

**ORIGINAL APPLICATION NO. 600 OF 2024**  
**(Shyam Shivajirao Lohi Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**OPERATIVE ORDER**

(i) The Government Resolution dated 13.06.2024 issued by respondent no. 01, effecting modification in the posting on promotion given to the applicant and respondent no. 03 and the consequential orders issued by respondent no. 02 on 13.06.2024 are quashed and set aside.

(ii) Respondent nos. 01 and 02 shall implement G.R. dated 16.03.2024 and accordingly permit the applicant to join on the post of Regional Transport Officer at Pune within a week from the date of this order.

(iii) The Original Application stands allowed in the aforesaid terms, however, without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

Learned counsel appearing for respondent no. 03 at this juncture has prayed for staying the effect

and operation of the present order for next 02 weeks. Learned counsel submitted that respondent no. 03 has already resumed the charge as Regional Transport Officer at Pune and is discharging duties on the said post. Learned counsel, on instructions, submits that the respondent no. 03 is intending to challenge the present order before the Hon'ble High Court and to facilitate her to approach the Hon'ble High Court minimum 02 weeks' time is required.

Learned counsel appearing for the applicant has opposed for granting any such stay stating that in the present matter there is no stay operating during pendency of the Original Application.

It is not disputed that respondent no. 03 has taken over the charge as Regional Transport Officer at Pune and is discharging duties on the said post. Having considered the fact as aforesaid and having regard to the further submissions made by the learned counsel appearing for respondent no. 03 that the respondent no. 03 is intending to challenge the present order before the Hon'ble High Court, we are inclined to stay the effect and operation of the present order for next 02 weeks. Hence, the following order:-

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**O.A. NO. 600/24**

**ORDER**

The effect and operation of the present order is stayed for next 02 weeks.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 30.07.2024

**ORIGINAL APPLICATION NO. 338 OF 2024**  
**(Afran Fahim Syed Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri Taher Alquadri Pathan Ziya , learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned chief Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant tendered across the bar the written pursis contending therein that the applicant is intending to withdraw the present Original Application in view of the fact that he has issued with order of appointment. The order of appointment is also annexed with the pursis. In view of the same, we pass the following order:-

**ORDER**

The Original Application stands disposed of since withdrawn, however, without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 751 OF 2024**  
**(Janardhan D. Rathod & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri Joslyan Menezes, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., time granted for filing affidavit in reply on behalf of respondents.
3. S.O. to 12.08.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 752 OF 2024**  
**(Bharat L. Chavan & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri Joslyan Menezes, learned counsel for the applicants and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., time granted for filing affidavit in reply on behalf of respondents.
3. S.O. to 12.08.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 94 OF 2024**  
**(Dilip Keshavrao Sawant Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicant, re-issue notice to respondent No.2, returnable on 24.09.2024.

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.

//2// O.A.No. 94/2024

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 27.09.2024.

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

**MEMBER (J)**

SAS ORAL ORDER 30.07.2024



**ORIGINAL APPLICATION NO. 622 OF 2022  
(Sharda M. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri R.N. Bharaswadkar, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. This Original Application is pending for filing affidavit in rejoinder since long. However, till today no rejoinder has been filed on behalf of applicant. It seems that the applicant is not willing to file any rejoinder.

3. List the matter for admission hearing on 30.08.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 159 OF 2023**  
**(Vinayak U. Banchod Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri Sachin Tambe, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Even though the last chance is granted, no reply has been filed on behalf of respondents.

3. List the matter for admission hearing on 24.09.2024 with liberty to other side to file reply, if any, till then.

**MEMBER (J)**

**O.A.NOS. 29, 30 AND 31 ALL OF 2024**  
**(Umakant N. Koli & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri P.D. Bodade, learned counsel for the applicants in all these O.As. and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. Learned P.O. submits affidavit in reply on behalf of respondent Nos. 3 & 4 in O.A.No. 30/2021 and O.A.No. 31/2021. The same is taken on record and copy thereof is given to other side. Learned P.O. submits that the respondent Nos. 1 & 2 are adopting the affidavit in reply filed on behalf of respondent Nos. 3 & 4 in both the O.As.

3. List the matters for filing affidavit in rejoinder, if any and for admission hearing on 24.09.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 445 OF 2024  
(Savita M. Jadhav @ Sarita R. Chavan Vs. State of  
Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri K.B. Bhise, learned counsel for the applicant, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Shri K.P. Rathod, learned counsel for respondent No.4, are present.

2. Learned counsel appearing for respondent No.4 and learned P.O. seek time to file affidavit in reply. Time granted.

3. S.O. to 13.08.2024. Status quo granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 638 OF 2015  
(Harichandra D. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri S.R. Patil, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. The present matter is reserved for order.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 773 OF 2018  
(Shivaji B. Satote Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri R.P. Bhumkar, learned counsel for the applicant, Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent No.2, are present.

2. This is a part heard matter.

3. At the request of learned counsel for respondent No.2, S.O. to 02.08.2024 for further hearing.

**MEMBER (J)**

**M.A.NO. 267/2024 IN O.A.NO. 404/2022**  
**(Manesh D. Nagargoje Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri K.G. Salunke, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. By filing this Misc. Application the applicant is seeking permission to insert paragraph Nos. 6 (xiii) to 6 (xxv), annexure 'A-10' to 'A-16' and prayer clause D-1 & D-2 in the Original Application.

3. Learned counsel for the applicant submits that in terms of the provisions of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention & Control) Act, 2017 since the procedure as contemplated in the said act is not followed, the applicant is seeking permission to amend this Original Application and also insertion of the prayer to declare that the applicant and his family members are entitled to get the compassionate appointment.

4. Learned Presenting Officer initially sought time to file reply to this Misc. Applicant for amendment. However, learned P.O. submits that this application

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M.A. 267/2024 in  
O.A. 404/2022

may be allowed by reserving the rights of respondents to file the detailed reply if the application seeking amendment is allowed.

5. The matter is yet not admitted and therefore, the respondents would at liberty to file reply.

6. In view of above and for the reason stated in the application, the Misc. Application seeking amendment is allowed. The applicant is permitted to insert paragraph No. 6 (xiii) to 6 ( xxv), Annexure 'A-10' to 'A-16' so also prayer clause D-1 & D-2 in the Original Application.

7. The applicant shall carry out amendment within a week and submit the copy of amended O.A. before this Tribunal along with annexures as stated in the prayer clause so also provide the amended copy of O.A. along with annexures to learned P.O.

8. The respondent authorities are at liberty to file reply, if any to the amended portion of O.A.

9. The Misc. Application No. 267/2024 is accordingly disposed of.

10 The Original Application to come up on board on 26.08.2024.

**MEMBER (J)**





**ORIGINAL APPLICATION NO. 698 OF 2023  
(Suresh R. Warade Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

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

2. This is a part heard matter.

3. In compliance with the order dated 23.07.2024 learned P.O. submits two pages of the approval granted by the Hon'ble Chief Minister in the capacity as higher authority. However, it is not clear from those two pages that as to whether the transfer of the applicant has been approved or not.

4. Learned P.O. is directed to file the short affidavit of the concerned respondent in this regard so also call the original record and proceedings till the next date.

5. S.O. to 07.08.2024 for further hearing. The interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1068 OF 2023  
(Gunaji G. Kamble Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri P.G. Suryawanshi, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. This is a part heard matter.

3. By consent of both the sides, S.O. to 06.08.2024 for further hearing.

**MEMBER (J)**

**M.A.NO. 368/2023 IN O.A.ST.NO. 1513/2023  
(Shankar N. Narawade Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri A.G. Ambetkar, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. There is a delay of 7 years and 1 month caused in filing the accompanying Original Application.

3. Learned counsel for the applicant submits that the Original Application pertains to notional inclusion of annual increment for recalculating the pension, gratuity, earned leave, commutation benefits etc.

4. Learned counsel for the applicant submits that the applicant was initially appointed as a Police Constable and retired as Police Sub-Inspector on 30.06.2015 on attaining the age of superannuation. Even though the applicant has rendered one full year of service, he was not granted the annual increment only because he retired on 30.06.2015. In the month of October, 2019 the applicant has

//2// M.A. No. 368/2023 in  
O.A. St. No. 1513/2023

also approached to the respondent No.2 and several times pointed out the fact that he is entitled for yearly increments, which was due on 1<sup>st</sup> July, but the respondent authorities did not consider the same. Even the applicant has brought to notice of the department the principle laid down in the judgment of the Hon'ble Madras High Court in **Writ Petition No. 15732/2017** in this regard.

5. Learned counsel for the applicant submits that in a case **Govind Gundopant Sonar Vs. the State of Maharashtra & Ors. (Writ Petition No. 1881/2023)** and other connected Writ Petitions, the Hon'ble High Court of Bombay, Bench at Aurangabad has considered the identical cases wherein the employees having retired on 30<sup>th</sup> June of the particular years and who have earned the annual increment on account of performing work for 12 months ending on 30<sup>th</sup> June. It is observed that those employees shall tender their applications to the concerned authorities and after such applications are received, the concerned authorities would grant the reliefs as are being granted by the various High Courts by restricting the arrears of

//3// M.A. No. 368/2023 in  
O.A. St. No. 1513/2023

payments to 3 years preceding the dates of the applications. It is also directed that the concerned respondent shall not reject a single application if it fits into the parameters of the judgments delivered by the court. Even the concerned respondents are also directed to suo-moto dig out such cases and after scrutinizing the same as regards their entitlement, proceed to grant the benefits in terms of judgments of his court, within 120 days.

6. Learned counsel for the applicant submits that in view of aforesaid observation, there is recurring cause of action and in the year 2020 to 2022, the application could not be approached to this Tribunal due to outbreak of Covid-19 pandemic. Even the said delay is required to be condoned in terms of the directives issued by the Hon'ble Supreme Court in **Suo Motu Writ Petition (C) No. 3 of 2020**. Learned counsel for the applicant submits that the delay is required to be condoned.

7. Learned Presenting Officer has strongly resisted the application on the ground that there is an inordinate delay for which no satisfactory

//4// M.A. No. 368/2023 in  
O.A. St. No. 1513/2023

explanation has been tendered by the applicant. Even though the applicant came to be retired in the year 2015, after gap of more than 7 years, the applicant has approached to this Tribunal without any satisfactory reason. There is no substance in the Misc. Application seeking condonation of delay and the same is liable to be rejected.

8. After having gone through the decision rendered by the Hon'ble High Court of Bombay, Bench at Aurangabad in a case **Govind Gundopant Sonar Vs. the State of Maharashtra & Ors. (Writ Petition No. 1881/2023)** and other connected Writ Petitions, not only the concerned authorities have been directed to decide the applications but also directed the concerned authorities to sue-moto dig out such cases and after scrutinizing the same as regards their entitlement, proceed to grant the benefits as per the judgments of the court. The applicant in the instant case though retired way back in the year 2015, it appears that his case squarely covered in terms of observation made by the Hon'ble High Court of Bombay, Bench at Aurangabad in the aforesaid W.P.No. 1881/2023.

//5// M.A. No. 368/2023 in  
O.A. St. No. 1513/2023

I agree with the submissions made on behalf of applicant by his learned counsel that cause of action is recurring in this case. There is no intentional or deliberate delay as such nor there is inaction on the part of the applicant.

9. Hon'ble Supreme Court in **Suo Motu Writ Petition (C) No. 3 of 2020** has passed the orders time to time in the backdrop of the outbreak of Covid-19 and the declaration of the lockdown in connection thereto and thus extended the period of limitation applicable to the proceedings before the Courts/ Tribunals. It appears that as per the order passed by the Hon'ble Supreme Court, the period from 15.03.2020 till 28.02.2022 has been excluded for the purpose of limitation as may be prescribed under any general or special laws in respect of all judicial or quasi-judicial proceedings.

10. In view of above, I am inclined to condone the delay caused in filing the accompanying Original Application subject to payment of costs of Rs. 500/- (Five Hundred Only) by the applicant.



//6// M.A. No. 368/2023 in  
O.A. St. No. 1513/2023

Hence, the following order:-

**ORDER**

- (i) The Misc. Application No. 368/2023 is hereby allowed.
- (ii) The delay of 2590 days i.e. 7 years and 1 month caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned, subject to payment of costs of Rs. 500/- (Five Hundred Only) to be paid by the applicant. The amount of costs shall be paid to the M.A.T. Bar Association within a period of one month from the date of this order.
- (iii) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.
- (iv) The M.A. No. 368/2023 is accordingly disposed of.

**MEMBER (J)**

**ORIGINAL APPLICATION ST. NO. 1513 OF 2023  
(Shankar N. Narawade Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri A.G. Ambetkar, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Issue notices to respondents, returnable on 21.09.2024.

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.

//2// O.A.St.1513/2023

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. Learned counsel for the applicant submits that this Original Application is fit to be placed before the **Lok Adalat**.

8. Learned P.O. has no objection for the same.

9. In view of above, this Original application shall be placed before the ensuing **Lok Adalat** scheduled to be held on 21.09.2024. Learned counsel for the applicant is ready to submit consent form for placing this matter before **Lok Adalat** today itself.

10. In view of above, list the present matter before ensuing **Lok Adalat** scheduled to be held on 21.09.2024.

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

**MEMBER (J)**

**M.A.NO. 472/2023 IN O.A.ST.NO. 1915/2023  
(Dr. Jyoti S. Deshmukh Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks leave to file affidavit in reply on behalf of respondent No.4. Leave granted. The reply is accepted and copy thereof is given to learned counsel for the applicant today itself.

3. Learned P.O. submits that the other respondents are adopting the affidavit in reply filed on behalf of respondent No.4.

4. S.O. to 13.08.2024 for filing affidavit in rejoinder, if any and for hearing.

**MEMBER (J)**

**M.A.NO. 33/2024 IN O.A.NO. 161/2023**  
**(Balu S. Bharnale & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri H.P. Jadhav, learned counsel for the applicants and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. By filing this Misc. Application the applicants are seeking amendment in the Original Application.

3. It appears that during pendency of this Original Application the Government has issued the G.R. dated 02.02.2024. Learned counsel for the applicants submits that in terms of the said G.R. dated 02.02.2024, the applicants case is squarely covered. In view of same, the amendment as proposed is necessary to be carried out.

4. Learned Presenting Officer has no objection for the same.

5. In view of above and for the reason stated in the application, the Misc. Application seeking amendment is allowed.

//2// M.A. 33/2024 in  
O.A.161/2023

6. The applicants are directed to add and amend the ground No. XVI to XX and prayer clause 'C-1' and 'C-2' in the Original Application.

7. The amendment shall be carried out within a period of two weeks and the applicant to submit the amended copy of the Original Application before this Tribunal and provide the same to respondent –State.

8. The respondent –State is at liberty to file reply, if any.

9. The Misc. Application No. 33/2024 is accordingly disposed of. No order as to costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 161/2023**  
**(Balu S. Bharnale & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri H.P. Jadhav, learned counsel for the applicants and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicants seeks leave to place on record the copy of G.R. dated 02.02.2024 along with the copy of communication dated 20.05.2024 forwarded to the Government by the Collector, Dharashiv. Leave granted. The Copy of G.R. dated 02.02.2024 along with copy of communication dated 20.05.2024 are taken on record and marked as document 'X' collectively for the purpose of identification.

3. Learned counsel for the applicants submits that the elements of settlement exists in this matter since the issue raised by the applicants is squarely covered by the recent G.R. issued by the Government dated 02.02.2024.

4. Learned counsel for the applicants submits that this Original Application is fit to be placed before the Lok Adalat.

//2// O.A. 161/2023

5. Learned P.O. has no objection for the same.

6. In view of above, this Original application shall be placed before the ensuing Lok Adalat scheduled to be held on 21.09.2024. Learned counsel for the applicant is ready to submit consent form for placing this matter before Lok Adalat today itself.

7. In view of above, list the present matter before ensuing Lok Adalat scheduled to be held on 21.09.2024.

**MEMBER (J)**

SAS ORAL ORDER 30.07.2024



**M.A.NO. 71/2024 IN O.A.ST.NO. 2406/2023**  
**(Popat S. Pote & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri A.G. Ambetkar, learned counsel for the applicants and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. There is a delay of 1year, 11 months and 18 days caused in filing the accompanying Original Application.

3. Learned counsel for the applicants submits that the applicant No.1 came to be retired on 30.11.2021 on the post of Head Constable and the applicant No.2 came to be retired on 30.11.2020 on the post of Peon on attaining the age of superannuation.

4. After their retirement, the respondent No.2 has directed recovery of the amount of excess payment made to them due to wrong pay fixation. Learned counsel for the applicants submits that due to outbreak of Covid-19 pandemic the applicants could not approach this Tribunal within time and

//2// M.A. No. 71/2024 in  
O.A. St. No. 2406/2023

thus the delay has been caused. However, the Hon'ble Supreme Court has also directed to condone the delay occurred due to outbreak of Covid-19 pandemic and declaration of lockdown and extension of the same from time to time. Learned counsel for the applicant submits that there is no intentional or deliberate delay. Thus the delay caused in filing the accompanying Original Application may be condoned.

5. Learned P.O. for the respondents has resisted the application on the ground that there is an inordinate delay for which no satisfactory explanation has been tendered by the applicants. There is no substance in the Misc. Application and the same is liable to be rejected.

6. It appears that after retirement of the applicants in the year 2020 & 2021 respectively, the respondent No.2 has directed to recover the amount of excess payment made to them. It further appears that due to outbreak of Covid-19 pandemic the applicants could not approach this Tribunal within time.

//3// M.A. No. 71/2024 in  
O.A. St. No. 2406/2023

Hon'ble Supreme Court in **Suo Motu Writ Petition (C) No. 3 of 2020** has passed the orders time to time in the backdrop of the outbreak of Covid-19 and the declaration of the lockdown in connection thereto and thus extended the period of limitation applicable to the proceedings before the Courts/Tribunals. It appears that as per the order passed by the Hon'ble Supreme Court, the period from 15.03.2020 till 28.02.2022 has been excluded for the purpose of limitation as may be prescribed under any general or special laws in respect of all judicial or quasi-judicial proceedings.

7. In view of above, there is no intentional or deliberate delay as such. Thus, considering the entire aspect of the case, I am inclined to condone the delay caused in filing the accompanying Original Application subject to payment of costs of Rs. 500/- by each of the applicants. Hence, the following order:-

**ORDER**

(iii) The Misc. Application No. 71/2024 is hereby allowed.

//4// M.A. No. 71/2024 in  
O.A. St. No. 2406/2023

- (ii) The delay of 1 year, 11 months and 18 days caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned, subject to payment of costs of Rs. 500/- (Five Hundred Only) to be paid by the each of applicants. The amount of costs shall be paid to the M.A.T. Bar Association within a period of one month from the date of this order.
- (iii) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.
- (iv) The M.A. accordingly disposed of.

**MEMBER (J)**

**ORIGINAL APPLICATION ST.NO. 2406/2023**  
**(Popat S. Pote & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri A.G. Ambetkar, learned counsel for the applicants and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. Issue notices to respondents, returnable on 21.09.2024.

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.

//2// O.A.St.2406/2023

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

7. Learned counsel for the applicants submits that this Original Application is fit to be placed before the **Lok Adalat**.

8. Learned P.O. has no objection for the same.

9. In view of above, this Original application shall be placed before the ensuing **Lok Adalat** scheduled to be held on 21.09.2024. Learned counsel for the applicants is ready to submit consent form for placing this matter before **Lok Adalat** today itself.

10. In view of above, list the present matter before ensuing **Lok Adalat** scheduled to be held on 21.09.2024.

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

**MEMBER (J)**

**M.A.NO. 241/2024 IN O.A.NO. 83/2024**  
**(Yatesh R. Rajput Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri M.S. Sonawane, learned counsel for the applicant in M.A./intervenor, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Ms. Preeti R. Wankhade, learned counsel for the applicant in O.A.

2. This Misc. Application is filed by the person who is at Sr. No.3 in the merit list. It appears that the person who is at Sr. No.1 has given up his claim and the applicant in the Original Application is at Sr. No.2 in the merit list.

3. Learned counsel appearing for the original applicant is opposing this Misc. Application filed by the person who is at Sr. No.3 in the merit list seeking intervention.

4. This Misc. Application seeking intervention be heard along with Original Application.

5. S.O. to 30.08.2024 for filing reply to the M.A. on behalf of the original applicant, if any and for hearing.

**MEMBER (J)**

**M.A.NO. 306/2024 IN O.A.NO. 340/2024**  
**(Kailas B. Khade & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned counsel for the applicants and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. In continuation and in compliance with the order dated 19.07.2024 learned P.O. submits that Shri A.S. Karande, Resident Niab Tehsildar, Karjat is present in person before this Tribunal.

3. The applicant No.4 is also present in person.

4. It appears that due to certain misunderstanding and misinterpreting the status quo order though the applicant No.4 came to be relieved from the post of Talathi, Tahasil Office, Sangamner, she was not allowed to join at place of her transfer at Karjat for the sole reason that this Tribunal has passed status quo order. Now the Resident Naib Tehsildar through the learned P.O. makes a submission in the open court that the office would allow the applicant No.4 to join her place of transfer



//2// M.A. 306/ 2024 in  
O.A. 340/2024

i.e. at Karjat Tahasil Office immediately and the office order would be obtained from the Collector office about his payment.

5. In view of same, no further directions are required to be given in this regard. The Shri A.S. Karande, Resident Niab Tehsildar, Karjat need not remain present before this Tribunal on the next date of hearing if the commitment is complied with.

6. In view of above submissions, the Misc. Application No. 306/2024 is disposed of. No order as to costs.

7. The Original Application to come up on board on 19.08.2024. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 790 OF 2021**  
**(Gajanan B. Aundhekar Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Smt. Suchita Dhongde, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 06.08.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 30.07.2024

**T.A.NO. 05/2022 (W.P.NO. 6437/2022)**  
**(Babita V. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri S.B. Bhosale, learned counsel for the applicant and Shri Amol S. Gandhi, learned counsel for respondent No.6, are **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. seeks leave to file affidavit in reply on behalf of respondent Nos. 3 to 5. Leave granted. The affidavit in reply is accepted along with spare copy for the other side.

3. List the matter for filing affidavit in rejoinder, if any on 23.09.2024.

**MEMBER (J)**

SAS ORAL ORDER 30.07.2024

**ORIGINAL APPLICATION NO. 1061 OF 2022**  
**(Atmaram N. Awatirak Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri I.D. Maniyar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 30.08.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 30.07.2024

**ORIGINAL APPLICATION NO. 348 OF 2023  
(Akshay S. Tekur Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri V.B. Kulkarni, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 30.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 428 OF 2023**  
**(Sanjiv P. Bodkhe Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri Sanjiv P. Bodkhe, party in person, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent Nos. 2 & 3, are present.

2. Learned counsel appearing for respondent Nos. 2 & 3 submits additional affidavit in reply on behalf of said respondents. The same is taken on record and copy thereof is given to party in person today itself.

3. The party in person seeks time to go through the said reply and file rejoinder, if any. Time granted.

4. S.O. to 21.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 586 OF 2023**  
**(Umesh Ramrao Kavle Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

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

2. Learned P.O. submits that in compliance with the order passed by this Tribunal the Government has passed the transfer order of the applicant on 18.07.2024 and posted the applicant at the place of his choice. Learned P.O. submits the copy of said order dated 18.07.2024. The same is taken on record and marked as document 'X' for the purpose of identification. Learned P.O. submits that nothing survives for further consideration in this Original Application.

3. Learned counsel for the applicant on instructions accepted the same.

4. In view of same, nothing survives for further consideration in this Original Application. The Original Application is accordingly disposed of. No order as to costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 618 OF 2023**  
**(Kishor A. Salunke Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

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

2. Learned P.O. submits that in compliance with the order passed by this Tribunal the Government has passed the transfer order of the applicant on 18.07.2024 and posted the applicant at the place of his choice. Learned P.O. submits the copy of said order dated 18.07.2024. The same is taken on record and marked as document 'X' for the purpose of identification. Learned P.O. submits that nothing survives for further consideration in this Original Application.

3. Learned counsel for the applicant on instructions accepted the same.

4. In view of same, nothing survives for further consideration in this Original Application. The Original Application is accordingly disposed of. No order as to costs.

**MEMBER (J)**



**O.A.NOS. 604, 605 & 606 ALL OF 2023**  
**(Bhagwan S. Avhad & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri A.D. Sugdare, learned counsel for the applicants in all these O.As. and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. Learned counsel for the applicants submits that in the affidavit in reply the respondents have taken specific stand that the names of the applicants are not mentioned in the seniority list. Learned counsel for the applicants submits that the respondent authorities be directed to produce the seniority list before this Tribunal.

3. Learned Presenting Officer has no objection to produce the same.

4. In view of above, the respondents are hereby directed to produce the seniority list before this Tribunal on the next date of hearing.

5. S.O. to 19.09.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 657 OF 2023  
(Laxmi N. Dhotre Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 27.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 736 OF 2023  
(Ushabai P. Tupe Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri Akshay S. Tilve, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 14.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 758 OF 2023  
(Krishna D. Akat Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri C.A. Shingare, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned counsel for respondent Nos. 3 & 4, are present.

2. By consent of parties, S.O. to 13.08.2024 for hearing. The interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 776 OF 2023**  
**(Dr. Prakash L. Gattani Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicant, Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities and Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for respondent No.2, are present.

2. Learned P.O. seeks leave to file affidavit in reply on behalf of respondent No.1. Leave granted. The reply is accepted and copy thereof is given to other side.

3. Learned counsel for the applicant submits that the applicant is not willing to file any rejoinder.

4. S.O. to 08.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 985 OF 2023  
(Ganesh H. Fawde Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri Yogesh P. Deshmukh, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 30.08.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 30.07.2024

**ORIGINAL APPLICATION NO. 1080 OF 2023  
(Swapnil S. Parvekar Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri P.G. Suryawanshi, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 30.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 292 OF 2023**  
**(Sameer H. Umralkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri D.S. Mutalik, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions from the applicant in writing seeks leave to withdraw this Original Application. Learned counsel for the applicant submits the copy of said communication on record which is marked as document 'X' for the purpose of identification.

3. On perusal of the same it appears that the applicant has joined the place of transfer and due to his personal reason, he is not interested and willing to continue this Original Application.

4. In view of above, leave granted. The Original Application is disposed of as withdrawn. No order as to costs.

**MEMBER (J)**



**M.A.NO. 162/2024 IN O.A.NO. 104/2017**  
**(Vitthal Shamrao Pawal deceased through his wife Ranjana V. Pawal Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri Dilip Mutalik, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. The present Misc. Application is filed with a prayer that the legal heir of the deceased Government servant i.e. wife of the Government servant be taken on record to prosecute the matter further. The Government servant died during pendency of the O.A.

3. After considering the request made in the O.A., it is apparent that the cause of action still survives and the legal heir of deceased Government servant can prosecute the matter further. In the circumstances, we are inclined to pass the following order: -

**ORDER**

(i) The Misc. Application is allowed.

**:: - 2 - :: M.A. 162/24 IN O.A. 104/17**

(ii) The name of the applicant in M.A. be taken on record in the O.A. as legal heir of the deceased Government servant.

(iii) The necessary amendment be carried out forthwith.

(iv) Delay if any caused to file the present M.A. is condoned. The abatement if any, stands set aside.

(v) There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 30.07.2024-HDD

**M.A.NO. 336/2023 IN O.A.NO. 185/2021**  
**(Subhash Jijaba Khote Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Arguments are concluded. Reserved for orders.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 30.07.2024-HDD

**ORIGINAL APPLICATION NO. 240 OF 2022**  
**(Ankij Pandurang Sawai Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Smt. Vinaya Muley, learned counsel holding for Shri C.V. Dharurkar, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri S.B. Solanke, learned counsel for respondent No. 4.

2. On instructions, learned counsel for the applicant seeks leave of this Tribunal to withdraw the present Original Application. Hence, the following order is passed: -

**ORDER**

The Original Application stands disposed of since withdrawn. There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 704 OF 2023**  
**(Ramdas H. Lohakare Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Smt. Archana Therokar, learned counsel holding for Shri Kakasaheb B. Jadhav, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicant, S.O. to 06.08.2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 676 OF 2022**  
**(Balaji Babu Tekale & Ors. Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri S.B. Solanke, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 09.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 233 OF 2023**  
**(Bhagwat Bhagwan Garje Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri Sachin S. Deshmukh, learned counsel for the applicant (**absent**). Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 & 2 and the same is taken on record.

3. List the matter for hearing on 27.08.2024. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 390 OF 2024**  
**(Sunita Vishwanath Pawal Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri M.S. Bhosale, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 3 and the same is taken on record and copy thereof has been served on the other side.

3. List the matter for hearing on 26.08.2024. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

**MEMBER (A)**

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 359 OF 2024**  
**(Shubham Ganesh Patil Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri S.B. Solanke, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 23.08.2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 203/2024 IN O.A.NO. 230/2022**  
**(State of Maharashtra Vs. De. Seema D/o Madhukar Digraskar @**  
**Dr. Seema W/o Dhananjay Pathak)**

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the applicants in M.A. / respondent authorities in O.A. and Shri M.C. Swami, learned counsel for the respondent in M.A. / applicant in O.A.

2. Learned Chief Presenting Officer appearing for the applicants in M.A./ respondents in O.A. seeks leave of this Tribunal to withdraw the present Misc. Application stating that the State Government has preferred Writ Petition before the Hon'ble Bombay High Court against the order passed by this Tribunal on 18.03.2024 in O.A. No. 230/2022. Hence, the following order is passed: -

**ORDER**

The Misc. Application stands disposed of since withdrawn. There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 195/2024 IN O.A.NO. 489/2024**  
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

**M.A.NO. 196/2024 IN O.A.NO. 362/2024**  
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

**M.A.NO. 197/2024 IN O.A.NO. 363/2024**  
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

**M.A.NO. 198/2024 IN O.A.NO. 365/2024**  
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

**M.A.NO. 199/2024 IN O.A.NO. 368/2024**  
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

**ORIGINAL APPLICATION NO. 385 OF 2024**  
(Pranita Shivaji Randive Vs. State of Maha. & Ors.)

**ORIGINAL APPLICATION NO. 386 OF 2024**  
(Shital Diliprao Kadam Vs. State of Maha. & Ors.)

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri Avinash Khedkar, learned counsel for the applicants in all these MAs/Intervenors and S/Shri V.R. Bhumkar & V.G. Pingle learned Presenting Officers for the respondent authorities in all these matters and Shri M.B. Bharaswadkar, learned counsel for respondent No. 2 in O.A. Nos. 362, 363, 365 & 368 all of 2024, Shri Ajay Deshpande, learned counsel for the respective applicants in respective OAs and Shri G.V. Mohekar, learned counsel for the applicants in O.A. No. 365/2024 and Shri B.N. Magar, learned counsel for the applicants in O.A. Nos. 385 & 386, are present.

**:: - 2 - ::**

Shri Amol Chalak, learned counsel for the applicant in O.A. No. 362/2024 & Shri Vijay Dhakane, learned counsel for the applicants in 368/2024, **are absent.**

2. Learned Presenting Officers appearing for the respective respondents in respective matters submit that within one week affidavit in reply will be filed in the present matters.

3. S.O. to 13.08.2024. Interim relief granted earlier, if any shall remain in force till next date.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 491 OF 2020**  
**(Rajnikant Dagdu Patil Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Arguments are concluded. Reserved for orders.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 319/2023 IN O.A.ST.NO. 1077/2023**  
**(Khushal Bhagwan Nemade Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri H.S. Bali, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that he will take necessary steps to see that the appropriate authorities are added as respondents in the matter.

3. Learned Presenting Officer submits that the respondent, who is not related with the subject matter has been made party and not for filing affidavit in reply by the said respondent the Tribunal has imposed the cost of Rs. 1,000/- by order dated 18.06.2024. It is brought to our notice that the Chief Engineer, Public Works Department has been made party as respondent No. 2 in the present matter instead of Chief Engineer, Water Resources Department. In view of the submissions made, the order of imposing cost is recalled.

4. S.O. to 23.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 539 OF 2024**  
**(Vijay Chhaganrao Jadhav Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

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

2. Learned Presenting Officer submits that during the course of the day affidavit in reply will be filed. If reply is filed it be taken on record.

3. S.O. to 20.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 465 OF 2024**  
**(Sailata Krishna Samleti Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri H.S. Bali, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. The request is opposed by the learned counsel appearing for the applicant stating that due opportunities are already availed. In the interest of justice, last chance is granted for filing affidavit in reply till 21.08.2024. It is made clear that if the respondents fail to file affidavit in reply on or before the next date, the matter may be heard without reply of the respondents.

3. S.O. to 21.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**



**T.A.NO. 26/2024 (W.P.NO. 7052/2024)**  
**(Kiran Mahavrao Salve Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri Kiran Madhavrao Salve, applicant in person and Shri MahehB. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. At the request of applicant in person, S.O. to 05.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 30.07.2024-HDD

**ORIGINAL APPLICATION NO. 628 OF 2024**  
(Pranali Annasaheb Sonawane Vs. The State of Maharashtra & Ors.)

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri Anand S. Deshpande, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. The present matter is shown in the 'await service category'. Learned counsel appearing for the applicant submits that all the respondents are duly served and he will file service affidavit during the course of the day in the office of this Tribunal. Learned Presenting Officer shall take instructions whether notices are received and if so received file affidavit in reply on behalf of the respondents on the next date.

3. S.O. to 20.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 182 OF 2019**  
**(Reshma Devidas Lavhate Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 31.07.2024. **High on board.**

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 281/2024 IN O.A.NO. 208/2023**  
**(State of Maharashtra & Ors. Vs. Suryabhan E. Pawar)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Smt. Archana Therokar, learned counsel holding for Shri Kakasaheb B. Jadhav, learned counsel for the applicant in O.A./respondents in M.A. and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in O.A./applicants in M.A., are present.

2. For filing reply to the M.A. as well as for hearing S.O. to 12.08.2024.

3. Interim relief granted earlier in O.A. to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 503 OF 2024**  
**(Emam Najir Mirza Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri I.D. Maniya, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 22.08.2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 314 OF 2024**  
**(Vipul Ramesh Rao Bhagwat Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri H.S. Bali, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 21.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 724 OF 2023**  
**(Navnath Vitthal Sakhare & Anr. Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Shri Sachin Tambe, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. List the matter for hearing on 09.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 696 OF 2023**  
**(Yuvraj Shivaji Pawar Vs. The State of Maharashtra & Ors.)**  
**WITH**  
**ORIGINAL APPLICATION NO. 697 OF 2023**  
**(Amit Raju Gaikwad Vs. The State of Maharashtra & Ors.)**

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in both these matters.

2. Arguments are concluded. Reserved for orders.

**MEMBER (A)**

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 227 OF 2023**  
(Digambar S. Pawar & Ors. Vs. The State of Maharashtra & Ors.)  
**WITH**  
**ORIGINAL APPLICATION NO. 449 OF 2023**  
(Chandan D. Kulkarni & Ors. Vs. The State of Maha. & Ors.)

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

**DATE : 30.07.2024**

**ORAL ORDER :**

Ms. Nikita Gore, learned counsel for the applicants in O.A. No. 227/2023 and Shri Ajay Deshpande, learned special counsel with Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

Shri P.D. Suryawanshi, learned counsel for the applicant in O.A. No. 449/2023 (**absent**).

2. Shri Ajay S. Deshpande, learned special counsel appearing for the respondent authorities submits that endeavor will be made by him to resolve the dispute raised in the matter finally and has, therefore, prayed for adjourning the matter after 4 / 5 weeks. Request accepted.

3. S.O. to 12.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**