

ORIGINAL APPLICATION NO. 330 OF 2019
(Tukaram S. Khedkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, time is granted for filing affidavit in rejoinder, if any.

3. S.O. to 18.01.2022.

MEMBER (J)

KPB ORAL ORDERS 03.12.2021

ORIGINAL APPLICATION NO. 29 OF 2020
(Shaikh Akhtar Hussain Modh. Hanif Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, time is granted as a last chance for filing affidavit in reply.
3. S.O. to 21.12.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO. 153 OF 2020
(Sagar W. Sonavane Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Shri D.M. Pawar, learned Advocate for the applicant (**Absent**).

Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Record shows that the notices are not collected by the applicant since long. It appears that the applicant is not interested in pursuing the present matter.

3. In view of the same, the present Original Application stands dismissed in default with no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 206 OF 2021
(Deepak B. Aher & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

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

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 3 to 5. Same is taken on record and copy thereof has been served on the other side.

3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1 & 2.

4. S.O. to 05.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 229 OF 2021
(Balbir Singh J. Tyagi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri H.P. Jadhav, learned Advocate holding for Shri K.G. Salunke, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, time is granted for filing affidavit in rejoinder, if any.

3. S.O. to 05.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 316 OF 2021
(Mainkarani N. Rankhamb @ Monikarani S. Kanke Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri H.P. Jadhav, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Record shows that by the order dated 27.10.2021, learned Presenting Officer was advised to get updated position of Group-C posts also in view of the submissions of the learned Advocate for the applicant for appointment on compassionate ground.
3. Learned Presenting Officer seeks time to place on record regarding the updated position in respect of Group-C category posts for appointment on compassionate ground. Time granted.
4. S.O. to 03.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 359 OF 2021
(Hajrabee @ Narbee Shaikh Nijam Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri S.S. Deogude, learned Advocate holding for Shri R.V. Gore, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1, 5 & 6 and Shri D.T. Devane, learned Advocate for respondent Nos. 3 & 4. None present on behalf of respondent No. 7.

2. Learned Advocate Shri D.T. Devane, has filed **VAKALATNAMA** on behalf of respondent No. 2. Same is taken on record.

3. Record shows that affidavit in reply is already filed on behalf of respondent No. 5.

4. At the request of learned Presenting Officer for respondent Nos. 1 & 6 and learned Advocate for respondent Nos. 2 to 4, time is granted for filing affidavit in reply.

5. S.O. to 06.01.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 362 OF 2021
(Usha A. Pawar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri H.P. Jadhav, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Chief Presenting Officer for the respondents, time is granted for filing affidavit in reply.
3. S.O. to 07.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 368 OF 2021
(Nanda M. Paul and Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri H.P. Jadhav, learned Advocate holding for Shri K.G. Salunke, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Record shows that the affidavit in reply is filed only on behalf of respondent No. 4.
3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1 to 3.
4. S.O. to 05.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 400 OF 2021
(Shaikh Imroj Shaikh Riyaz Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri C.K. Shinde, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Record shows that affidavit in reply is filed on behalf of respondent Nos. 1 and 2.

3. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit.

4. In view of thereof, the pleadings are complete. The present matter is pertaining to appointment on compassionate ground. Hence, the O.A. is admitted and it be kept for final hearing on 10.01.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 489 OF 2021
(Sanjay N. Hange Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri Abhijeet Thombre, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 5. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 11.01.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

M.A. No. 230/2019 in O.A. St. No. 903/2019
(Sadashiv V. Sawai Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri Kiran Nagarkar, learned Advocate holding for Shri A.D. Gadekar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Record shows that the affidavit in reply is already filed on behalf of respondent Nos. 1 and 2 in M.A.

3. Learned Advocate for the applicant received copy of the said affidavit in reply of respondent Nos. 1 and 2 today itself.

4. S.O. to 07.01.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

**M.A. No. 381/2019 in O.A. St. No. 1612/2019
(Dr. Bhaskar D. Pawar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Shri C.V. Thombre, learned Advocate for the applicant (**Absent**). Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Record shows that affidavit in reply is already filed on behalf of respondents in M.A.
3. S.O. to 10.01.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

**M.A. No. 394/2019 in O.A. St. No. 1674/2019
(Bhaskar K. Shinde Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate holding for Smt. Amruta Paranjape-Menezes, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply in M.A.

3. S.O. to 07.01.2022.

MEMBER (J)

M.A. No. 534/2019 in O.A. St. No. 2024/2019
(Subhash B. Selukar & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri Pratik Pangal, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Record shows that affidavit in reply is already filed only on behalf of respondent Nos. 3 and 5.
3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of other respondents in M.A.
4. S.O. to 10.01.2022.

MEMBER (J)

**M.A. No. 556/2019 in O.A. St. No. 1846/2019
(Sambhaji R. Suryawanshi Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply in M.A.

3. S.O. to 12.01.2022.

MEMBER (J)

KPB ORAL ORDERS 03.12.2021

**M.A. No. 558/2019 in O.A. St. No. 1845/2019
(Datta L. Sangvikar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

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

2. Record shows that affidavit in reply is already filed on behalf of respondent Nos. 1 to 3 in M.A.

3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent No. 4, if any in M.A.

4. S.O. to 12.01.2022.

MEMBER (J)

**M.A. No. 71/2020 in O.A. St. No. 2465/2019
(Sujata R. Puri Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri D.R. Jaybhaye, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply in M.A.

3. S.O. to 10.01.2022.

MEMBER (J)

KPB ORAL ORDERS 03.12.2021

**M.A. 138/2020 in M.A. 89/2019 in O.A. St. 43/2019
(Gunjaji D. Rathod Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Shri K.B. Dantal, learned Advocate for the applicant (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 03.01.2022.

MEMBER (J)

KPB ORAL ORDERS 03.12.2021

**M.A. No. 232/2020 in O.A. St. No. 321/2020
(Bismilla D. Tadvi Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Shri A.M. Hajare, learned Advocate for the applicant (**Absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply in M.A.

3. S.O. to 04.01.2022.

MEMBER (J)

**M.A. No. 39/2021 in O.A. St. No. 37/2021
(Azizkhan Y. Pathan Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Shri N.D. Sonavane, learned Advocate for the applicant (**Absent**). Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply in M.A.

3. S.O. to 04.01.2022.

MEMBER (J)

**M.A. No. 88/2021 in O.A. St. No. 323/2021
(Shrikant K. Bhale Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri R.A. Joshi, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf the respondent Nos. 1 to 4 in M.A. Same is taken on record and copy thereof has been served on the other side.

3. At the request of learned Advocate for the applicant, S.O. to 07.01.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

**M.A. No. 323/2020 in O.A. St. No. 1077/2020
(Neeta B. Munde Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri Abhijeet Thombre, learned Advocate holding for Shri R.D. Khadap, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. The Original Application is filed by the applicant claiming relief to quash and set aside the order dated 20.06.2017 (Annexure A-1) issued by the respondent No. 3 whereby one increment of salary of the applicant is stopped permanently.

3. Learned Presenting Officer today placed on record a copy of the order / communication dated 19.07.2021, whereby the said impugned order dated 20.06.2017 amongst others is set aside and the increment is restored. Copy of the said order/ communication is taken on record and marked as document 'X' collectively for the purpose of identification.

4. Learned Advocate for the applicant seeks time for taking necessary instructions from the applicant. Time granted.

5. S.O. to 06.12.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 460 OF 2021
(Dr. Narayan Govindrao Lokade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

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

2. The present Original Application is filed by the applicant challenging the impugned order of transfer dated 09.08.2021 (Annexure A-1) to the extent of his transfer from Civil Hospital, Nanded to Rural Hospital, Devani Dist. Latur.

3. Learned Presenting Officer today placed on record a copy of the communication dated 21.09.2021 received from the respondent No. 5 i.e. the District Civil Surgeon, Nanded, whereby it is stated that the applicant has been accommodated at Sub-District Hospital, Loha, Dist. Nanded as per his request and the applicant has joined on that post. The requisite transfer order dated 17.09.2021 is annexed with this communication. In the said order dated 17.09.2021, the applicant is at Sr. 185. Same are taken on record and marked as document 'X' collectively for the purpose of identification.

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O.A. No. 460/2021

4. In view of the above, the grievance of the applicant said to have been redressed. In the result, the Original Application stands disposed of as the grievance of the applicant is being redressed. There shall be no order as to costs.

MEMBER (J)

KPB ORAL ORDERS 03.12.2021

ORIGINAL APPLICATION NO. 632 OF 2021
(Harishchandra G. Lohkare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri P.D. Suryawanshi, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 14.01.2022.

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

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

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

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O.A. No. 932/2021

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 14.01.2022.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 761 OF 2021
(Pradeep Babulal Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 and 2. The respondent No. 3 is the Chief Executive Officer, Dhule Zilla Parishad, Dhule, **absent**.

2. The present Original Application is filed challenging the impugned order dated 25.10.2021 (Annexure A-4) issued by the respondent No. 3 relieving the applicant from his post of Deputy Chief Executive Officer (Water Supply & Sanitization), Zilla Parishad, Dhule unilaterally and seeking to quash and set aside the said impugned order. The applicant is also seeking interim stay to the execution and implementation of the said impugned order and to direct the respondent No. 3 to permit the applicant to discharge duties attached to his post of Deputy Chief Executive Officer (Water Supply & Sanitization), Zilla Parishad, Dhule.

3. Learned Advocate for the applicant submits that the applicant is belonging to Group-A category. The

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O.A. No. 761/2021

applicant was posted at his present posting vide order dated 05.08.2020 (Annexure A-1). Since then he is working there. According to the applicant, the impugned order of relieving made unilaterally amounts to suspension and transfer, as the new posting is not mentioned in the said impugned order dated 25.10.2021 (Annexure A-4).

4. Learned Advocate for the applicant further submits that the respondent No. 3 is not the Competent Transferring Authority of the applicant. In fact, the applicant being a Group-A officer, his competent transferring authority is the Hon'ble concerned Minister in consolidation with Secretary of the concerned Department. Immediately after passing of this impugned order, the applicant made representation on the very next day i.e. on 26.10.2021 (Annexure A-5) to the Hon'ble concerned Minister and another similar representation dated 27.11.2021 (Annexure A-8(ii)) to the respondent No. 1. He has also invited my attention to the similar incident that took place at the hands of the respondent No. 3 in respect of one Smt. Nisha Prabhakar Jadhav, Assistant Block Development Officer, Zilla Parishad, Dhule, who was relieved unilaterally by the order

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O.A. No. 761/2021

dated 03/04.09.2020 (Annexure A-10). In the said case, the respondent No. 1 by the communication dated 06.10.2020 (Annexure A-10(ii)) communicated to the Divisional Commissioner, Nashik to call for explanation of the Chief Executive Officer, Zilla Parishad, Dhule and to submit proposal for mid-term transfer of the said officer.

5. Learned Advocate for the applicant further submitted that in the similarly situated matter of D.H. Jadhav Vs. The State of Maharashtra and Ors., the Principal Seat of this Tribunal at Mumbai was pleased to grant interim relief of stay. In the said cited case also, the order of relieving unilaterally of the said applicant was passed by the respondent No. 4 viz. District Superintendent Agriculture Officer, Kolhapur therein. The said order was brought to notice of the respondent No. 2 i.e. Director, Accounts and Treasuries, Mumbai therein. In that case, the respondent No. 2 therein asked the respondent No. 4 to cancel the impugned order. However, the respondent No. 4 therein continued to justify his action and did not cancel it. In such circumstances, the interim relief was granted.

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O.A. No. 761/2021

6. In the circumstances as above, it is true that apparently the respondent No. 3 i.e. the Chief Executive Officer, Dhule Zilla Parishad, Dhule is not the Competent Transferring Authority of the applicant, still he passed the impugned order of transfer. It appears that the communication dated 10.11.2021 (Annexure A-7 (i), page No. 34 of paper book) in response to the applicant's representation dated 03.11.2021 (Annexure A-6, page No. 33 of paper book) is issued by the respondent No. 3 justifying the impugned order under Rule 14 of the Maharashtra Civil Services (Discipline and appeal) Rules, 1979. The contentions raised therein, prima-facie, does not appear sustainable to justify the impugned order, as it deals with the power of suspension and disciplinary action by the borrowing authority.

7. In the circumstances narrated as above, in my considered opinion, at this stage the interest of the applicant can best be protected in accordance with law by directing the respondent No. 1 to consider and decide the representation dated 26.10.2021 (Annexure A-5) made by the applicant to the Hon'ble concerned Minister, as well as, the representation dated 27.11.2021 (Annexure A-8(ii)) made to the respondent

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O.A. No. 761/2021

No. 1 seeking indulgence in the impugned order within a short specified period in accordance with law. I therefore, direct the respondent No. 1 to consider and decide the representation dated 26.10.2021 (Annexure A-5) made by the applicant to the Hon'ble Minister concerned and the representation dated 27.11.2021 (Annexure A-8(ii)) to the respondent No. 1 on or before 10.12.2021 and communicate the decision therein to the applicant immediately.

8. In the circumstances, the point of interim relief is kept open.

9. Issue notices to the respondents, returnable on 13.12.2021.

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

11. 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.

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O.A. No. 761/2021

12. 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.

13. 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.

14. S.O. to 13.12.2021.

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

MEMBER (J)

**M.A.ST.NO.1599/2021 IN O.A.ST.NO. 1553/2021
(S.G.Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
(This case is placed before Single Bench due
to non-availability of Division Bench)**

DATE : 03.12.2021

ORAL ORDER :

Heard Shri P.K.Wagh learned Advocate holding for Shri A.D.Aghav, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 13-12-2021.

MEMBER (J)

C.P.NO.01/2021 IN O.A.NO.83/2018
(V.S.More & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
(This case is placed before Single Bench due to non-availability of Division Bench)

DATE : 03.12.2021

ORAL ORDER :

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

2. Reply of respondent nos.1 and 2 is not yet filed. Learned PO is directed to file reply on behalf of the said respondents within 3 weeks.

3. S.O. to 13-01-2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.737/2018
(Dr. R.B.Sangle Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
(This case is placed before Single Bench due
to non-availability of Division Bench)**

DATE : 03.12.2021

ORAL ORDER :

Heard Shri A.S.Deshmukh, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 11-01-2022.

MEMBER (J)

ORIGINAL APPLICATION NO.93/2020
(Jayshree Tusamkar Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
(This case is placed before Single Bench due to non-availability of Division Bench)

DATE : **03.12.2021**

ORAL ORDER :

Heard Shri M.S.Choudhari, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that during the course of the day he will file affidavit in rejoinder and will serve copy of the same on the other side.

3. S.O. to 13-01-2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.265/2021
(V.S.Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
(This case is placed before Single Bench due
to non-availability of Division Bench)**

DATE : 03.12.2021

ORAL ORDER :

Heard Shri S.D.Dhongde, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents.

2. At the request and consent of both the parties, S.O. to 21-12-2021.

MEMBER (J)

M.A.NO.377/2021 IN O.A.NO.345/2017
(Abhiman Kale died through L.Rs. Smt. Usha Kale & Ors.
Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
(This case is placed before Single Bench due
to non-availability of Division Bench)

DATE : **03.12.2021**

ORAL ORDER :

Heard Shri V.G.Pingle, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent no.1 and Shri Shamsundar B. Patil learned Advocate for respondent nos.2 to 6.

2. M.A. filed for bringing on the record legal heirs of the deceased is allowed. Legal heirs are taken on record. Necessary amendment be carried out within a week.

3. M.A. stands disposed of accordingly with no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO.345/2017
(Abhiman Kale died through L.Rs. Smt. Usha Kale & Ors.
Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
(This case is placed before Single Bench due
to non-availability of Division Bench)

DATE : **03.12.2021**

ORAL ORDER :

Heard Shri V.G.Pingle, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent no.1 and Shri Shamsundar B. Patil learned Advocate for respondent nos.2 to 6.

2. S.O. to 17-01-2022.

MEMBER (J)

**O.A.NO.535/2013 WITH O.A.NO.575/2013
(Shubhangi Shejul & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
(This case is placed before Single Bench due
to non-availability of Division Bench)**

DATE : 03.12.2021

ORAL ORDER :

Heard Shri P.G.Tambde learned Advocate holding for Shri S.S.Jadhavar learned Advocate for the applicants and Shri D.R.Patil, learned Presenting Officer for the respondents.

2. At the request and consent of both the parties, S.O. to 11-01-2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.845/2016
(D.B.Bagul Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
(This case is placed before Single Bench due
to non-availability of Division Bench)**

DATE : 03.12.2021

ORAL ORDER :

Heard Ku. Anagha Pandit learned Advocate holding for Shri S.B.Talekar, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant has filed a short affidavit. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 07-01-2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.776/2018
(N.B.Salunke Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
(This case is placed before Single Bench due
to non-availability of Division Bench)**

DATE : 03.12.2021

ORAL ORDER :

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

2. At the request and consent of both the parties, S.O. to 06-01-2022.

MEMBER (J)

ORIGINAL APPLICATION NO.847/2018
(Ananda Kolewad Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
(This case is placed before Single Bench due to non-availability of Division Bench)

DATE : **03.12.2021**

ORAL ORDER :

Heard Ku. Anagha Pandit learned Advocate holding for Shri S.B.Talekar, learned Advocate for the applicant, Shri M.P.Gude, learned Presenting Officer for the respondent nos.1 to 3 and Shri M.R.Wagh learned Advocate for respondent no.4.

2. At the request and consent of both the parties, S.O. to 07-01-2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.339/2019 & 340/2019
(Dr. K.S.Ubale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
(This case is placed before Single Bench due
to non-availability of Division Bench)**

DATE : 03.12.2021

ORAL ORDER :

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

2. At the request and consent of both the parties, S.O. to 20-12-2021.

MEMBER (J)

ORIGINAL APPLICATION NO.374/2019
(Dr. Mohammad Sharif Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
(This case is placed before Single Bench due to non-availability of Division Bench)

DATE : 03.12.2021

ORAL ORDER :

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

2. At the request and consent of both the parties, S.O. to 04-01-2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.384/2019
(V.B.Kapse & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
(This case is placed before Single Bench due
to non-availability of Division Bench)**

DATE : 03.12.2021

ORAL ORDER :

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

2. At the request and consent of both the parties, S.O. to 20-12-2021.

MEMBER (J)

**ORIGINAL APPLICATION NO.535/2019
(N.D.Ingle Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
(This case is placed before Single Bench due
to non-availability of Division Bench)**

DATE : 03.12.2021

ORAL ORDER :

Heard Shri D.R.Irale Patil, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents.

2. At the request and consent of both the parties, S.O. to 05-01-2021.

MEMBER (J)

ORIGINAL APPLICATION NO.702/2019

(Ismail @ Raju M. Tamboli Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
(This case is placed before Single Bench due to non-availability of Division Bench)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri J.V.Patil, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents.

2. At the request and consent of both the parties, S.O. to 10-01-2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.220/2021
(Sayyed Sabirali Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
(This case is placed before Single Bench due
to non-availability of Division Bench)**

DATE : 03.12.2021

ORAL ORDER :

Heard Shri H.M.Shaikh, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents.

2. At the request and consent of both the parties, S.O. to 10-01-2021.

MEMBER (J)

ORIGINAL APPLICATION NO.832 OF 2018
(Shaikh Nasir Sk. Miya Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri V.G. Pinge, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The present matter is already part heard.
3. Learned Advocate for the applicant, today, produced on record the short additional affidavit pursuant to order dated 15.11.2021 passed in farad sheet. It is taken on record as a part of paper book.
4. Learned P.O. for the respondents submits that he would take necessary instructions and if necessary, would file short affidavit.
5. In view of above, S.O. to 20.12.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.85 OF 2020
(Satwa N. Sangle Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri S.P. Dhobale, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The present matter is already part heard.
3. Written notes of argument filed by the applicant are taken on record.
4. S.O. to 14.12.2021. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO.88 OF 2019
(Kashinath G. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned P.O., time is granted for filing affidavit-in-sur-rejoinder on behalf of the respondents, if any.
3. S.O. to 04.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.351 OF 2019
(Sangita M. Kalbande & Anr. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri V.G. Pinge, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Record shows that affidavit-in-sur-rejoinder is filed on behalf of the respondent No.2 and copy thereof is served upon the applicant.

3. In view of above, pleadings are complete. The matter is pertaining to compassionate appointment. It is admitted and fixed for final hearing on 12.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.357 OF 2019
(Trimbak G. Katkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Shri J.M. Murkute, learned Advocate for the applicant is **absent**. Heard Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned P.O. for the respondents seeks time for placing on record updated status of C-summary case referred to in earlier communication dated 17.03.2020. Time is granted.

3. S.O. to 10.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.558 OF 2021
(Prakash A. Aghav-Patil Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of the respondent Nos.1 to 3 is taken on record and copy thereof has been served on the other side.

3. At the request of the learned Advocate for the applicant, time is granted for filing affidavit-in-rejoinder, if any.

4. S.O. to 13.01.2022. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO.583 OF 2019
(Bhaskar D. Baviskar Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO.602 OF 2019
(Bhaskar D. Baviskar & Ors. Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO.619 OF 2019
(Arjun R. Pawar Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO.620 OF 2019
(Rajendra S. Mali Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicants in all these O.As and Shri I.S. Thorat, Shri V.R. Bhumkar and Shri S.K. Shirse, respective learned Presenting Officers for the respondents in respective O.As.

2. At the request of learned P.Os., S.O. to 08.12.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.358 OF 2018
(Haseeb Ur Rehman Khan Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO.359 OF 2018
(Sunil M. Bandawar Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO.360 OF 2018
(Mohammad Abdul Sami Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO.361 OF 2018
(Anil G. Tornekar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicants all these O.As. and Shri M.S. Mahajan, learned C.P.O., Shri I. S. Thorat and Shri B.S. Deokar, respective learned Presenting Officers for the respondents in respective O.As.

2. The present matters are pertaining to time bound promotion.

3. Hence, as per the Circular No. MAT/MUM/ESTT/732/2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the present matters

//2//

be placed before the Division Bench for further hearing.

4. S.O. to 13.01.2022.

MEMBER (J)

SAS ORAL ORDERS 03.12.2021

ORIGINAL APPLICATION NO.422 OF 2019
(Syed Khaja Syed Meeran Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 03.12.2021

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 13.01.2022.

MEMBER (J)

Date :03.12.2021

**ORIGINAL APPLICATION NO.766 OF 2021
(Narandra Krishna Rameshdev Joshi V/s The State
of Maharashtra & Ors.)**

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

1. Shri V.B. Wagh, Id. Advocate for the applicant and Shri V.R. Bhumkar, Id. P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 06.01.2022. The case be listed for admission hearing on 06.01.2022.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date :03.12.2021

ORIGINAL APPLICATION NO.721 OF 2021

(Ashok Banduji Pagare V/s The State of Maharashtra & Ors.)

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

1. Shri V.B. Wagh, ld. Advocate for the applicant and Shri M.P. Gude, ld. P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 06.01.2022. The case be listed for admission hearing on 06.01.2022.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date : 3.12.2021

ORIGINAL APPLICATION NO. 767 OF 2021

(Baliram Bhima Rathod V/s State of Maha. & Ors.)

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

1. Mrs. Suchita Dhongde, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 7.1.2022. The case be listed for admission hearing on **7.1.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date : 3.12.2021

ORIGINAL APPLICATION NO. 747 OF 2021

(Dr. Deepak V. Vasave V/s State of Maha. & Ors.)

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

1. Shri J.S. Deshmukh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents, are present.

2. Circulation is granted. Issue notices to the respondents, returnable on 6.1.2022. The case be listed for admission hearing on **6.1.2022**.

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

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

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

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

REGISTRAR

M.A. 382/2021 IN O.A. ST. 1634/2021
(Smt. Vaishali S. Landge & Ors. Vs. State of Maha. & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : **3.12.2021**

ORAL ORDER :

Heard Shri R.O. Awasarmol, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The present Misc. Application is filed by the applicants seeking permission to sue the respondents jointly in the accompanying O.A.

3. It is brought to my notice that the applicants are having the same grievance and same cause of action. No prejudice is likely to be caused to other parties, if permission to sue the respondents jointly is granted to the applicants.

4. In the circumstances, M.A. No. 382/2021 stands allowed and disposed of. The applicants are permitted to sue the respondents jointly in the accompanying O.A. There shall be no order as to costs.

5. Registry to register the O.A. on its due scrutiny.

MEMBER (J)

O.A. ST. 1634/2021

(Smt. Vaishali S. Landge & Ors. Vs. State of Maha. & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)

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

DATE : 3.12.2021

ORAL ORDER :

Heard Shri R.O. Awasarmol, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 12.1.2021.

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.

4. 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.

5. 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.

6. S.O. to 12.1.2021.

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

MEMBER (J)

**MA 270/2021 WITH MA 269/2021 IN OA. ST. 803/2021
(Dattatraya S. Sonawane & Anr. Vs. State of Maha. &
Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **3.12.2021**

ORAL ORDER :

Heard Shri R.C. Brahmankar, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. M.A. No. 270/2021 is filed by the applicants seeking to amend the O.A. as per para 2 thereof.

3. On going through the record of M.A. it reveals that the proposed amendment does not change the nature of O.A. Learned Advocate for the applicant submits that inadvertently the prayers now sought to be added had remained to be mentioned in the O.A.

4. I found no reason to refuse permission to the applicants to amend the O.A. as per para 2 of amendment application. The nature of O.A. would not change, if amendment is allowed.

5. Hence, M.A. No. 270/2021 is allowed and disposed of with no order as to costs.

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**MA 270/2021 WITH MA
269/2021 IN OA. ST. 803/2021**

6. The applicants shall amend the O.A. as per para no. 2 of the amended application within a period of one week and supply amended copy of O.A. to other side.

MEMBER (J)

ARJ ORAL ORDERS 3.12.2021

MA 269/2021 IN OA. ST. 803/2021
(Dattatraya S. Sonawane & Anr. Vs. State of Maha. & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 3.12.2021

ORAL ORDER :

Heard Shri R.C. Brahmankar, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 17.1.2021 for filing affidavit in reply of the respondents.

MEMBER (J)

ARJ ORAL ORDERS 3.12.2021

MA 232/2021 IN OA. ST. 932/2021
(Mahendra K. Wadgaonkar Vs. State of Maha. & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **3.12.2021**

ORAL ORDER :

Heard Shri Mahendra K. Wadgaonkar, party-in-person and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned C.P.O. has sought one week time to file affidavit in reply in the application filed by the applicant for condonation of delay caused in filing accompanying O.A. Time granted as a last chance. It is clarified that if affidavit in reply is not filed by the next date, the M.A. will be considered on its own merit without having affidavit in reply of the respondents on record.

3. S.O. to 10.12.2021.

MEMBER (J)

MA 187/2021 IN OA. ST. 1096/2020
(Rakesh S. Kapdne Vs. State of Maha. & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 3.12.2021

ORAL ORDER :

None appears for the applicant. Shri D.R. Patil,
learned Presenting Officer for the respondents, is present.

2. Learned P.O. has sought to file affidavit in reply of
the respondent authorities. Await service of notice upon
the respondent no. 2.

MEMBER (J)

ARJ ORAL ORDERS 3.12.2021

MA 146/2020 IN M.A. ST. 418/2020 IN O.A. ST. 419/2020
(Maharashtra Rajya P.S. Abhyantriki Karmachari Sanghatana Vs. State of Maha. & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : **3.12.2021**

ORAL ORDER :

None appears for the applicant. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. At the request of learned C.P.O., S.O. to 14.1.2021 for filing affidavit in reply of the respondents.

MEMBER (J)

ARJ ORAL ORDERS 3.12.2021

**ORIGINAL APPLICATION NO. 693/2021
(Shreyas P. Varule Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **3.12.2021**

ORAL ORDER :

None appears for the applicant. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. Learned C.P.O. has filed additional affidavit in reply of res. no. 3. It is taken on record. Learned C.P.O. undertook to supply copy of additional reply of res. no. 3 to the learned Advocate for the applicant.

3. S.O. to 14.1.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1044/2019
(Tukaram S. Katare Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **3.12.2021**

ORAL ORDER :

Heard Shri D.A. Bide, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned P.O. has filed affidavit in reply of res. nos. 1 to 6. It is taken on record and copy thereof has been supplied to the learned Advocate for the applicant.

3. S.O. to 13.1.2022 for filing rejoinder affidavit, if any, by the applicant.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1029/2019
(Suraj S. Bavat Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **3.12.2021**

ORAL ORDER :

Heard Shri M.S. Choudhari, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent nos. 1 to 3 and Shri V.B. Wagh, learned Advocate for respondent no. 4.

2. Learned Advocate for the applicant submits that he will file rejoinder affidavit during the course of the day. It be taken on record and copy thereof be supplied to other side.

3. S.O. to 13.1.2022 for hearing at the admission stage.

MEMBER (J)

ORIGINAL APPLICATION NO. 445/2019
(Mangal P. Musande & Ors. Vs. State of Maha. & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **3.12.2021**

ORAL ORDER :

None appears for the applicant. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 & 2, is present. None appears for respondent nos. 3 & 4.

2. It appears from the record that respondent nos. 3 & 4 have already filed their affidavit in reply in the matter.

3. Learned C.P.O. seeks time for filing affidavit in reply of respondent nos. 1 & 2. Time granted as prayed for.

4. S.O. to 12.1.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 446/2019
(Shridevi G. Dama & Ors. Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **3.12.2021**

ORAL ORDER :

None appears for the applicant. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 to 3, is present. None appears for respondent nos. 4 & 5.

2. It appears from the record that respondent nos. 4 & 5 have already filed their affidavit in reply in the matter.

3. Learned C.P.O. seeks time for filing affidavit in reply of respondent nos. 1 to 3. Time granted as prayed for.

4. S.O. to 12.1.2022.

MEMBER (J)

**M.A. 243/2020 IN O.A. ST. 1018/2020
(Gangaram S. Bele Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **3.12.2021**

ORAL ORDER :

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

2. The present M.A. has been filed by the applicant for condonation of 74 days delay caused in filing accompanying O.A.

3. I have gone through the M.A. It is seen that the period of delay is within the period of lockdown imposed by the Government for preventing the spread of COVID-19. I find that sufficient cause is mentioned by the applicant for condonation of delay. Hence, I pass the following order :-

ORDER

(i) Misc. Application No. 243/2020 stands allowed and disposed of and the delay of 74 days caused in filing accompanying O.A. is condoned. There shall be no order as to costs.

(ii) Registry to register the O.A. on its due scrutiny.

MEMBER (J)

O.A. ST. 1018/2020
(Gangaram S. Bele Vs. State of Maha. & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **3.12.2021**

ORAL ORDER :

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

2. Learned P.O. waives notice for respondent nos. 1 to 5. Respondent nos. 3 to 5 have already filed their reply.

3. In the circumstances, issue Notice to the respondent nos. 6 & 7 in the present O.A., returnable on 17.1.2022.

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

5. 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.

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

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

8. S.O. to 17.1.2021.

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

MEMBER (J)

**ORIGINAL APPLICATION NO. 692/2021
(Sachin S. Kamble Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **3.12.2021**

ORAL ORDER :

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

2. Respondent no. 4 though duly served has not posed his appearance in the matter. The present matter, therefore, shall proceed ahead ex-parte against the respondent no. 4.

3. When the matter is taken up for consideration the learned C.P.O. for the respondents has sought one week's time for filing affidavit in reply of the respondents.

4. Learned Advocate for the applicant invited my attention to the order dated 9.11.2021 passed by this Tribunal and more particularly para 12 thereof. He further submitted that despite the specific directions given by this Tribunal to decide the representations submitted by the present applicant within the period of 2 weeks from the date of that order, the said representations have not yet been decided by the concerned respondents.

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O.A. NO. 692/2021

5. In view of above submissions made by both the sides, following order is passed :-

ORDER

(i) The respondent nos. 1 & 2 shall decide the representations submitted by the applicant as are mentioned in para 12 of the order passed by the Tribunal on 9.11.2021, on or before 10.12.2021.

(ii) If the respondent nos. 1 & 2 fail to decide the said representations on or before 10.12.2021, the said representations shall be deemed to have been accepted by the said authorities.

(iii) S.O. to 15.12.2021 for filing affidavit in reply by the respondents.

(iv) Steno copy allowed for the use of learned C.P.O. for the respondents.

MEMBER (J)

ORIGINAL APPLICATION NO. 105/2021

(Smita K. Suryawanshi & Ors. Vs. State of Maha. & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)

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

DATE : 3.12.2021

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. It is brought to the notice of the Tribunal by the learned Advocate for the applicant that in the order dated 21.10.2021 inadvertently it is recorded that learned Advocate for the applicant seeks time for filing rejoinder affidavit. In fact, affidavit in reply is yet not filed by the respondents and the learned P.O. seeks time therefor.

3. Learned Advocate for the applicant submits that already due chances have been availed by the respondents for filing affidavit in reply, still it is not filed. Time granted as a last chance with an understanding that, if affidavit in reply is not filed by the respondents on the next date, necessary order will be passed.

4. S.O. to 6.1.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 664/2021
(Sanjay D. Gangawane & Ors. Vs. State of Maha. & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 3.12.2021

ORAL ORDER :

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

2. Learned C.P.O. seeks time for filing affidavit in reply of the respondents. Time granted as a last chance.

3. S.O. to 23.12.2021.

MEMBER (J)

ARJ ORAL ORDERS 3.12.2021

**ORIGINAL APPLICATION NO. 25/2019
(Dnyaneshwar D. Kale Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **3.12.2021**

ORAL ORDER :

Heard Smt. Priya Bharaswadkar, learned Advocate holding for Shri R.N. Bharaswadkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned P.O. has filed affidavit in reply of res. nos. 1 to 4. It is taken on record and copy thereof has been supplied to the learned Advocate for the applicant.

3. S.O. to 11.1.2022 for filing rejoinder affidavit, if any and also for hearing the matter at the stage of admission.

MEMBER (J)

**ORIGINAL APPLICATION NO. 586/2012
(Bharat M. Bhosale Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **3.12.2021**

ORAL ORDER :

None appears for the applicant. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.

2. It appears from the record that rejoinder affidavit is not filed by the applicant.

3. Hence, S.O. to 11.1.2022 for hearing at the stage of admission.

MEMBER (J)