

**ORIGINAL APPLICATION NO.92/2022
(Jayesh Dake Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 03.02.2022

ORAL ORDER :

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

2. The applicant has applied in pursuance of the Advertisement No.249/2021 for Maharashtra Subordinate Services Non-Gazetted Group-B posts. It is the contention of the applicant that on the date of submitting the form online though he has duly remitted the examination fees of Rs.294/- through UPI mode (Phonepe) and though the amount was shown to have been debited from the account of the applicant, 7 days' thereafter, it got refunded. However, the applicant was unaware of the said fact and came to know the same after he visited the website on 04-12-2021 and found the remark against his candidature that "fees not paid". It is further submitted that though thereafter the applicant made all efforts of approaching the Maharashtra Public Service Commission (MPSC for short) and for seeking permission to deposit the fees, no favourable response is received. Learned Counsel for the

applicant in the circumstances has approached this Tribunal. He submits that the preliminary examination is scheduled on 26th February, 2022 and in the circumstances, while praying for issuance of notice to the respondents has also prayed for interim relief seeking directions against the MPSC to accept the online application of the present applicant and permit him to appear for the preliminary examination.

3. Learned CPO has opposed for granting any such relief and has prayed for some time to file the reply in the present matter.

4. After having gone through the documents though there appears that the applicant had deposited the fees online at the time of filing application form at the initial stage and though the amount was deposited but subsequently the same has been refunded and the said fact has not been noticed by the applicant. **In the circumstances, we deem it appropriate to direct the MPSC to submit its Say/reply in the matter till 17-02-2022.**

5. Issue notices to the respondents, returnable on 17-02-2022.

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O.A.NO.92/2022

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

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

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

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

10. S.O. to 17-02-2022.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.90/2021, 91/2021 & 92/2021

(Kunal Kale, Chandrakant Ghatnandurkar & Dattu Kolpe Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 03.02.2022

ORAL ORDER :

Heard Shri P.S.Anerao, learned Advocate for the applicants in respective O.As. and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Counsel appearing for the applicants in all these matters submits that grievances as have been raised by the applicants in these O.As. since stand redressed, present O.As. may be disposed of.

3. In view of the submissions made by the learned Counsel for the applicants, the O.As. stand disposed of without any order as to costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.93/2022
(Smt. Vidya Satish Sudame Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **03.02.2022**

ORAL ORDER :

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

2. The applicant is presently working on the post of Office Superintendent at Government Medical College at Aurangabad. The applicant has been promoted to the post of Administrative Officer and was directed to resume on her promotional post at Super Speciality Hospital at Latur. It is the case of the applicant that before effecting the promotions, the options were invited and she has not given option for Latur. It is further contention of the applicant that she being on the verge of retirement and only one and half year is left for her to retire, she has given her choice option for Aurangabad. It is further contention of the applicant that the promotional post is also available at Aurangabad, however, without considering the options given by the applicant she has been promoted and posted in the promotional post at Super Speciality Hospital, Latur. It is further contention of the applicant that she has

communicated to the authorities that it may not be possible for her to join at Latur and in the circumstances if any candidate junior to her is promoted to the said post she will not have any objection. According to the learned Counsel, the communication impliedly means that the applicant has denied the promotion. Learned Counsel further submitted that an employee possesses right to deny the promotion and accordingly the said right is exercised by the applicant. In the circumstances, the present O.A. is filed seeking quashment of the order dated 19-01-2022 and interim relief is also sought for not giving effect to the said order and allow the applicant to continue to discharge her duties on the existing post at Aurangabad.

3. The learned Chief Presenting Officer has opposed for granting any such interim relief and has sought some time for filing the detailed reply to the Original Application so submitted by the applicant. It is the contention of the learned CPO that the applicant has been already relieved and in such circumstances, no interim relief as has been prayed is liable to be granted.

4. We have gone through the documents and the contents in the Original Application. It has also been pointed out by the learned Counsel for the applicant that in the similar set of facts this Tribunal in O.A.No.64/2022

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O.A.NO.93/2022

has granted interim relief in the favour of the applicant therein. On the principle of parity, same relief is being sought in the present matter. In view of the submissions made and more particularly, *prima facie*, when it is revealing that the applicant has impliedly denied the promotion, we are inclined to pass the following order:

ORDER

- i) Issue notice to the respondents, returnable on 04-03-2022.
- ii) Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- iii) Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- iv) This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

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O.A.NO.93/2022

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

vi). **In the meanwhile the order dated 19-01-2022 issued by the respondent no.2, which is impugned in the present application, shall stand stayed and the respondent no.3 shall permit the applicant to discharge her duties on the present post i.e. Office Superintendent at Government Medical College at Aurangabad.**

vii) S.O. to 04-03-2022.

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

MEMBER (A)

MEMBER (J)

M.A.NO.54/2022 IN O.A.NO.436/2020
(The State of Maharashtra & Ors. V/s. Indrasen Titkare)

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri M.S.Mahajan, learned Chief Presenting Officer for the applicants in M.A. (respondents in O.A.) and Shri Kakasaheb B. Jadhav, learned Advocate for the respondent (original applicant).

2. In O.A.No.436/2020 some order has been passed and time limit is prescribed for compliance of the said order. It is the contention of the applicants (the respondents in the O.A.) that due to certain compelling reasons the order could not be complied with within the prescribed period and time is sought to be extended to comply the said order passed by this Tribunal.

3. The request so made is opposed by the learned Counsel for the respondent (Original Applicant) on the ground that nothing has been done in the period and now time is sought.

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M.A.NO.54/2022 IN O.A.NO.436/2020

4. It appears to us that the case is made out for extending the time for complying the order passed by the Tribunal for the reasons stated in the M.A.No.54/2022. M.A.No.54/2022 is therefore allowed. Time is extended by next 3 months for complying the order passed by this Tribunal.

5. It is brought to our notice that even the provisional pension is not released. We see no reason for the applicants in M.A. not to release the provisional pension. While extending time for compliance of the order, we direct that in the meantime the applicants (respondents in O.A.) shall ensure that provisional pension is released in favour of the present respondent (Applicant in O.A.).

6. M.A. stands disposed of accordingly with no order as to costs. O.A. is already disposed of previously by separate order.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 688 OF 2019
(Sujit E. Gorde Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

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

2. The present matter is closed for orders.

MEMBER (J)

KPB ORAL ORDERS 03.02.2022

ORIGINAL APPLICATION NO. 532 OF 2021
(Kaviraj J. Kucche Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 and 2 and Shri N.B. Narwade, learned Advocate for respondent No. 3.

2. Learned Presenting Officer filed sur-rejoinder on behalf of respondent Nos. 1 and 2 to the rejoinder affidavit filed by the applicant. Same is taken on record and copy thereof has been served on the other sides.

3. S.O. to 08.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 376 OF 2019
(Manik T. Takalkar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri R.P. Bhumkar, learned Advocate for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. 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 matters regarding time bound promotion and ACPS are to be dealt with by the Division Bench. The present matter is pertaining to benefits of recovery/time bound promotion.

3. In view of the same, the present matter be placed before the Division Bench for further hearing.

4. S.O. to 22.02.2022.

MEMBER (J)

M.A. No. 194/2020 in O.A. No. 174/2020
(Ravindra P. Bibekar Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri P.G. Tambde, learned Advocate holding for Shri A.A. Khande, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri G.N. Patil, learned Advocate for respondent No. 4.

2. At the request of learned Advocate for the applicant, S.O. to 17.02.2022.

MEMBER (J)

KPB ORAL ORDERS 03.02.2022

ORIGINAL APPLICATION NO. 108 OF 2021

(Chhaya D. Saste @ Chhaya V. Kale & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 03.02.2022

ORAL ORDER :

Shri N.V. Gaware, learned Counsel for the applicants (**Absent**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents, is 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. She undertook to serve the copy of the same on the learned Counsel for the applicants.

3. S.O. to 18.03.2022 for filing rejoinder affidavit, if any.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 299 OF 2021
(Nagorao W. Bhalerao Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Shri M.B. Sandanshiv, learned Counsel for the applicant (**Absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri S.S. Ware, learned Counsel for respondent Nos. 5 & 6, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 4 and the same is taken on record and copy thereof has been served on the other sides.

3. S.O. to 18.03.2022 for filing rejoinder affidavit, if any.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 378 OF 2021
(Raju Husen Sayyed Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Shri G.L. Deshpande, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are 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 and copy thereof has been served on the other sides.

3. S.O. to 18.03.2022 for filing rejoinder affidavit, if any.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 392 OF 2021
(Pravin R. Hivrale & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 18.03.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 481 OF 2021
(Archana N. Bansode Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Shri A.P. Avhad, learned Counsel for the applicant (**Absent**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents, is present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 2 and the same is taken on record. She undertook to serve the copy of the same on the learned Counsel for the applicant.

3. S.O. to 18.03.2022 for filing affidavit in reply of other respondents.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 497 OF 2021
(Nitin S. Shelar Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 21.03.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 539 OF 2021
(Jagannath S. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Shri S.B. Bhosale, learned Counsel for the applicant (**Absent**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents, is 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. She undertook to serve the copy of the same on the learned Counsel for the applicant.

3. S.O. to 21.03.2022 for filing rejoinder affidavit, if any.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 568 OF 2021
(Bhausahab S. Pansare Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Shri Avinash Khedkar, learned Counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply. Time granted.
3. S.O. to 21.03.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 670 OF 2021
(Gokul D. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 22.03.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 579 OF 2021
(Siddarth R. Pandurnikar Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Counsel for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri S.S. Kulkarni, learned Counsel for respondent No. 4, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply on behalf of respondent Nos. 1 to 3. Time granted.

3. S.O. to 21.03.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 671 OF 2021
(Nitin S. Bedse Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Learned Chief Presenting Officer sought time for filing affidavit in reply. Time granted.
3. S.O. to 22.03.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 672 OF 2021
(Sanjaykumar M. Sonawane Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 22.03.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 673 OF 2021
(Rekha S. Chavan (Lohar) Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 22.03.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 694 OF 2021
(Avinash G. Chonde Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Shri Anand Deshpande, learned Counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply. Time granted.
3. S.O. to 22.03.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 695 OF 2021
(Narayan D. Mundhe Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Shri Anand Deshpande, learned Counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply. Time granted.
3. S.O. to 22.03.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 696 OF 2021
(Nagesh V. Chavan Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Shri Anand Deshpande, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 22.03.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 818 OF 2021
(Dr. Ashwini A. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Shri S.D. Joshi, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 5, are present. None present on behalf of respondent Nos. 7 & 9.

2. Learned Counsel Shri S.G. Chapalgaonkar, has filed **VAKALATNAMA** on behalf of respondent No. 6. Same is taken on record. He seeks time for filing affidavit in reply.

3. Learned Counsel Shri S.G. Kulkarni, has filed **VAKALATNAMA** on behalf of respondent No. 8. Same is taken on record. He seeks time for filing affidavit in reply.

4. Learned Presenting Officer sought time for filing affidavit in reply on behalf of respondent Nos. 1 to 5. Time granted.

5. S.O. to 23.03.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 28 OF 2022
(Girish A. Bidve & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Shri P.G. Tambde, learned Counsel holding for Shri S.S. Jadhavar, learned Counsel for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 02.03.2022.

MEMBER (A)

MEMBER (J)

**M.A. No. 181/2021 in O.A. St. No. 1208/2020
(Groundwater Engineers' Association & Ors. Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 03.02.2022

ORAL ORDER :

Shri S.G. Kulkarni, learned Counsel holding for Shri Ajay Deshpande, learned Counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 15.03.2022 for filing rejoinder affidavit, if any.

MEMBER (A)

MEMBER (J)

**M.A. No. 292/2021 in O.A. St. No. 1215/2021
(Anil V. Mule Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 03.02.2022

ORAL ORDER :

Shri R.N. Chavan, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply in M.A. Time granted.

3. S.O. to 15.03.2022.

MEMBER (A)

MEMBER (J)

**CHAMBER APPEAL NO. 01 OF 2020 in O.A. St. No. 1735/2018
(Rustum M. Dhale Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate for the applicant.

2. At the request of learned Advocate for the applicant, S.O. to 17.02.2022.

MEMBER (J)

KPB ORAL ORDERS 03.02.2022

**ORIGINAL APPLICATION NO. 111 OF 2020
(Rajendra S. Buwa Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri Anand S. Deshpande, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent No.1.

3. S.O. to 16.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 502 OF 2020
(Shrikant B. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri A.B. Rajkar, learned Advocate holding for Shri V.G. Pingle, learned Advocate for the applicant and Shri B.S. Deokar, 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. Affidavit-in-reply of respondent No.4 is already filed.
4. S.O. to 16.03.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 585 OF 2020
(Anand B. Datar Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.

3. S.O. to 15.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 588 OF 2020
(Savita S. Salve Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Shri S.S. Shinde, learned Advocate for the applicant is **absent**. Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Await service of notice on the respondents.
3. S.O. to 15.03.2022 for taking necessary steps.

MEMBER (J)

SAS ORAL ORDERS 03.02.2022

ORIGINAL APPLICATION NO. 88 OF 2021
(Dr. Rajesh K. Kasralikar Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

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

2. At the request of the learned P.O., one more last chance is granted for filing affidavit-in-reply on behalf of the respondents.

3. S.O. to 17.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 96 OF 2021
(Shriram P. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

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

2. 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 matters regarding time bound promotion and ACPS are to be dealt with by the Division Bench. The Original Application is pertaining to time bound promotion.

3. In view of the same, the present matter be placed before the Division Bench for further hearing.

4. S.O. to 14.03.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 132 OF 2021
(Bhanudas E. Tarte Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 08.03.2022 for filing service affidavit.

MEMBER (J)

SAS ORAL ORDERS 03.02.2022

ORIGINAL APPLICATION NO. 263 OF 2021
(Dattatraya S. Haral Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri S.S. Thombre, learned Advocate holding for Shri S.B. Solanke, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.

3. S.O. to 14.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 289 OF 2021
(Madhukar L. Pradhan Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri Sanket Joshi, learned Advocate holding for Shri Avinash S. Deshmukh for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the applicant does not wish to file affidavit-in-rejoinder.
3. S.O. to 14.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 296 OF 2021
(Rekhabai C. Bahiram Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri B.K. Patil, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.

4. S.O. to 15.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 323 OF 2021
(Shaikh Nazir Ahemad Shaikh Bashir Ahmad Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

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

2. Affidavit-in-reply filed on behalf of the respondent No.4 is taken on record and copy thereof has been served on the other side.

3. At the request of learned P.O., time is granted for filing affidavit-in-reply on behalf of other respondents.

4. S.O. to 14.03.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 353 OF 2021
(Sunil J. Kamble Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

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

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

3. Affidavit-in-rejoinder filed by the applicant is taken on record and copy thereof has been served on the other side.

3. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent No.3.

4. S.O. to 03.03.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 382 OF 2021
(Shaikh Hafijoddin Hanifoddin Shaikh Vs. State of
Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri J.M. Murkute, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent Nos.1 and 2. Shri A.C. Deshpande, learned Advocate for the respondent Nos.3 and 4 is **absent**.

2. At the request of the learned Advocate for the applicant, S.O. to 03.03.2022 for filing service affidavit.

MEMBER (J)

**ORIGINAL APPLICATION NO. 436 OF 2021
(Adinath V. Mundhe Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

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

2. Record shows that already two last chances were granted to the respondents for filing affidavit-in-reply.
3. Today learned P.O. again seeks time for filing affidavit-in-reply on behalf of the respondents by way of one more last chance.
4. The matter is pertaining to transfer. In the interest of justice, subject to payment of costs of Rs.1,000/- final chance is granted for filing affidavit-in-reply on behalf of the respondents.
5. S.O. to 4.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 461 OF 2021
(Dr. Madhav B. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri S.B. Patil, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos.1 to 5. Nobody is present on behalf of the respondent No.6.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 to 5.

3. S.O. to 03.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 550 OF 2021
(Shobha S. Bidhe & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri A.S. Mirajgaonkar, learned Advocate holding for Shri C.V. Dharurkar, learned Advocate for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the applicants do not wish to file affidavit-in-rejoinder.

3. S.O. to 15.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 605 OF 2021
(Vinod N. Choudhary Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Shri Avinash D. Aghav, learned Advocate for the applicant is **absent**. Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of the learned C.P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.

3. S.O. to 04.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 669 OF 2021
(Umrao U. Bangar Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri R.K. Jadhavar, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent for the respondent No.1 and Shri S.B. Mene, learned Advocate for the respondent Nos.2 to 4.

2. Learned Advocate for the applicant seeks permission to withdraw the Original Application stating that the grievance raised by the applicant in the Original Application is redressed.

3. I have no reason to refuse the permission to withdraw the Original Application.

4. Hence, the permission to withdraw the Original Application is granted.

5. Accordingly, the Original Application stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 689 OF 2021
(Ajay R. More Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

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

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

3. S.O. to 03.03.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 720 OF 2021
(Ramchandra G. Sawant Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

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

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.

3. S.O. to 01.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 737 OF 2021
(Arun S. Kapadane Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri A.B. Rajkar, learned Advocate holding for Shri K.B. Jadhav, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned P.O. for the respondents submits that he would file affidavit-in-reply on behalf of respondents during the course of the day.
3. S.O. to 04.03.2022.

MEMBER (J)

**M.A.NO.284 OF 2020 IN O.A.ST.NO.1213 OF 2020
(Sumanbai R. Tayde Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate holding for Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Issue fresh notice to the respondent No.3, returnable on 14.03.2022

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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M.A.284/2020 In
O.A.St.No.1213/2020

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

7. S.O. to 14.03.2022.

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

MEMBER (J)

**M.A.NO.310 OF 2020 IN O.A.ST.NO. 2061 OF 2019
(Jagdish K. Mahendrakar Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri P.B. Salunke, learned Advocate holding for Shri S.G. Kulkarni, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Issue fresh notice to the respondents in M.A., returnable on 14.03.2022

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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M.A.310/2020 In
O.A.St.No.2061/2019

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 14.03.2022.

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

MEMBER (J)

**M.A.NO.407 OF 2019 IN O.A.ST.NO.1458 OF 2019
(Savita U. Gaikwad @ Sangita S. Wagh Vs. State of
Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks leave of this Tribunal to amend the Original Application.
3. Leave as prayed for is granted.
4. The applicant to carry out the necessary amendment on or before the next date and to serve the copy of amended O.A. on the other side.
5. S.O. to 07.03.2022.

MEMBER (J)

**M.A.NO.294 OF 2021 IN O.A.ST.NO.1224 OF 2021
(Shubham K. Thavare Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Shri V.V. Ingale, learned Advocate for the applicant is **absent**. Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of the respondent Nos.2 and 3 is taken on record.

3. S.O. to 07.03.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

SAS ORAL ORDERS 03.02.2022

**M.A.NO.334 OF 2021 IN O.A.ST.NO.1442 OF 2021
(Manesh D. Nagargoje Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

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

3. The learned Advocate for the applicant submits that the applicant does not wish to file affidavit-in-rejoinder.

4. In view of above, fix the matter for final hearing on 15.03.2022.

MEMBER (J)

**M.A.ST.NO.2404 / 2019 WITH M.A.ST.NO.2224 / 2019
IN O.A.NO.277 OF 2017
(Shaikh M. Abdul Kareem Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri P.G. Tamsade, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 02.03.2022.

MEMBER (J)

SAS ORAL ORDERS 03.02.2022

**ORIGINAL APPLICATION NO. 515 OF 2020
(Aniket D. Rakh Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri B.R. Kedar, 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 08.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 139 OF 2019
(Madhukar R. Dusane Vs. State of Maharashtra & Ors.)

WITH
ORIGINAL APPLICATION NO. 946 OF 2018
(Kailas D. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicants in both the O.As. and Shri M.P. Gude, learned Presenting Officer for the respondent Nos.1 to 3 in O.A.No.139/2019 and respondent No.1 and 2 in O.A.No.946/2018. Shri S.D. Shelke, learned Advocate for the respondent No.3 is **absent**.

2. S.O. to 16.03.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 930 OF 2019
(Balu V. Sonawane Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri Sanket Joshi, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the applicant is already retired from the service w.e.f. 31.05.2021. In view of the same, he seeks permission to withdraw the present Original Application.

3. I have no reason to refuse the permission to withdraw the present Original Application.

4. Accordingly, the Original Application stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1099 OF 2019
(Ramraje G. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri K.G. Salunke, 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 03.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 3 OF 2020
(Anil V. Lad Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Shri M.S. Karad, learned Advocate for the applicant is **absent**. Heard Shri I.S. Thorat, learned Presenting Officer for the respondent Nos.1 to 4 and Shri Sanket Joshi, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the respondent No.5.

2. As none present for the applicant, S.O. to 17.03.2022 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 104 OF 2019
(Shaikh R. Shaifoddin Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

Shri S.N. Suryawanshi, learned Advocate for the applicant is **absent**. Heard Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 17.03.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 272 OF 2021
(Jayawant R. Bhangare Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

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

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

3. At the request of the learned Advocate for the applicant, S.O. to 16.03.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 147 OF 2021
(Ratnaprabha T. Hingade Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Shri P.B. Rakhunde, learned Advocate for the applicant is **absent**. Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Record shows that the affidavit-in-reply is already filed on behalf of the respondent Nos.1 to 5.
3. S.O. to 17.03.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 486 OF 2020
(Jitendra S. Raut Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Shri M.A. Kulkarni, learned Advocate for the applicant is **absent**. Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Record shows that the affidavit-in-reply is already filed on behalf of the respondent Nos.1 to 4.
3. S.O. to 17.03.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 483 OF 2020
(Bhagwan L. Dahale Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that the applicant is not responding to his calls. He therefore, sent notice dated 22.11.2021 to the applicant intimating him that he will withdraw his VAKALATNAMA incase he does not respond. The applicant has received the said notice on 25.11.2021.

3. Learned Advocate for the applicant has placed on record copy of the notice and postal endorsement. The same are taken on record and marked as document 'X' collectively for the purpose of identification.

4. In the circumstances, learned Advocate for the applicant seeks permission to withdraw his VAKALATNAMA.

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O.A.483/2020

5. The learned Advocate for the applicant is allowed to withdraw his appearance and VAKALATNAMA.
6. In the circumstances as above, it is evident that the applicant is not interested in prosecuting the matter for the reasons best known to him.
7. In view of above, the Original Application stands dismissed in default. No order as to costs.

MEMBER (J)

**M.A.NO.393 OF 2021 IN O.A.ST.NO.1686 OF 2021
(Sumitrabai V. Adke & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

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

2. By this application, the applicants are seeking to sue the respondents jointly.

3. The applicants are working as part time Sweepers in various districts in Marathwada region in different offices of Police Department.

4. The grievances made by the applicants are similar that they are not getting requisite salary in terms of notification dated 15.02.2002 and dated 28.09.2010 issued by the Government thereby enhancing the rate of wages.

5. In the circumstances as above, the grievances made by the applicants are common and relief sought

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for is also common. In view of same, to avoid the multiplicity of the litigation, leave to sue jointly is granted subject to payment of court fee stamps, if not paid.

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

MEMBER (J)

**ORIGINAL APPLICATION ST.NO.1686 OF 2021
(Sumitrabai V. Adke & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 03.02.2022

ORAL ORDER :

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

2. Issue notice to the respondents, returnable on 16.03.2022
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.

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O.A.St.1686/21

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

7. S.O. to 16.03.2022.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 938 OF 2019
(Maheboob Khan Mohd. Yousufkhan Pathan Vs. State of
Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Heard Shri Dilip Mutalik, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. 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 matters regarding time bound promotion and ACPS are to be dealt with by the Division Bench. The Original Application is pertaining to time bound promotion.

3. In view of the same, the present matter be placed before the Division Bench for further hearing.

4. S.O. to 14.03.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 417 OF 2018
(Chhagaon Bansi Chavan & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicants, S.O. to 14.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 116 OF 2018
(Sanjay M. Deokate Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicants, S.O. to 14.03.2022.

MEMBER (J)

SAS ORAL ORDERS 03.02.2022

T.A.NO.09/2021 IN W.P.NO.2006/2020
(Suryakant Pathak & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **03.02.2022**

ORAL ORDER :

Heard Shri D.R.Irale Patil, learned Advocate for the applicant, Shri M.S.Mahajan, learned Chief Presenting Officer and Shri S.B.Mene learned Special Counsel for respondents.

2. Arguments of both sides are heard at length. Case is reserved for order.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.567/2018
(Shubhangi Sonawane Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **03.02.2022**

ORAL ORDER :

Shri Arjun Lukhe learned Advocate holding for Shri A.S.Shelke, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 14-03-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.230/2019
(Dr. Rekha Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **03.02.2022**

ORAL ORDER :

Shri Shamsundar B. Patil, learned Advocate for the applicant, Shri M.P.Gude, learned Presenting Officer for the respondent authorities and Shri S.K.Kadam learned Advocate for respondent no.3, are present.

2. S.O. to 04-03-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.354/2020
(Suresh Kamthane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 03.02.2022

ORAL ORDER :

Shri Girish L. Awale, learned Advocate for the applicant is **absent**.

Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities and shri V.B.Wagh learned Advocate for respondent nos.4, 6 & 7, are present.

2. S.O. to 16-03-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.538/2020
(Sachin Pardeshi Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **03.02.2022**

ORAL ORDER :

Shri J.S.Gangawane, learned Advocate for the applicant is **absent**.

Shri I.S.Thorat, learned Presenting Officer for the respondents is present.

2. S.O. to 16-03-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.77/2021
(Vishwanath Mahindrakar & Ors.
Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 03.02.2022

ORAL ORDER :

Shri V.B.Wagh, learned Advocate for the applicant
and Shri B.S.Deokar, learned Presenting Officer for the
respondents, are present.

2. S.O. to 16-03-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.100/2021
(Manisha Gite Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 03.02.2022

ORAL ORDER :

Shri Uday Bodkhe Patil learned Advocate holding for Shri Dhananjay A. Mane, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents is present.

2. S.O. tomorrow i.e. on 04-02-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.195/2021
(Gopal Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 03.02.2022

ORAL ORDER :

Shri V.B.Wagh, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

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

3. S.O. to 16-03-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.264/2021
(Sapna Nikam Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 03.02.2022

ORAL ORDER :

Shri S.B.Solanke, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. S.O. to 14-03-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.395/2021
(Bhau Chaudhari Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 03.02.2022

ORAL ORDER :

Shri A.B.Rajkar, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. S.O. to 16-03-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.445/2021
(Gautam Deolalikar & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **03.02.2022**

ORAL ORDER :

Shri V.B.Wagh, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. S.O. to 02-03-2022.

MEMBER (A)

MEMBER (J)

M.A.NO.200/2020 IN M.A.NO.506/2018 IN
O.A.ST.NO.1951/2018
(Sajed Khan Pathan Vs. State of Maharashtra & Ors.)

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

DATE : 03.02.2022

ORAL ORDER :

Shri R.N.Bharaswadkar, learned Advocate for the applicant, Shri M.P.Gude, learned Presenting Officer for the respondent authorities, Shri C.B.Gore learned Advocate for respondent no.5 & 6 and Shri V.G.Pingle learned Advocate for respondent no.7, are present.

2. S.O. to 04-03-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.57/2018
(Uttam Dabhade & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **03.02.2022**

ORAL ORDER :

Shri S.D.Dhongde, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. S.O. to 02-03-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.213/2018
(Balaji Sontakke Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **03.02.2022**

ORAL ORDER :

Ku. Preeti Wankhade, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents, are present.

2. S.O. to 02-03-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.297/2018
(Ajay Umale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 03.02.2022

ORAL ORDER :

Shri Vijay V. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 02-03-2022.

MEMBER (A)

MEMBER (J)

**O.A.NO.716/2018, 634/2018, 635/2018 & 636/2018
(Atul Shirke & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 03.02.2022

ORAL ORDER :

Shri S.D.Joshi, learned Advocate for the applicants
and Shri M.S.Mahajan, learned Chief Presenting Officer for
the respondents, are present.

2. S.O. to 03-03-2022.

MEMBER (A)

MEMBER (J)

YUK ORAL ORDERS 03.02.2022

ORIGINAL APPLICATION NO.927/2018
(Shamrao Kadam & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **03.02.2022**

ORAL ORDER :

Shri V.P.Sawant, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 04-03-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.110/2019
(Ashok Randhe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 03.02.2022

ORAL ORDER :

Shri S.D.Joshi, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents, are present.

2. S.O. to 24-02-2022.

MEMBER (A)

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)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **03.02.2022**

ORAL ORDER :

Shri F.K.Patel, learned Advocate for the applicant and
Smt. Sanjivani Ghate, learned Presenting Officer for the
respondents, are present.

2. S.O. to 07-03-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.848/2019
(Jitendra Bagul & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **03.02.2022**

ORAL ORDER :

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

2. S.O. to 08-03-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.26/2020
(Sanjay Salunke Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 03.02.2022

ORAL ORDER :

Shri Yogesh Jadhav, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents, are present.

2. S.O. to 09-03-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.22/2021
(M.R.Theng Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 03.02.2022

ORAL ORDER :

Shri A.S.Deshmukh, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. S.O. to 09-03-2022. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 851/2018
(Krushnadas A. Palsikar Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **3.2.2022**

ORAL ORDER :

Shri Pramod A. Kulkarni, learned Counsel for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent nos. 1 to 3 and Shri K.S. Solanke, learned counsel for respondent no. 4, are present.

2. The learned Presenting Officer sought time for filing affidavit in reply. Granted.

3. S.O. to 14.3.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 31/2019
(Vivek P. Bhamre Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **3.2.2022**

ORAL ORDER :

Shri Kunal K. Kale, learned Counsel for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent nos. 1 to 3 and Shri N.R. Dayama, learned counsel for respondent no. 4, are present.

2. Though vide order dated 6.1.2022 most last chance was granted to the learned P.O. for filing affidavit in reply of the respondents, still it is not filed. Respondent no. 4 has also not filed affidavit in reply.

3. S.O. to 14.3.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 59/2021
(Baban S. Ramfale Vs. State of Maharashtra & Ors.)

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

DATE : 3.2.2022

ORAL ORDER :

Shri Vilas C. Suradkar, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. The learned Presenting Officer sought time for filing affidavit in reply on behalf of respondent no. 1. Time granted.

3. S.O. to 15.3.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 60/2021
(Ishwar B. Baviskar Vs. State of Maharashtra & Ors.)

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

DATE : 3.2.2022

ORAL ORDER :

Shri Digamber B. Shinde, learned Counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. The learned Advocate for the applicant sought time for filing rejoinder affidavit. Granted.

3. S.O. to 16.3.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 61/2021
(Shantilal H. Deore Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 3.2.2022

ORAL ORDER :

Shri Digamber B. Shinde, learned Counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, are present.

2. The learned Advocate for the applicant sought time for filing rejoinder affidavit. Granted.

3. S.O. to 16.3.2022.

MEMBER (A)

MEMBER (J)

**T.A. 7/2021 (W.P. 10329/2021
WITH
T.A. 8/2021 (W.P. 10446/2021)
(Shilpa A. Chate & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 3.2.2022

ORAL ORDER :

Shri A.C. Darandale, learned Counsel for the applicants in both the matters (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in both the matters, is present.

2. Await service of notice on the respondents.
3. S.O. to 17.3.2022.

MEMBER (A)

MEMBER (J)

**T.A. 1/2018 (W.P. N. 15249/2017
(Chanda R. Hingole Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 3.2.2022

ORAL ORDER :

Heard Shri S.D. Joshi, learned Counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The matter is reserved for order.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 440/2018
(Shivaji D. Sirsat Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **3.2.2022**

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent nos. 1 to 4, are present.

Shri Chandrakant S. Jagtap, learned Counsel for respondent no. 5 (**absent**).

2. In view of the submissions made by the learned Presenting Officer seeking some more time to decide the proposal as directed by the Tribunal vide order dated 7.10.2021, two weeks' time is granted.

3. S.O. to 16.2.2022. The matter be placed **High on Board**.

MEMBER (A)

MEMBER (J)

C.P. 48/2019 IN O.A. 933/2018
(Gajanan M. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 3.2.2022

ORAL ORDER :

Shri L.S. Shaikh, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. When the present petition is taken up for consideration the learned Presenting Officer has placed on record copy of communication dated 27.1.2022. It is brought to our notice that on 12.1.2022 when the matter was on board, the learned P.O. has placed on record copy of communication dated 6.1.2022, however, in the order passed on 12.1.2022 inadvertently the date of said communication is mentioned as 6.2.2022 instead of 6.1.2022. Both these documents are taken on record.

3. S.O. to 28.2.2022 for further consideration.

MEMBER (A)

MEMBER (J)

M.A. 145/2021 IN O.A. ST. 494/2021
(Sitaram K. Zodage Vs. State of Maharashtra & Ors.)

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

DATE : 3.2.2022

ORAL ORDER :

Shri A.S. Khedkar, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. M.A. No. 145/2021 has been filed by the applicant for condonation of delay occurred for filing the O.A.

3. It is the contention of the learned Counsel for the applicant that the applicant was bona-fide believing that his grievance will be redressed by the respondents and therefore he was making representations with the authorities, however, his grievance has not been redressed by the authorities. It is further contention of the learned Counsel for the applicant that in the meanwhile because of Covid-19 pandemic situation the applicant could not take further steps for filing the O.A. He further submitted that the applicant is having very good case on merit and if the delay occurred in

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M.A. 145/2021 IN O.A. ST. 494/2021

filing O.A. is not condoned, the applicant may lose the chance to ventilate his grievance.

4. The learned P.O. prays for passing appropriate order.

5. After having considered the M.A. and the reasons assigned for condonation of delay, it appears that the reason for occurrence of the delay for filing the O.A. is the period of COVID-19 Pandemic, wherein the people were unable to access the Court. Even otherwise it appears to us that the dispute raised by the applicant in the O.A. deserves to be considered on merit. Hence, we are inclined to condone the delay occurred for filing the O.A. Hence, the following order :-

ORDER

- (i) The M.A. stands allowed with no order as to costs.
- (ii) The delay occurred for filing the O.A. is condoned.
- (iii) Registry to register the accompanying O.A. according to law.

MEMBER (A)

MEMBER (J)

O.A. ST. 494/2021

(Sitaram K. Zodage Vs. State of Maharashtra & Ors.)

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

DATE : 3.2.2022

ORAL ORDER :

Shri A.S. Khedkar, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. Issue notice to the respondents, returnable on 15.3.2022.
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.
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 15.3.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)