

T.A.NO.26/2023 IN W.P.NO.15482/2023
(Subhash S. Khade Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024
ORAL ORDER :

Heard Shri A.D.Lipne, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned Counsel on instructions seeks leave to withdraw the present T.A. Hence, the following order:

ORDER

T.A. stands disposed of since withdrawn without any order as to costs.

MEMBER (A)
YUK ORAL ORDER 30.01.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.738/2023
(Ramakant V. Lamture Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024
ORAL ORDER :

Shri Narayan Y. Chavan, learned Counsel holding for Shri S.P.Urgunde, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned Counsel for the applicant submits that rejoinder is not to be filed.
3. Hence, S.O. to 01-03-2024 for hearing.

MEMBER (A)
YUK ORAL ORDER 30.01.2024

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.997, 998, 999, 1001,
1002, 1003, 1004, 1006, 1097, & 1098 ALL OF 2019
(Dr. Ahmed Munibudin & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 30.01.2024

ORAL ORDER :

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

2. S.O. to 12-02-2024. Interim relief granted earlier to continue till then.

MEMBER (A)

YUK ORAL ORDER 30.01.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.805/2023
(Shaikh Rafeek Gabru & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Ku. Anagha Pandit, learned Counsel holding for Shri S.B.Talekar, learned Counsel for the applicants and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.
3. S.O. to 14-02-2024.

MEMBER (A)
YUK ORAL ORDER 30.01.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.828/2022
(Shailendra G. Sasane Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024
ORAL ORDER :

Shri V.B.Wagh, learned counsel for the applicants in all these matters and Shri M.P.Gude, learned Presenting Officer for the respondent authorities in all these matters, are present.

2. S.O. to 12-02-2024. Interim relief granted earlier to continue till then.

MEMBER (A)
YUK ORAL ORDER 30.01.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.795/2023
(Atul Dongre Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Smt. Suchita Dhongde, learned Counsel for the applicant has filed **leave note** on record.

Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities is present.

2. Learned C.P.O. files affidavit in reply on behalf of the respondent nos.1 and 2. It is taken on record. Learned CPO undertakes to serve copy of the reply on the other side.

3. S.O. to 18-03-2024.

MEMBER (A)
YUK ORAL ORDER 30.01.2024

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO.168/2024
(Dr. Trupti H. Mande Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024
ORAL ORDER :

Shri Shashikant Chalikwar, learned Counsel holding for Shri Ajinkya Reddy, learned counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Remove from board.

MEMBER (A)
YUK ORAL ORDER 30.01.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 644 OF 2022
(Dr. Bhausahab Narayanrao Chalak Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

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

2. Heard finally with the consent of parties at admission stage.

3. Learned counsel for the applicant submits that the present Original Application is pressed only for limited prayer for giving directions to the respondent No. 2 to decide the proposal dated 28.06.2021 forwarded to him by respondent No. 5.

4. The applicant is appointed as Medical Officer by order dated 31.01.1990 with District Hospital, Beed. The applicant had passed the MPSC examination in the year 1998 and thereafter transferred at Sub-District Hospital, Malkapur, Dist. Buldhana.

5. Learned counsel for the applicant submits that in view of the Anti-Corruption trap laid down

against the applicant, a crime was registered and in consequence thereof, on 10.11.2005 the applicant was suspended on the ground of registration of crime. Learned counsel submits that during the said period of suspension, the applicant had not indulged into private practice, but only 75% suspension allowance was granted to him from November 2005 to January, 2012. The applicant was remained under suspension for about 10 years. Learned counsel submits that the applicant came to be acquitted by judgment and order dated 06.12.2014 by the Sessions Judge, Buldhana in connection with the said crime. But no Departmental Enquiry has been initiated against the applicant. The applicant was reinstated in service under the order of respondent No. 1 on 28.07.2015.

5. Learned counsel for the applicant submits that the Medical Superintendent, Sub District Hospital, Kurkheda on 25.02.2019 forwarded proposal to the Dy. Director of Health Service, Akola Division, Akola and on 27.03.2019 forwarded the same proposal to respondent No. 2 i.e. the Director, Directorate of Health Services, Mumbai. The applicant has

requested in his application submitted to the authorities to consider the suspension period as duty period and further declare continuity in service for all purpose. Learned counsel submits that even though the proposal forwarded to respondent No. 2 on 28.06.2021 by respondent No. 5 is still pending for consideration. Learned counsel submits that the present Original Application is pressed only to the extent that necessary directions may be given to respondent No. 2 to decide the said proposal in time bound manner.

6. Learned Presenting Officer submits that the applicant was subjected to Departmental Enquiry on account of unauthorized absence on duty at Gadchiroli during the period from 2015 to 2018. Learned counsel for the applicant, however, submits that the said Departmental Enquiry is initiated against the applicant is having no concerned with the said suspension, which was only for the reason that the crime came to be registered against the applicant. Learned P.O. submits that the appropriate directions may be given to the respondent/s.

//4//

O.A. No. 644/2022

7. In view of above submissions and since the proposal dated 28.06.2021 forwarded to respondent No. 2 by respondent No. 5, is still pending for consideration, it would be just and proper to issue direction to respondent No. 2 to decide the said proposal as expeditiously as possible. It is for the respondent No. 2 to decide the said proposal in terms of Rule 72 of the Maharashtra Civil Services (Joining Time, Foreign Services and Payment During Suspension, Dismissal and Removal) Rules, 1981 as it deem fit on its own merit. Hence, the following order :-

ORDER

- (i) The Original Application is hereby partly allowed.
- (ii) The respondent No. 2 is hereby directed to decide the proposal dated 28.06.2021 submitted to him by respondent No. 5 to consider the period of suspension from 10.11.2005 to 28.07.2015 as a period spent on duty and declare continuity in service for all purpose as expeditiously as possible preferably

//5//

O.A. No. 644/2022

within a period of three months from the date of this order on its own merit after giving an opportunity of being heard to the applicant.

- (iii) In the circumstances, there shall be no order as to costs.
- (iv) The Original Application accordingly disposed of.

MEMBER (J)

ORIGINAL APPLICATION NO. 460 OF 2023
(Manisha T. Gite Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

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

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

3. S.O. to 21.02.2024. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 461 OF 2023
(Pravin Y. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Shri Dhananjay Mane, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 21.02.2024. Interim relief granted earlier to continue till then.

MEMBER (J)

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

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

DATE : 30.01.2024

ORAL ORDER :

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

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

3. S.O. to 21.02.2024. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 147 OF 2024
(Nandkumar V. Nagapure Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Smt. Archana Therokar, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 07.02.2024.

MEMBER (J)

**MA 305/2023 in MA 15/2021 in OA St. 1139/2020
(Chunilal R. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 30.01.2024

ORAL ORDER :

Shri Sanket Suryawanshi, learned counsel for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities and Shri Saket Joshi, learned counsel holding for Shri S.P. Pandit, learned counsel for respondent Nos. 1 to 4, are present.

2. At the request of learned counsel for respondent Nos. 1 to 4, S.O. to 16.02.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 30.01.2024

ORIGINAL APPLICATION NO. 47 OF 2023
(Anil R. Waghmare Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Ms. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 06.03.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 232 OF 2023
(Anjali B. Narhare Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Shri Prasad Kadam, learned counsel holding for Shri V.D. Gunale, learned counsel for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri K.P. Rodge, learned counsel for respondent No. 3, are present.

2. Learned counsel for the applicant submits rejoinder affidavit. Same is taken on record and copy thereof is given to other sides.

3. S.O. to 04.03.2024 for hearing.

MEMBER (J)

M.A. No. 463/2023 in O.A. St. No. 1876/2023
(Sangita P. Sonhivre @ Mundhe Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

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

2. Learned Presenting Officer on instructions submits that the respondent Nos. 1 and 3 are adopting the affidavit in reply filed on behalf of respondent No. 2.

3. In view of above, list the matter for hearing on 22.02.2024.

MEMBER (J)

M.A. No. 545/2023 in O.A. St. No. 2125/2023
(Ravindra R. Joshi Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Heard Shri G.L. Deshpande, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents in M.A., returnable on 01.04.2024.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 01.04.2024.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 02 OF 2024
(Shankar C. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Shri V.G. Pingle, 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 yesterday only he has filed application for condonation of delay in terms of the office objection.
3. Office to tag the M.A. with the present O.A.
4. S.O. to 07.02.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 361 OF 2019
(Jijabai J. Sonwane & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Heard Shri A.D. Gadekar, learned counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicants in compliance with the order dated 16.01.2024 submits citations, which are referred in the Full Bench Judgment in W.P. No. 9933/2016 (Kamlabai V. Nipanikar Vs. The State of Maharashtra & Ors.). Same are taken on record.

3. Learned Presenting Officer submits that he has nothing to say about filing of the citations.

4. The present matter is reserved for orders.

MEMBER (J)

ORIGINAL APPLICATION NO. 819 OF 2019
(Kalim Safdar Shiklidar Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Shri Sabahat T. Kazi, learned counsel for the applicant (**Absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer in compliance with the order dated 04.12.2023 submits additional affidavit on behalf of respondent No. 3. Same is taken on record along with spare copy for the applicant.

3. It is a part heard matter. As none present for the applicant, S.O. to 09.02.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 760 OF 2023
(Dr. Abdul Moiz Siddiqui Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Heard Shri Ajay Deshpande, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant seeks time to file short affidavit of the applicant. Time granted.

3. Learned Presenting Officer is directed to take instructions with regard to the subject qualification of the applicant and the difference between Policlinic at village level, taluka level and district level respectively. Learned P.O. is also directed to take specific instruction as to whether the post at General Veterinary Hospital, Aurangabad along with facility of Policlinic is still vacant or not.

4. It is a part heard matter. S.O. to 08.02.2024 for further hearing.

5. Steno copy allowed for the use of learned P.O.

MEMBER (J)

ORIGINAL APPLICATION NO. 761 OF 2023
(Dr. Utkarsh B. Wankhede Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Shri Ajay Deshpande, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities in respective, are present.

2. It is a part heard matter.
3. S.O. to 08.02.2024 for further hearing.

MEMBER (J)

KPB ORAL ORDER 30.01.2024

M.A. No. 318/2023 in O.A. St. No. 243/2023
(Annasaheb D. Pagare Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Shri M.M. Kadtu, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Leave to correct the prayer clause to the extent of the days, for which the condonation of delay is sought in M.A. Learned counsel for the applicant is also directed to submit synopsis of events.

3. S.O. to 09.02.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 30.01.2024

ORIGINAL APPLICATION NO. 1027 OF 2019
(Arjun D. Sonwane Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant (**Leave Note**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present. Shri Ajay D. Pawar, learned counsel for respondent No. 3, is **absent**.

2. In view of leave note filed by learned counsel for the applicant, S.O. to 03.04.2024 for hearing.

MEMBER (J)

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

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

DATE : 30.01.2024

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 08.02.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 30.01.2024

ORIGINAL APPLICATION NO. 783 OF 2021
(Gulab S. Jondhale Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Shri Avinash Khedkar, learned counsel for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri Shamsunder B. Patil, learned counsel for respondent Nos. 3 & 4, are present.

2. At the request of learned counsel for the applicant, S.O. to 03.04.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 30.01.2024

**O.A. Nos. 574/2021, 36/2022, 54/2022,
38/2019, 53/2019, 71/2019 & 211/2019
(Latabai B. Savant & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 30.01.2024

ORAL ORDER :

Heard S/shri V.G. Pingle & Ashish Rajkar, learned counsel for the respective applicants in respective O.As., S/shri B.S. Deokar, I.S. Thorat, N.U. Yadav & Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officers for the respondent authorities in respective O.As., Shri S.B. Mene, learned counsel for respondent Nos. 4 & 5 in O.A. No. 38/2019, for respondent Nos. 4 to 9 in O.A. No. 53/2019 & for respondent No. 5 in O.A. No. 211/2019. Smt. Suchita Dhongde, learned counsel for respondent Nos. 5 to 9 in O.A. No. 71/2019
(Leave Note).

2. Part heard.

3. At the request of learned Presenting Officers, S.O. to 31.01.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 38 OF 2022
(Dilip B. Bharaskar Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Heard Shri P.G. Tambade, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer has placed on record the copy of communication dated 25.01.2024 received from the Superintendent of Police, Ahmednagar (respondent No.4 herein), whereby it is specifically informed that the present applicant has been transferred from Sub-Divisional Police Officer Office, Karjat to Sub-Divisional Police Officer Office at Ahmednagar Rural. The copy of said communication is taken on record and marked as document 'X' for the purpose of identification. Learned P.O. on instructions submits that the applicant has also joined his transferred place.

3. It appears that the applicant came to be transferred mid-term from the office of Superintendent of Police, Ahmednagar to the Sub-Divisional Police Officer, Karjat Division, Karjat by

//2//

O.A. 38/2022

order dated 16.07.2021 and the said order is impugned in the this Original Application.

4. However, in view of the aforesaid communication marked 'X' for identification, it appears that the purpose of filing this Original Application is served and the applicant is again brought to Sub-Divisional Police Officer Office, Ahmednagar Rural. Thus nothing survives in this Original Application. The Original Application is accordingly disposed of. No costs.

MEMBER (J)

ORAL ORDER 30.01.2024 sas

**ORIGINAL APPLICATION NO. 350 OF 2022
(Pralhad C. Shelke Vs. State of Maharashtra & Ors.)**

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

DATE : 30.01.2024

ORAL ORDER :

Heard Shri K.G. Salunke, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. Part heard.
3. S.O. to 05.02.2024 for further hearing.

MEMBER (J)

ORAL ORDER 30.01.2024 sas

ORIGINAL APPLICATION NO. 501 OF 2022
(Jayvant B. Gaikwad Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant has filed a **leave note**. Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

Shri Vilas Mande, learned counsel for the applicant, is **absent**.

2. In view of leave note of learned counsel for the applicant, S.O. to 05.03.2024 for hearing.

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

MEMBER (J)

**ORIGINAL APPLICATION NO. 1039 OF 2022
(Waman M. Ambad Vs. State of Maharashtra & Ors.)**

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

DATE : 30.01.2024

ORAL ORDER :

Heard Shri Vilas P. Savant, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

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

3. In the circumstances, there shall be no order as to costs.

MEMBER (J)

ORAL ORDER 30.01.2024 sas

**ORIGINAL APPLICATION NO. 1040 OF 2022
(Govind Y. Solunke Vs. State of Maharashtra & Ors.)**

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

DATE : 30.01.2024

ORAL ORDER :

Heard Shri Vilas P. Savant, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

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

3. In the circumstances, there shall be no order as to costs.

MEMBER (J)

ORAL ORDER 30.01.2024 sas

**ORIGINAL APPLICATION NO. 1066 OF 2022
(Govind B. Rathod Vs. State of Maharashtra & Ors.)**

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

DATE : 30.01.2024

ORAL ORDER :

Shri P.S. Dighe, learned counsel for the applicant, is **absent**. Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 08.04.2024 for hearing.

MEMBER (J)

ORAL ORDER 30.01.2024 sas

ORIGINAL APPLICATION NO. 118 OF 2023
(Shankuntala N. Biradar Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Heard Shri V.P. Savant, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Learned P.O. submits affidavit in reply on behalf of respondent Nos. 2 to 4 and submits that the respondent No.5 is adopting the affidavit in reply filed on behalf of other respondents. The same is taken on record and copy thereof is given to other side.

3. The present Original Application is hereby allowed for the reasons to follow.

4. In the circumstances, there shall be no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 369 OF 2023
(Lala B. Chabukswar Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Heard Shri K.B. Jadhav, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Part heard.

3. S.O. to 31.01.2024 for further hearing.

MEMBER (J)

ORAL ORDER 30.01.2024 sas

ORIGINAL APPLICATION NO. 534 OF 2023
(Tulshiram H. Aghav Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Shri Yogesh R. Shinde, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. By consent of both the sides, S.O. to 20.02.2024 for hearing.

MEMBER (J)

ORAL ORDER 30.01.2024 sas

ORIGINAL APPLICATION NO. 737 OF 2023
(Devidas S. Waghmare Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Shri S.B. Ghatol Patil, learned counsel for the applicant, is **absent**. Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 08.04.2024 for hearing.

MEMBER (J)

ORAL ORDER 30.01.2024 sas

ORIGINAL APPLICATION NO. 950 OF 2023
(Amarsing C. Kawale Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Smt. Vijaya Adkine, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits affidavit in reply on behalf of respondent No.1. The same is taken on record and copy thereof is given to other side.

3. Learned counsel for the applicant seeks time to file affidavit in rejoinder, if so required. Time granted.

4. S.O. to 22.02.2024 for filing rejoinder/for hearing.

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

MEMBER (J)

**ORIGINAL APPLICATION NO. 387 OF 2016
(Dr. Nomani Muhammed Mufti Tahair Vs. State of
Maharashtra & Ors.)**

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

DATE : 30.01.2024

ORAL ORDER :

Shri C.V. Dharurkar, learned counsel holding for Smt. Vinaya Muley-Dharurkar, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 03.04.2024 for final hearing.

MEMBER (J)

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

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

DATE : 30.01.2024

ORAL ORDER :

Shri S.D. Dhongde, learned counsel for the applicant has filed a **leave note**. Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 05.03.2024 for final hearing.

MEMBER (J)

ORAL ORDER 30.01.2024 sas

ORIGINAL APPLICATION NO. 297 OF 2019
(Balaji M. Shinde & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Shri Deepak S. Manorkar, learned counsel for the applicants, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for the respondent Nos. 2 & 3, are present.

2. S.O. to 03.04.2024 for final hearing.

MEMBER (J)

ORAL ORDER 30.01.2024 sas

**ORIGINAL APPLICATION NO. 929 OF 2019
(Shaikh Mohd Rafi Shaikh Mohammad Shafi Vs. State of
Maharashtra & Ors.)**

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

DATE : 30.01.2024

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant, is **absent**. Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant.

3. S.O. to 09.02.2024 as a last chance for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 677 OF 2021
(Bharatlal B. Navgire Vs. State of Maharashtra & Ors.)**

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

DATE : 30.01.2024

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant has filed a **leave note**. Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 05.03.2024 for final hearing.

MEMBER (J)

ORAL ORDER 30.01.2024 sas

ORIGINAL APPLICATION NO. 266 OF 2022
(Sharada D. Upewad Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

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

2. It appears that in terms of order dated 12.12.2023, the matter is posted for filing affidavit in reply on behalf of respondents.

3. The board department to correct the remark as the matter is still showing in await service category against the respondent Nos. 3, 4 & 6 and fresh service affidavit is not filed.

4. Learned P.O. seeks time to file affidavit in reply. Time granted.

5. S.O. to 21.02.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 963 OF 2023
(Shivkumar M. Mungilwar Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Shri Anant D. Gadekar, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

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

3. Learned P.O. seeks time to file affidavit in sur-rejoinder, which is necessary to be filed because of certain new facts are introduced in the rejoinder. Time granted.

4. S.O. to 05.03.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 297 OF 2023
(Prashant B. Kahhawa Vs. State of Maharashtra & Ors.)
WITH
O.A.No. 44 OF 2023 With Caveat No. 03 of 2023
(Prashant B. Kahhawa Vs. State of Maharashtra & Ors.)

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

DATE : 30.01.2024

ORAL ORDER :

Heard Shri K.G. Salunke learned counsel for the applicants in both the O.As., Shri R.R. Imale, learned counsel for respondent No.4 in O.A. 297/2023 and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities in O.A. 297/2023.

2. By filing O.A. No. 44/2023 the applicant is challenging the suspension order dated 10.01.2023. Learned counsel for the applicant submits that the applicant is still under suspension.

3. In view of same, in compliance with the order dated 16.01.2024, the learned C.P.O. was supposed to take further instructions from the concerned department with regard to appearance on behalf of respondents since the department has not engaged any special counsel to represent their case before this Tribunal in this O.A.

//2// O.A. 297/2023 With
O.A. 44/2023

4. Learned P.O. on instructions in writing from the department submits that some more time is required to take appropriate decision in this matter.

5. In view of above and since the applicant is still under suspension, S.O. to 13.02.2024 as a last chance for hearing.

MEMBER (J)

ORAL ORDER 30.01.2024 sas