for the said promotion because of pending criminal case and departmental enquiry against him. Learned Counsel for the applicant submitted that respondent no.2 was not having any right or authority to cancel the decision whereby the

departmental enquiry against the applicant was dropped and the period of his suspension was regularized. It has been further argued that, even otherwise on the said ground the applicant cannot be kept out of consideration for promotion to the post of Circle Officer. Learned Counsel submits that the process is now at the final stage and if interim orders are not passed the applicant may not be considered for his promotion to the said post. The applicant has, therefore, prayed for interim relief seeking directions against the respondents to open the sealed cover and to take decision in respect of granting promotion to the applicant.

5. Learned P.O. has opposed for granting any such interim relief stating that till final decision of the criminal appeal pending against the applicant, the applicant may not be considered for his promotion and the sealed cover cannot be opened.

6. Considered the submissions advanced on behalf of the parties. It is undisputed that the applicant is being not considered for his further promotion to the post of Circle Officer on the sole ground that the criminal appeal filed by the State against the order of his acquittal from the Special

Case is pending before the Hon'ble High Court. It is well settled that merely on the ground that criminal appeal is pending, the applicant cannot be denied the opportunity of acquiring further promotions, subject to the outcome of the criminal appeal pending against the applicant.

7. In the circumstances for the reasons stated as above, the applicant has certainly made out prima facie case for grant of interim relief in his favour in terms of prayer clause "b)". Hence, the following order:

ORDER

- [i] Interim relief in terms of prayer clause "b)" is granted.
- [ii] Necessary process be completed within 4 weeks from the date of this order.

8. List the matter for further consideration on 04-10-2023.

**M.A.NO.290/2023 IN O.A.ST.NO.1138/2020
(Vishnu S. Sanap Vs. The State of Maharashtra & Ors.)**

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

DATE : 30-08-2023

ORAL ORDER :

Shri A.N.Sabnis, learned Counsel for the applicant is **absent**. Shri D.R.Patil, learned Presenting Officer for the respondent authorities is present.

2. None appears for the applicant.
3. S.O. to 12-09-2023.

YUK ORAL ORDER 30.08.2023

VICE CHAIRMAN

ORIGINAL APPLICATION NO.549/2023
(Aasaram S. Chormare Vs. State of Maharashtra & Ors.)

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

DATE : 30-08-2023

ORAL ORDER :

None appears for the applicant.
Shri N.U.Yadav, learned Presenting Officer for
the respondent authorities is present.

2. Applicant and his Counsel both are absent.

3. Learned Counsel Shri Kakasaheb B. Jadhav
who was previously appearing in the matter states
that, he has no instructions from the applicant to
appear in the present matter.

3. Hence, S.O. to 04-10-2023.

ORIGINAL APPLICATION NO.757/2023
(Yashwant Katkar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 30-08-2023

ORAL ORDER :

Heard Shri M.B.Kolpe, learned Counsel holding for Shri U.L.Momale, learned Counsel for applicants and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned Counsel for the applicant at the beginning of his arguments pointed out that the cases of the present applicants are identical with the case of the applicant in O.A.No.526/2023. Learned Counsel placed on record order dated 06-07-2023 passed in the said matter by this Tribunal and sought similar relief in the present matter.

3. After having gone through the pleadings in the present O.A. it is apparent that the cases of the present applicants are identical with the case of the applicant in O.A.No.526/2023. Dispute is in respect of seniority list published in the year 2021 and thereafter in 2023. It is the contention of the applicants that in the said seniority list they have been wrongly pushed down in the ladder of

seniority and placed below their juniors. In the circumstances, considering earlier order passed by this Tribunal in O.A.No.526/2023, I am inclined to pass the following order:

ORDER

[i] Issue notices to the respondents, returnable on 27-09-2023, **till then the respondents shall not revert the applicants from their existing posts.**

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

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

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

[v] The service may be done by hand delivery, speed post courier and acknowledgment be obtained

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O.A.NO.757/2023

and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

[vi] S.O. to 27-09-2023.

[vii] Steno copy and Hamdast is allowed to both parties.

YUK ORAL ORDER 30.08.2023

VICE CHAIRMAN

**M.A.NO. 281/2023 IN O.A.ST.NO. 850/2023
(Shaikh Rafeek Gabru & Ors. Vs. State of Mah. & Ors.)**

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

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

DATE : 30.08.2023

ORAL ORDER :

Heard Ms. Angha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

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, 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. 850 OF 2023
(Shaikh Rafeek Gabru & Ors. Vs. State of Mah. & Ors.)**

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

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

DATE : 30.08.2023

ORAL ORDER :

Heard Ms. Anagha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. The applicants have filed the present Original Application seeking regularization of their services and for grant of benefits of permanency including permanent pay scale, allowances, continuity in service etc. Government Resolution dated 07.04.2022 issued by Skill Development and Entrepreneurship Department of the State Government is also sought to be quashed, whereby the staffing pattern has been revised and some posts are intended to be filled in through outsourcing.

3. Learned counsel appearing for the applicants submits that the applicants are working since last

many years, some have worked for more than 20 years and minimum service rendered by the applicants is 3 years. Learned counsel submits that similarly situated candidates had preferred O.A. No. 481/2023 before the Principal Seat of this Tribunal at Mumbai. Learned counsel pointed out that in the said matter this Tribunal has protected the interest of the applicants therein. Learned counsel submits that the present applicants stand at par with the applicants in the said O.A. and hence, deserves to be granted same interim relief.

4. Learned Presenting Officer has sought time to take instructions in the matter and to file affidavit in reply on behalf of the respondents. Learned P.O. however, has opposed for grant of any interim relief stating that unless the entire facts come on record, *prima facie*, it would be unjust to given any interim directions to the respondents in the present matter.

5. I have duly considered the submissions made on behalf of the applicants and the respondent authorities. I have also gone through the documents filed on record. *Prima facie*, it appears that the

applicants' have identical case and identical relief is sought, which has been sought by the similarly situated candidates, who have filed O.A. No. 481/2023 before the Principal Seat of this Tribunal at Mumbai. Principal seat of this Tribunal at Mumbai has passed the following interim order in the said O.A.: -

“The balance of convenience lies in favor of the applicants No. 2, 4, 5, 7 & 8 and therefore, the services of the applicants are protected in the quota of 5457 posts which are going to be filled up by outsourcing.”

6. Having regard to the fact that the present applicants stand at par with the applicants in the said matter, I deem it appropriate to take the same view as has been taken by the Principal Seat of this Tribunal at Mumbai and hence I am inclined to pass the following order: -

ORDER

- (i) Issue notices to the respondents, returnable on 29.09.2023.
- (ii) **Services of the applicants in the present O.A. are protected in the quota of 5457 posts which are going to be filled up by outsourcing.**

:: - 4 - :: O.A. ST.NO. 850/2023

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

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

(v) 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.

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

(vii) S.O. to 29.09.2023.

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

VICE CHAIRMAN

ORAL ORDERS 30.08.2023-hdd

**ORIGINAL APPLICATION NO. 583 OF 2023
(Machindra Maruti Mane Vs. State of Mah. & Ors.)**

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

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

DATE : 30.08.2023

ORAL ORDER :

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

2. S.O. to 3.10.2023.

VICE CHAIRMAN

ORAL ORDERS 30.08.2023-hdd

**ORIGINAL APPLICATION ST. NO. 1607 OF 2023
(Chandrakant R. Sonar Vs. State of Mah. & Ors.)**

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

DATE : 30.08.2023

ORAL ORDER :

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

2. The office has raised the objection as about limitation insofar as prayer clause 'C' is concerned. Learned counsel for the applicant submits that there is continuing cause of action and in fact cause of action had arisen when the determination of the pension was not appropriately done because of non-regularization of the period of suspension undergone by the applicant.

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

4. Having considered the submission as has been made by the learned counsel for the applicant, objection cannot be sustained.

:: - 2 - :: O.A. ST. NO. 1607/2023

5. Issue notice to respondents, returnable on 3.10.2023

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.

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 3.10.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 717 OF 2023
(Rajendra D. Patil Vs. State of Mah. & Ors.)**

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

DATE : 30.08.2023

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 13.10.2023.
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 13.10.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

**O.A.NO. 790/2023 WITH CAVEAT NO. 29/2023
(Dinesh Chagan Mailagir Vs. State of Mah. & Ors.)**

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

DATE : 30.08.2023

ORAL ORDER :

Heard Shri Bharat R. Waramaa, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

Shri Vinay B. Anjanwatikar, learned counsel appeared and has submitted that he is appearing on behalf of respondent No. 5. He has filed Caveat on behalf of the said respondent.

2. The present applicant had applied for the post of Police Patil for village Sonkhedi Tq. Amalner, District Jalgaon. He secured 43 marks in the written test. IN the merit list published by the respondents he stood at first position, whereas respondent No. 5 was at Sr. No. 2 and respondent No. 6 at Sr. No. 3. It is the case of the applicant that he submitted resignation of Member of the Gram Panchayat Sonkhedi on 17.8.2023. It is the further contention of the applicant that on 22.8.2023 he submitted an affidavit and the same is produced before the authorities at the time of verification of the documents. Objection was raised for consideration of the present applicant for the post of Police Patil by

respondent Nos. 5 & 6. It was their contention that the applicant contravenes the condition as imposed in the advertisement and more particularly condition No. 6 of the said advertisement, which reads thus: -

“६. अर्जदारांचे कोणत्याही राजकीय पक्षाशी संबंध नसावा. त्याचप्रमाणे तो इतर ठिकाणी संपूर्ण वेळ नोकरी करणारा व ग्रामपंचायत सदस्य नसावा. तसेच खाजगी किंवा निमसरकारी संस्थेचा सदस्य नसावा, अथवा पूर्णवेळ नोकरी करणारा नसावा याबाबतचे रुपये १००/- च्या स्टॅम्प पेपरवरील प्रतिज्ञापत्र हे कागद पडताळणीच्या वेळी सादर करणे आवश्यक राहिल.”

3. The Chairman of the Recruitment Committee i.e. the Sub Divisional Officer of Amalner accepted the objection raised on behalf of respondent Nos. 5 & 6 and vide order passed on 31.8.2023 declared the applicant to be not eligible for the post of Police Patil and he was restricted from participating in the further selection process. The said order has been challenged by the applicant by filing the present Original Application.

4. Learned counsel for the applicant submitted that the order passed by the Hon'ble High Court in W.P. No. 14191/2017 relying on which the learned S.D.O. has passed the impugned order has been set aside by the Hon'ble Apex Court in Civil Appeal No. 2712/2019 (arising from SLP (C) No. 21256/2018). Learned counsel invited my attention to the discussion made in paragraph Nos. 13 & 14 of the said judgment and in view of the

order so passed by the Hon'ble Apex Court submitted that the impugned order in terms of the order passed by the Hon'ble Supreme Court apparently cannot be sustained. Learned counsel in the circumstances while issuing notice to the respondents prayed for interim direction thereby restraining the respondents from carrying out the further process of the appointment of Police Patil for the village Sonkhedi, Tq. Amalner, Dist. Jalgaon, till decision of the present Original Application.

5. The request so made has been strongly opposed by the learned P.O., as well as, learned counsel appearing for respondent No. 5. Learned counsel for respondent No. 5 reading out the terms and conditions incorporated in the advertisement submitted that the applicant has apparently violated the terms and conditions as are incorporated in the advertisement concerned. Learned counsel further submitted that on the date of verification of the documents, resignation of the applicant was not accepted and thus on the date of verification also he was Member of Grampanchayat of Sonkhedi, Tq. Amalner. Learned counsel submitted that in such circumstances the applicant has not made out any case for causing interference in the impugned order or for grant of any interim relief as prayed for by the applicant. Learned P.O. also opposed for grant of any interim relief stating

that the applicant was supposed to resign from the post of Member of Grampanchayat much before the date he actually resigned and he must have ensured that his resignation is accepted before he applied for the post of Police Patil.

6. I have duly considered the submissions made on behalf of the applicant and the respondent authorities. I have also gone through the judgment delivered by the Hon'ble Division Bench of the High Court in W.P. NO. 14191/2017, as well as, the judgment delivered by the Hon'ble Apex Court in Civil Appeal No. 2712/2019 (arising from SLP (C) No. 21256/2018). From the documents and more particularly on perusal of the decision rendered by the Hon'ble Apex Court it is revealed that the order passed by the Hon'ble High Court in W.P. No. 14191/2017 relying on which the learned S.D.O. has passed the impugned order was set aside by the Hon'ble Apex Court. Perhaps this fact was not brought to the notice of the S.D.O. As has been observed by the Hon'ble Apex Court an office bearer or Member of Local Body, who is candidate for a post of Police Patil may be considered for such post but he could be appointed Police Patil only on his actual resignation.

7. As has come on record, the resignation of the applicant was accepted on 25.8.2023. The applicant has however, in his affidavit submitted at the time of verification of his documents i.e. on 22.8.2023 specifically stated that he has resigned from the post of Member of Gram Panchayat by submitting his resignation letter on 17.8.2023 and that he has not participated thereafter in any meeting of the Gram Panchayat or has not participated in the affairs of the Gram Panchayat. In the aforesaid circumstances in view of the judgment of the Hon'ble Apex Court the applicant cannot be kept out of consideration for his appointment for the post of Police Patil. I am, therefore, inclined to pass the following order: -

ORDER

(i) Issue notices to the respondents, returnable on 14.9.2023, **till then the respondents shall not proceed with the process of appointment for the post of Police Patil of village Sonkhedi, Tq. Amalner, District Jalgaon.**

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

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

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

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

(vi) S.O. to 14.9.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 522 OF 2023
(Mahesh E. Vispute Vs. State of Mah. & Ors.)**

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

DATE : 30.08.2023

ORAL ORDER :

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

2. Learned counsel for the applicant submits that because of inadvertence the notices could not be served upon the respondents. Learned counsel, in the circumstances, has prayed for reissuance of the notices to the respondents.

3. In view of above, reissue notices to the respondents, returnable on 8.9.2023.

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

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

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

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. Applicants are directed to file affidavit of compliance and notice.

8. Learned counsel submits that applicant will serve the respondents within a week. List the matter for further consideration on S.O. to 8.9.2023. Interim relief granted earlier to continue till then.

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

VICE CHAIRMAN

**M.A.NO. 375/2023 IN O.A.NO. 254/2022
(Sandip W. Khadse Vs. State of Mah. & Ors.)**

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

DATE : 30.08.2023

ORAL ORDER :

Heard Shri R.J. Nirmal, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notices to the respondents in M.A., returnable on 15.9.2023.

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

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

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

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

7. S.O. to 15.9.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 364 OF 2022
(Laxmibai Uttam Potdar Vs. State of Mah. & Ors.)**

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

DATE : 30.08.2023

ORAL ORDER :

Shri S.P. Dhoble, learned counsel holding for Shri A.V. Patil (Indrale), learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 6.9.2023.

VICE CHAIRMAN

ORAL ORDERS 30.08.2023-hdd

**ORIGINAL APPLICATION NO. 469 OF 2023
(Santosh P. Raut Vs. State of Mah. & Ors.)**

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

DATE : 30.08.2023

ORAL ORDER :

Heard Shri U.P. Giri, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned Chief Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 3 and 4 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant. Learned C.P.O .submits that respondent Nos. 1 & 2 may not file any separate affidavit in reply and are adopting the reply filed on behalf of respondent Nos. 3 & 4.

3. Pleadings are thus complete. Learned counsel submits that the applicant is not intending to file any rejoinder affidavit. List the matter for hearing on 4.9.2023.

VICE CHAIRMAN

**M.A.NO. 206/2021 IN O.A.ST.NO. 608/2021
(Nitin M. Baviskar Vs. State of Mah. & Ors.)**

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

DATE : 30.08.2023

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. When the present O.A. with M.A. for condonation of delay is taken up for consideration, learned counsel for the applicant has placed on record the communication dated 18.8.2022 between the District Superintendent, Agriculture Officer, Jalgaon and Sub-Divisional Agriculture Officer, Jalgaon. Learned counsel submits that vide the aforesaid communication the proposal for granting exemption to the applicant from passing the departmental examination on attaining the age of 45 years has been forwarded for consideration of the higher authorities. Learned counsel submits that in view of the subsequent development applicant intends to withdraw the present Original Application

**:: - 2 - :: M.A.NO. 206/2021 IN
O.A.ST.NO. 608/2021**

with liberty to file the O.A. if proposal is not favourably considered by the said authorities.

3. In view of the aforesaid submission so made, the following order is passed: -

ORDER

- (i) Leave as prayed for is granted.
- (ii) The Original Application is disposed of since withdrawn with liberty as prayed for.
- (iii) Since O.A. itself stood disposed of since withdrawn, nothing survives in the M.A. and the same also stands disposed of.
- (iv) There shall be no order as to costs.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 415 OF 2023
(Santosh T. Pawar Vs. State of Maharashtra &
Ors.)**

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

DATE : 30.08.2023

ORAL ORDER :

Heard Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicant, S.O. to 26.9.2023.

VICE CHAIRMAN

ORAL ORDERS 30.08.2023-hdd

ORIGINAL APPLICATION NO. 620 OF 2023
(Smt. Anita J. Bhartilak Vs. State of Maharashtra & Ors.)

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

DATE : 30.08.2023

ORAL ORDER :

Heard Shri A.D. Sugdare, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant has placed on record copy of order dated 13.6.2023 in respect of posting given to one Anjali Ganpat Puri at Sub District Hospital, Gangapur. Learned counsel has also placed on record order dated 4.8.2023, whereby the applicant has been relieved from her existing post. Both the orders are taken on record.

3. Arguments of the learned counsel is heard. For the arguments of learned Presenting Officer, S.O. to 1.9.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 621 OF 2023
(Chhandak G. Lokhande Vs. State of Maharashtra & Ors.)

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

DATE : 30.08.2023

ORAL ORDER :

Smt. Vijaya P. Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri R.N. Bharaswadkar, learned counsel for respondent No. 3, are present.

2. S.O. to 31.8.2023.

VICE CHAIRMAN

ORAL ORDERS 30.08.2023-hdd

M.A.NO. 367/2023 IN O.A.NO. 424/2022
(Raosaheb Khandu Jare Vs. State of Maharashtra & Ors.)

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

DATE : 30.08.2023

ORAL ORDER :

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

2. The present M.A. has been filed seeking amendment in the O.A., whereby the applicant is intending to bring on record the subsequent events which are occurred during the pendency of the Original Application. Learned counsel submits that events, which are intended to be brought on record are having nexus with the subject matter of the O.A. He has, therefore, prayed for allowing the amendment as has been prayed by the applicant.

3. Learned Presenting Officer submitted for passing appropriate orders.

4. Considering the fact that the subsequent events and the contextual prayers are intended to be

**:: - 2 - :: M.A.NO. 367/2023 IN
O.A.NO. 424/2022**

included in the O.A., I am inclined to allow the present M.A. Hence, the following order: -

ORDER

- (i) The Misc. Application is allowed. The necessary amendment be carried out within a week.
- (ii) The copy of the amended O.A. be served on the respondents.
- (i) It would be open for the respondents to file additional affidavit in reply, if they so desire.
- (ii) The O.A. to come up for hearing on 27.9.2023.

VICE CHAIRMAN

ORAL ORDERS 30.08.2023-hdd

Date : 30.8.2023

O.A. NO. 795/2023

(Shri Atul M. Dongre V/s State of Maharashtra & Ors.)

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

1. Smt. Suchita Dhongde, learned Advocate for the applicant and Shri I.S. Thorat, learned P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on **11.9.2023**. The case be listed for admission hearing on **11.9.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date : 30.8.2023

M.A. No. 386/2023 in O.A. St. No. 1372/2023

(Rohit D. Ghuge V/s State of Maharashtra & Ors.)

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

1. Shri S.G. Jadhavar, learned Advocate for the applicant and Shri S.K. Shirse, learned P.O. for respondents, are present.

2. Circulation is granted. Issue notice to the respondents in M.A., returnable on **27.9.2023**. The case be listed for admission hearing on **27.9.2023**.

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

ORIGINAL APPLICATION NO. 779 OF 2023
(Vitthal C. Khillare Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench)

DATE : 30.08.2023

ORAL ORDER :

Heard Shri Prasad Kadam, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Applicant is aspiring for his selection for the post of Kotwal for which respondent nos. 2 & 3 had published the advertisement on 27.7.2023. The said post was to be filled in by direct recruitment. The applicant has been held not eligible for appearing in the written examination to be held as a part of the process of the said recruitment on the ground that the applicant is overage. Learned counsel for the applicant submitted that the reason, which has assigned is unsustainable. Learned counsel submits that the applicant belongs to Scheduled Caste category for which the upper age limit prescribed is 42 years. Learned counsel further submits that some age relaxation was also granted on the ground of non-recruitment for the said post during the period of CORONA pandemic. Learned

counsel submits that the applicant must have been held eligible to appear for the said examination. Learned counsel invited my attention to the advertisement published by Taluka Selection Committee, Umarga on 16.6.2023 for the post of Kotwal, wherein the upper age limit for reserved caste category candidates is prescribed as 42 years.

3. After having gone through the averments raised in the present O.A. and after having perused the G.R. dated 3.3.2023 and the advertisement published by the Taluka Selection Committee, Umarge there appears prima-facie case in favour of the applicant.

4. Learned Presenting Officer was called upon to explain why in two different advertisements one published by the Sub Divisional Officer, Pathri and other published by the Taluka Selection Committee, Umarga different upper age limits are prescribed. There is no explanation submitted on behalf of the State in this regard.

5. Learned counsel for the applicant submits that written examination is to be held on 10.09.2023 for which hall tickets will be issued tomorrow.

6. In view of the fact that prima-facie case is made out by the applicant, if he is not permitted to appear for the examination, the present application would become infructuous. I, therefore, deem it appropriate to pass the following order :-

ORDER

1. Issue notices to the respondents, returnable on 29.09.2023.

2. Respondent nos. 3 & 4 are directed to issue hall ticket to the present applicant and allow him to appear in the written examination to be held on 10.09.2023, subject to outcome of the present O.A.

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. 779 OF 2023

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

7. S.O. to 29.09.2023.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 30.08.2023