

**M.A.244/2024 IN M.A. 245/2024 IN O.A.ST.938/2024  
(Shaikh Ashpak Shaikh Karimand & Ors. Vs. State of  
Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri A.V. Patil, learned counsel for the applicants, is **absent**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. Heard the learned Present Officer for the respondents.

3. All the applicants worked under the respondents as daily wages employees. By filing the accompanying Original Application they are seeking regularization of services and creation of supernumerary post. They have got the similar cause of action with similar prayer.

4. In view of same and for the reasons stated in the application, to avoid the multiplicity, Misc. Application is allowed. The applicants are permitted to sue/prosecute jointly the Original Application filed by them, subject to payment of court fee stamps, if not paid.

5. The present M.A.No. 244/2024 stands disposed of accordingly without any order as to costs.

**MEMBER (J)**

**M.A.NO. 245/2024 IN O.A.ST.NO. 938/2024  
(Shaikh Ashpak Shaikh Karimand & Ors. Vs. State of  
Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri A.V. Patil, learned counsel for the applicants, is **absent**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. Issue notice to respondents in M.A., returnable on 10.09.2024.

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

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

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

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O.A.St.No. 938/2024

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 10.09.2024.

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

**MEMBER (J)**

SAS ORAL ORDER 03.07.2024

**M.A.NO. 261 OF 2024 IN O.A.ST.NO. 1301 OF 2024  
(Dr. Gopal P. More Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. Except the objection about limitation, the learned counsel for the applicant is requested to remove all the office objections.

3. S.O. to 04.07.2024.

**MEMBER (J)**

SAS ORAL ORDER 03.07.2024

**ORIGINAL APPLICATION NO. 675 OF 2024**  
**(Amol U. Kadam Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Shri Nilesh N. Bhagwat, learned counsel holding for Shri S.D. Kotkar, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. The office has raised objection that the Original Application is barred by limitation in terms of prayer clause 'B'.

3. Learned counsel for the applicant seeks time to file an application for condonation of delay. Time granted.

4. S.O. to 18.07.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 677 OF 2024  
(Nana T. Ware Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri Rahul Dhase, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant. The returnable date is extended by nine weeks.

3. S.O. to 12.09.2024.

**MEMBER (J)**

**Later On:-**

Shri Rahul Dhase, learned counsel for the applicant present.

2. At the request of learned counsel for the applicant, the returnable date is extended by four weeks.

3. S.O. to 08.08.2024.

**MEMBER (J)**

1. **ORIGINAL APPLICATION ST.NO. 1221 OF 2024**  
(Dr. Dilip Ramkrishnarao Tandale Vs. State of Maharashtra & Ors.)
2. **ORIGINAL APPLICATION ST.NO. 1222 OF 2024**  
(Dr. Bhaskar Sadashivrao Borgaonkar Vs. State of Maharashtra & Ors.)

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Shri P.R. Tandale, learned counsel for the applicants in both these O.As., Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities in O.A.St.No. 1221/2024 and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities in O.A.St.No. 1222/2024.

2. The office has raised the objection that the Original Applications are barred by limitation in view of order dated 18.10.2019.

3. Learned counsel for the applicants submits that the applicants had filed O.A.No. 229/2015 & O.A.No. 230 of 2015 respectively challenging thereby the communications dated 09.02.2015 & 30.01.2015 respectively issued by the respondent No.3 therein and also sought the direction to extend the benefit of

//2/ O.A.St.Nos. 1221 & 1222 of 2024

‘revised in service Assured Progress Scheme’ to the applicants as per the various G.Rs. dated 01.04.2010, 05.07.2010, 01.07.2011 and 06.09.2014 w.e.f. their entitlement to such scheme.

4. By judgment and order dated 14.09.2016, the Maharashtra Administrative Tribunal, Bench at Aurangabad has allowed the said O.As. Being aggrieved by the same, the State has preferred the Writ Petition Nos. 4714/2017 and 4715/2017 respectively and also preferred the Writ Petitions against the applicants to whom the similar benefits have been extended. By order dated 08.10.2018, the Division Bench of Hon’ble High Court of Bombay, Bench at Aurangabad has confirmed the order passed by this Tribunal and disposed of the Writ Petitions. Learned counsel for the applicants submits that being aggrieved by the same, the State has preferred the SLP before the Hon’ble Apex Court, however, the said SLP came to be dismissed.

5. Learned counsel for the applicants submits that thereafter since the order passed in the aforesaid O.A.Nos. 229/2015 & O.A.No. 230/2015 was not complied with, the applicants filed



Contempt Petition Nos. 36/2019 & 37/2019 respectively in the aforesaid O.As. During pendency of the said C.Ps., the respondent authorities have passed the order dated 18.10.2019 (which date is considered by the office for the purpose of delay), however, the actual benefits in terms of said order were extended to the applicants and other similarly situated employees on 24.05.2021 & 28.06.2021 respectively.

6. Learned counsel for the applicants submits that during pendency of the said Contempt Petitions, the Division Bench of this Tribunal has directed the present applicants to prefer a detailed representation since the applicants have attempted to bring to notice of Division Bench of this Tribunal certain infirmities in compliance of the order passed by the respondents and the Regional Joint Commissioner of Animal Husbandry, Latur Region, Latur is directed to decide said representation within two weeks.

7. Learned counsel for the applicants submits that the applicants have thereafter submitted detailed representation dated 22.04.2022 to the Joint Secretary, Animal Husbandry Department and

//4/ O.A.St.Nos. 1221 & 1222 of 2024

by communication dated 20.06.2022, the Regional Joint Commissioner, Animal Husbandry, Latur Region, Latur has justified the order passed in response to the decision rendered in the aforesaid O.A.Nos. 229/2015 & 230/2015.

8. Learned counsel for the applicants in pending C.P.No. 36/2019 in O.A.No. 229/2015 & C.P.No. 37/2019 in O.A.No. 230/2015 has pointed out the infirmities to the extent that they are entitled to receive Grade Pay of Rs. 6,600/- but instead of that the respondents have paid the Grade Pay of Rs. 6,400/-. In the backdrop of the contentions raised by the applicants, the Division Bench of this Tribunal has held that the respondents have not willfully disobeyed the order passed by this Tribunal and disposed of the Contempt Petitions with the observation that the petitioners in the C.Ps. (present applicants) are not remediless and can very-well avail the appropriate remedy. The said C.Ps. came to be disposed of by order dated 11.01.2024. Thereupon the applicants have filed the present Original Applications. I fully agree with the submissions made on behalf of applicants that the delay if any has to be counted from the date

//5/ O.A.St.Nos. 1221 & 1222 of 2024

11.01.2024 and not from the date 18.10.2019. Thus there is no delay in filing the Original Applications. The office objection therefore stands overruled.

9. Issue notice to respondents in both these O.As., returnable on 13.09.2024.

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

11. 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.

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

//6/ O.A.St.Nos. 1221 & 1222 of 2024

compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

14. S.O. to 13.09.2024.

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

**MEMBER (J)**

SAS ORAL ORDER 03.07.2024

**ORIGINAL APPLICATION NO. 296 OF 2024**

1) Santosh Rangnath Kuklare

2) Pramod Rangnath Bhingare

3) Dnyaneshwar Bhimraj Kuklare ...Applicants.

**VS.**

**The Special Inspector General of Police  
Chatrapati Sambhaji Nagar, Youth Hostel  
Chatrapati Sambhaji Nagar.**

**...Respondent.**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicants submits that during pendency of this Original Application by order dated 28.06.2024, the applicant No.1 namely Santosh Rangnath Kuklare came to be transferred from Dharashiv to Jalna. Learned counsel for the applicants has placed the copy of said order dated 28.06.2024 before this Tribunal. The same is taken on record and marked as document 'X' for the purpose of identification.

3. Learned counsel for the applicants thus seeks leave to withdraw this Original Application to the

//2// O.A.No. 296/2024

extent of applicant No.1 namely Santosh R. Kuklare.  
Leave granted.

4. The Original Application of applicant No. 1 is disposed of as withdrawn to his extent. No costs.

5. Learned counsel for the applicant Nos. 2 & 3 on instructions seeks leave to withdraw their application. Learned counsel for the applicant Nos. 2 & 3, however, submits that the applicants have already submitted in detail the representations dated 13.06.2024 and 18.06.2024 respectively and the sole respondent may be directed to consider the same sympathetically as the original posts held by the applicants in Chhatrapati Sambhajinagar District are still vacant.

6. Learned Presenting Officer submits that it is already communicated by the sole respondent that due to ensuing State Assembly Elections, the request cannot be considered forthwith and the same will be considered as and when time come.

7. In view of same, the Original Application is disposed of as withdrawn with the directions to sole respondent to consider the representation dated

//3// O.A.No. 296/2024

18.06.2024 submitted by the applicant No.2 namely Pramod Rangnath Bhingare and the representation dated 13.06.2024 submitted by applicant No.3 namely Dnyaneshwar Bhimraj Kuklare sympathetically in terms of the contentions raised in their application/representation on its own merits. No costs.

**MEMBER (J)**

SAS ORAL ORDER 03.07.2024

**M.A.NO. 529/2023 IN O.A.NO. 1112 OF 2022  
(Mohammad Raza Khan Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for the applicant, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Shri M.B. Bharaswadkar, learned counsel for respondent No.3 in O.A.No. 1112/2022.

2. Learned P.O. submits that during course of the day the Misc. Application would be filed for vacating the interim order.

3. S.O. to 22.07.2024 for hearing. The interim relief granted earlier in O.A. to continue till then.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 672 OF 2023  
(Ganpat U. Radkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri A.A. Khande, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant.

3. At the request of learned P.O., S.O. to 19.07.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 03.07.2024

**M.A.NO. 227/2024 IN O.A.ST.NO. 1116/2024  
(Shrikant Ratnakar Deshpande Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Shri Anudeep D. Sonar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents in M.A., returnable on 28.08.2024.

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

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

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

//2// M.A.No. 227/2024 in  
O.A.St.No. 1116/2024

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 28.08.2024.

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

**MEMBER (J)**

SAS ORAL ORDER 03.07.2024

**ORIGINAL APPLICATION NO. 141 OF 2023  
(Rukhmin S. Mendhake Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 20.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 783 OF 2023**  
**(Surjeet Singh Chanda Singh Tabelewale Vs. State of**  
**Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits affidavit in rejoinder. The same is taken on record and copy thereof is given to learned P.O. today itself.

3. S.O. to 22.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 302 OF 2024  
(Seema V. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri Sunil P. Koli, learned counsel for the applicant, Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities and Shri V.P. Kadam, learned counsel for respondent No.4, are present.

2. Learned counsel for respondent No.4 submits affidavit in reply on behalf of said respondent. The same is taken on record and copy thereof is given to other side.

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

4. Pleadings completed. List the matter for admission hearing on 23.07.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1026 OF 2019  
(Keshav M. Soundarmal Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. The present Original Application is hereby partly allowed for the reasons to follow. No costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 147 OF 2022  
(Bhaskar D. Nelte Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri J.B. Choudhary, learned counsel for the applicant has filed a **leave note**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. This is a part heard matter.

3. In view of leave note of learned counsel for the applicant, S.O. to 01.08.2024 for further hearing.

**MEMBER (J)**



**M.A.NO. 122/2023 IN O.A.ST.NO. 418/2023  
(Rukhmin S. Mendhake Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 20.08.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 03.07.2024

**M.A.NO. 272/2023 IN O.A.ST.NO. 1086/2023  
(Ajaykumar S. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri J.B. Choudhary, learned counsel for the applicant has filed a **leave note**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note of learned counsel for the applicant, S.O. to 01.08.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 03.07.2024

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

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel holding for Shri S.B. Solanke, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 09.09.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 03.07.2024

**O.A.NOS. 670 TO 673 ALL OF 2021**  
**(Gokul D. Patil & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. Learned Presenting Officer submits that during course of the day the additional short affidavit will be filed.
4. Learned counsel for the applicants submits that the copy of the same is yet not received and he needs time to go through the same. Time granted.
5. S.O. to 01.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 691 OF 2019  
(Rajendra B. Potdar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned counsel holding for Shri A.N. Gaddime, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. This is a part heard matter.

3. At the request of learned counsel for the applicant, S.O. to 01.08.2024 for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 962 OF 2017  
(Bhausahab Baburao Rayate Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Shri A.S. Bayas, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. The present matter is reserved for order.

**MEMBER (J)**

SAS ORAL ORDER 03.07.2024

**ORIGINAL APPLICATION NO. 511 OF 2022**  
(Sandip R. Patil Vs. State of Maharashtra & Ors.)

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri M.G. Patil, learned counsel for the applicant (**Absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 & 2. Same is taken on record along with spare copy for the applicant.

3. List the matte for filing rejoinder affidavit, if any and admission hearing on 22.08.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 419 OF 2023**  
**(Dilip Vitthalrao Dengale Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. I have heard learned counsel for the applicant for some time.

3. By filing the present Original Application, the applicant is seeking direction to the respondents to grant him extension of two years and re-appoint him on the post of Police Patil of village Nimgaon Jali, Tq. Sangamner, Dist. Ahmednagar as a special case.

4. Learned counsel for the applicant submits that the applicant came to be retired on 03.04.2023 after completion of five years of his tenure and also on completion of 60 years. Learned counsel submits that the applicant is seeking directions to the respondents to take final decision to increase the age of retirement from 60 years to 62 years for the post of Police Patil.



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O.A. No. 419/2023

5. Learned Presenting Officer submits that the respondent No. 3 has already decided the application dated 01.04.2023 filed by the applicant by order 04.05.2023 (Annexure R-3). The applicant is now retired on attaining the age of 60 years. Unless the policy decision is taken about the extension of age, no extension to the tenure of the applicant as Police Patil can be granted.

6. Thus considering the entire aspect of the case, there is no reason to keep the present Original Application pending. If at all any policy decision is taken till the applicant attains the age of 62 years, applicant may submit an application for re-appointing him as Police Patil by considering the period of his earlier tenure. The Original Application is accordingly disposed of. No order as to costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 834 OF 2023**

**(Dr. Balasaheb Shankarrao Nagargoje Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. In compliance with the observations made by the Tribunal in the order dated 10.05.2024, learned Presenting Officer has placed before us a copy of communication dated 01.07.2024, which is marked 'X' of identification. On perusal of the same, it appears that the department has reinstated the applicant by revoking his suspension order. Learned P.O. thus submits that nothing survives for further consideration in the present Original Application.

3. Learned counsel for the applicant has vehemently submitted that after reinstatement of the applicant, he has been given posting as Medical Superintendent and before the suspension the applicant is working as Civil Surgeon. Learned counsel submits that the Medical Superintendent works under the Civil Surgeon.

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O.A. No. 834/2023

4. In view of above submissions, the applicant is at liberty to file Original Application challenging the said posting, if he so desire. However, there is no reason to keep the present Original Application pending. The Original Application is accordingly disposed of. No order as to costs.

**MEMBER (J)**

KPB ORAL ORDER 03.07.2024

**ORIGINAL APPLICATION NO. 697 OF 2022**  
(Mohammad Shahejada Mohammad Sultan Vs. State of Maharashtra & Ors.)

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri G.N. Kulkarni, learned counsel for the applicant (**Absent**). Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record along with spare copy for the applicant.

3. List the matte for filing rejoinder affidavit, if any and admission hearing on 23.07.2024.

**MEMBER (J)**

**M.A. No. 575/2023 in O.A. St. No. 2221/2023**  
**(Rajabhau B. Kulkarni Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri U.S. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that respondent No. 4 has been duly served and the service affidavit will be filed in the office today itself.

3. Learned counsel Shri Kartik Mundhe, submits that he has instructions to appear on behalf of respondent Nos. 3 & 4 and seeks time to file affidavit in reply. Time granted.

4. S.O. to 23.08.2024 for filing affidavit in reply.

**MEMBER (J)**

**M.A. No. 94/2023 in O.A. St. No. 171/2024**  
(Amolsinh P. Gour Vs. State of Maharashtra & Ors.)

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, returnable date is extended by six weeks.

3. S.O. to 21.08.2024.

**MEMBER (J)**

KPB ORAL ORDER 03.07.2024

**ORIGINAL APPLICATION NO. 1014 OF 2023**  
(Ashok B. Zamkade Vs. State of Maharashtra & Ors.)

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Smt. Mayuri Kasturkar, learned counsel holding for Shri Masood C. Syed, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicant, re-issue notices to the respondents, returnable on 18.09.2024.

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

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

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

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 18.09.2024.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 188 OF 2022**  
**(Gorakh M. Shinde Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri G.L. Awale, learned counsel for the applicant (**Absent**). Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 12.09.2024 as a last chance for hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 285 OF 2022**  
**(Shashikant D. Guntoorkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri M.A. Golegaonkar, learned counsel for the applicant (**Absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 13.09.2024 as a last chance for hearing.

**MEMBER (J)**

**O.A. Nos. 672, 673 & 674 all of 2022**  
**(Dinesh R. Chaoudhari Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Shri P.S. Jadhav, learned counsel holding for Shri S.N. Pagare, learned counsel for the applicant in all these O.As. and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these O.As.

2. The present matters are reserved for orders.

**MEMBER (J)**

KPB ORAL ORDER 03.07.2024

**ORIGINAL APPLICATION NO. 836 OF 2022**  
**(Shravan Y. Khairnar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri V.P. Golewar, learned counsel holding for Shri A.S. Sawant, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 18.09.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1010 OF 2022**  
**(Khurshid Begum Mohd. Moosa Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri A.G. Dalal, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer seeks leave to file separate affidavits in reply on behalf of respondent Nos. 2 and 3 respectively, when the matter is posted for hearing. Leave granted. Affidavits in reply are accepted and copies thereof are given to learned counsel for the applicant today itself.

3. Learned counsel for the applicant seeks time to go through the said affidavits in reply and file rejoinder affidavit, if necessary. Time granted.

4. S.O. to 20.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 353 OF 2023**  
**(Satyabhama R. Ubale Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 08.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NOS. 372 & 373 BOTH  
OF 2023**

**(Raosaheb S. Deshmukh & Dhanraj P. Kankriya Vs. State of  
Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicants in both the O.As. and Shri A.P. Basarkar & Smt. Resha Deshmukh, learned Presenting Officers for the respondent authorities in respective O.As., are present.

2. I have heard learned counsel for the applicants for some time.

3. Learned counsel for the applicant has mainly relied upon the following three cases :-

- (i) Devidas Bhiku Borker and Ors. Vs. State of Maharashtra and Anr., reported in 2011(6) Mh.L.J. 331.
- (ii) O.A. No. 550/2019 (Kashinath S/o Govindrao Ghumre Vs. The State of Maharashtra and Ors.), decided on 23.11.2021.
- (iii) State of Maharashtra Vs. Meena A. Kuwalekar and other connected W.Ps., reported in 2016 SSC OnLine Bom 2497, decided on 28.04.2016.

//2//

4. Learned Presenting Officer submits that being aggrieved by the judgment and order passed in O.A. No. 550/2019, the State of Maharashtra has preferred W.P. bearing No. 8123/2022, which is still pending before the Hon'ble High Court of Bombay, Bench at Aurangabad.

5. Learned Presenting Officer is thus directed to place before this Tribunal a copy of memo of said W.P. No. 8123/2022 on the next date of hearing.

6. S.O. to 21.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 417 OF 2023**  
**(Chandrashekhar P. Nikam Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks leave to file affidavit in reply on behalf of sole respondent. Leave granted. Affidavit in reply is accepted and copy thereof is already given to learned counsel for the applicant.

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

4. S.O. to 24.07.2024 for hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 139 OF 2017**  
**(Shaikh Liyakat Shaikh Dildar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant submits that similarly situated employee viz. Sunil S/o Vitthal Jagtap has approached this Tribunal by filed O.A. No. 944/2016 and by judgment and order dated 11.08.2022, this Tribunal has allowed the said O.A. in terms of prayer clause. Learned counsel submits a copy of G.R. dated 20.02.2024 and submits that in view of the decision taken by this Tribunal in the aforesaid O.A., the Government has also issued G.R. Same is taken on record.

3. The present matter is reserved for orders.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 174 OF 2017**  
**(Dr. Madhav F. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant submits that the respondent authorities have submitted one page chart and there is a vast difference between the chart submitted by the applicant so also respondent authorities.

3. In view of above submissions, since the applicant has filed chart before this Tribunal, which runs into 15 pages, the respondents shall explain the difference, as pointed out by learned counsel for the applicant, by filing short affidavit on the next date of hearing.

4. S.O. to 24.07.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 580 OF 2017**  
**(Subhmangal S. Bhakt Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri M.B. Kolpe, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 09.07.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 581 OF 2017**  
**(Mangal S. Kathar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri D.T. Devane, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 09.07.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 104 OF 2024**  
**(Vishnu S. Darade Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri Gajanan Kadam, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri H.P. Jadhav, learned counsel for respondent Nos. 3 & 4, are present.

2. At the request of learned counsel for the applicant, S.O. to 12.07.2024 for hearing. Status quo granted earlier to continue till then.

3. **The present matter be placed in urgent admission category.**

**MEMBER (J)**

**M.A.244/2024 IN M.A. 245/2024 IN O.A.ST.938/2024  
(Shaikh Ashpak Shaikh Karimand & Ors. Vs. State of  
Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri A.V. Patil, learned counsel for the applicants, is **absent**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. Heard the learned Present Officer for the respondents.

3. All the applicants worked under the respondents as daily wages employees. By filing the accompanying Original Application they are seeking regularization of services and creation of supernumerary post. They have got the similar cause of action with similar prayer.

4. In view of same and for the reasons stated in the application, to avoid the multiplicity, Misc. Application is allowed. The applicants are permitted to sue/prosecute jointly the Original Application filed by them, subject to payment of court fee stamps, if not paid.

5. The present M.A.No. 244/2024 stands disposed of accordingly without any order as to costs.

**MEMBER (J)**

**M.A.NO. 245/2024 IN O.A.ST.NO. 938/2024  
(Shaikh Ashpak Shaikh Karimand & Ors. Vs. State of  
Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri A.V. Patil, learned counsel for the applicants, is **absent**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. Issue notice to respondents in M.A., returnable on 10.09.2024.

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

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

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

//2// M.A.No. 245/2024 in  
O.A.St.No. 938/2024

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 10.09.2024.

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

**MEMBER (J)**

SAS ORAL ORDER 03.07.2024



**M.A.NO. 261 OF 2024 IN O.A.ST.NO. 1301 OF 2024  
(Dr. Gopal P. More Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. Except the objection about limitation, the learned counsel for the applicant is requested to remove all the office objections.

3. S.O. to 04.07.2024.

**MEMBER (J)**

SAS ORAL ORDER 03.07.2024

**ORIGINAL APPLICATION NO. 675 OF 2024**  
**(Amol U. Kadam Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Shri Nilesh N. Bhagwat, learned counsel holding for Shri S.D. Kotkar, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. The office has raised objection that the Original Application is barred by limitation in terms of prayer clause 'B'.

3. Learned counsel for the applicant seeks time to file an application for condonation of delay. Time granted.

4. S.O. to 18.07.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 677 OF 2024  
(Nana T. Ware Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri Rahul Dhase, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant. The returnable date is extended by nine weeks.

3. S.O. to 12.09.2024.

**MEMBER (J)**

**Later On:-**

Shri Rahul Dhase, learned counsel for the applicant present.

2. At the request of learned counsel for the applicant, the returnable date is extended by four weeks.

3. S.O. to 08.08.2024.

**MEMBER (J)**

1. **ORIGINAL APPLICATION ST.NO. 1221 OF 2024**  
(Dr. Dilip Ramkrishnarao Tandale Vs. State of Maharashtra & Ors.)
2. **ORIGINAL APPLICATION ST.NO. 1222 OF 2024**  
(Dr. Bhaskar Sadashivrao Borgaonkar Vs. State of Maharashtra & Ors.)

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Shri P.R. Tandale, learned counsel for the applicants in both these O.As., Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities in O.A.St.No. 1221/2024 and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities in O.A.St.No. 1222/2024.

2. The office has raised the objection that the Original Applications are barred by limitation in view of order dated 18.10.2019.

3. Learned counsel for the applicants submits that the applicants had filed O.A.No. 229/2015 & O.A.No. 230 of 2015 respectively challenging thereby the communications dated 09.02.2015 & 30.01.2015 respectively issued by the respondent No.3 therein and also sought the direction to extend the benefit of

//2/ O.A.St.Nos. 1221 & 1222 of 2024

‘revised in service Assured Progress Scheme’ to the applicants as per the various G.Rs. dated 01.04.2010, 05.07.2010, 01.07.2011 and 06.09.2014 w.e.f. their entitlement to such scheme.

4. By judgment and order dated 14.09.2016, the Maharashtra Administrative Tribunal, Bench at Aurangabad has allowed the said O.As. Being aggrieved by the same, the State has preferred the Writ Petition Nos. 4714/2017 and 4715/2017 respectively and also preferred the Writ Petitions against the applicants to whom the similar benefits have been extended. By order dated 08.10.2018, the Division Bench of Hon’ble High Court of Bombay, Bench at Aurangabad has confirmed the order passed by this Tribunal and disposed of the Writ Petitions. Learned counsel for the applicants submits that being aggrieved by the same, the State has preferred the SLP before the Hon’ble Apex Court, however, the said SLP came to be dismissed.

5. Learned counsel for the applicants submits that thereafter since the order passed in the aforesaid O.A.Nos. 229/2015 & O.A.No. 230/2015 was not complied with, the applicants filed

Contempt Petition Nos. 36/2019 & 37/2019 respectively in the aforesaid O.As. During pendency of the said C.Ps., the respondent authorities have passed the order dated 18.10.2019 (which date is considered by the office for the purpose of delay), however, the actual benefits in terms of said order were extended to the applicants and other similarly situated employees on 24.05.2021 & 28.06.2021 respectively.

6. Learned counsel for the applicants submits that during pendency of the said Contempt Petitions, the Division Bench of this Tribunal has directed the present applicants to prefer a detailed representation since the applicants have attempted to bring to notice of Division Bench of this Tribunal certain infirmities in compliance of the order passed by the respondents and the Regional Joint Commissioner of Animal Husbandry, Latur Region, Latur is directed to decide said representation within two weeks.

7. Learned counsel for the applicants submits that the applicants have thereafter submitted detailed representation dated 22.04.2022 to the Joint Secretary, Animal Husbandry Department and

//4/ O.A.St.Nos. 1221 & 1222 of 2024

by communication dated 20.06.2022, the Regional Joint Commissioner, Animal Husbandry, Latur Region, Latur has justified the order passed in response to the decision rendered in the aforesaid O.A.Nos. 229/2015 & 230/2015.

8. Learned counsel for the applicants in pending C.P.No. 36/2019 in O.A.No. 229/2015 & C.P.No. 37/2019 in O.A.No. 230/2015 has pointed out the infirmities to the extent that they are entitled to receive Grade Pay of Rs. 6,600/- but instead of that the respondents have paid the Grade Pay of Rs. 6,400/-. In the backdrop of the contentions raised by the applicants, the Division Bench of this Tribunal has held that the respondents have not willfully disobeyed the order passed by this Tribunal and disposed of the Contempt Petitions with the observation that the petitioners in the C.Ps. (present applicants) are not remediless and can very-well avail the appropriate remedy. The said C.Ps. came to be disposed of by order dated 11.01.2024. Thereupon the applicants have filed the present Original Applications. I fully agree with the submissions made on behalf of applicants that the delay if any has to be counted from the date

//5/ O.A.St.Nos. 1221 & 1222 of 2024

11.01.2024 and not from the date 18.10.2019. Thus there is no delay in filing the Original Applications. The office objection therefore stands overruled.

9. Issue notice to respondents in both these O.As., returnable on 13.09.2024.

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

11. 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.

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



//6/ O.A.St.Nos. 1221 & 1222 of 2024

compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

14. S.O. to 13.09.2024.

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

**MEMBER (J)**

SAS ORAL ORDER 03.07.2024

**ORIGINAL APPLICATION NO. 296 OF 2024**

1) Santosh Rangnath Kuklare

2) Pramod Rangnath Bhingare

3) Dnyaneshwar Bhimraj Kuklare ...Applicants.

**VS.**

**The Special Inspector General of Police  
Chatrapati Sambhaji Nagar, Youth Hostel  
Chatrapati Sambhaji Nagar.**

**...Respondent.**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicants submits that during pendency of this Original Application by order dated 28.06.2024, the applicant No.1 namely Santosh Rangnath Kuklare came to be transferred from Dharashiv to Jalna. Learned counsel for the applicants has placed the copy of said order dated 28.06.2024 before this Tribunal. The same is taken on record and marked as document 'X' for the purpose of identification.

3. Learned counsel for the applicants thus seeks leave to withdraw this Original Application to the

//2// O.A.No. 296/2024

extent of applicant No.1 namely Santosh R. Kuklare.  
Leave granted.

4. The Original Application of applicant No. 1 is disposed of as withdrawn to his extent. No costs.

5. Learned counsel for the applicant Nos. 2 & 3 on instructions seeks leave to withdraw their application. Learned counsel for the applicant Nos. 2 & 3, however, submits that the applicants have already submitted in detail the representations dated 13.06.2024 and 18.06.2024 respectively and the sole respondent may be directed to consider the same sympathetically as the original posts held by the applicants in Chhatrapati Sambhajinagar District are still vacant.

6. Learned Presenting Officer submits that it is already communicated by the sole respondent that due to ensuing State Assembly Elections, the request cannot be considered forthwith and the same will be considered as and when time come.

7. In view of same, the Original Application is disposed of as withdrawn with the directions to sole respondent to consider the representation dated

//3// O.A.No. 296/2024

18.06.2024 submitted by the applicant No.2 namely Pramod Rangnath Bhingare and the representation dated 13.06.2024 submitted by applicant No.3 namely Dnyaneshwar Bhimraj Kuklare sympathetically in terms of the contentions raised in their application/representation on its own merits. No costs.

**MEMBER (J)**

SAS ORAL ORDER 03.07.2024

**M.A.NO. 529/2023 IN O.A.NO. 1112 OF 2022  
(Mohammad Raza Khan Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for the applicant, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Shri M.B. Bharaswadkar, learned counsel for respondent No.3 in O.A.No. 1112/2022.

2. Learned P.O. submits that during course of the day the Misc. Application would be filed for vacating the interim order.

3. S.O. to 22.07.2024 for hearing. The interim relief granted earlier in O.A. to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 672 OF 2023**  
**(Ganpat U. Radkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri A.A. Khande, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant.

3. At the request of learned P.O., S.O. to 19.07.2024 for hearing.

**MEMBER (J)**

**M.A.NO. 227/2024 IN O.A.ST.NO. 1116/2024  
(Shrikant Ratnakar Deshpande Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Shri Anudeep D. Sonar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents in M.A., returnable on 28.08.2024.

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

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

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

//2// M.A.No. 227/2024 in  
O.A.St.No. 1116/2024

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 28.08.2024.

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

**MEMBER (J)**

SAS ORAL ORDER 03.07.2024



**ORIGINAL APPLICATION NO. 141 OF 2023  
(Rukhmin S. Mendhake Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 20.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 783 OF 2023**  
**(Surjeet Singh Chanda Singh Tabelewale Vs. State of**  
**Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits affidavit in rejoinder. The same is taken on record and copy thereof is given to learned P.O. today itself.

3. S.O. to 22.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 302 OF 2024  
(Seema V. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri Sunil P. Koli, learned counsel for the applicant, Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities and Shri V.P. Kadam, learned counsel for respondent No.4, are present.

2. Learned counsel for respondent No.4 submits affidavit in reply on behalf of said respondent. The same is taken on record and copy thereof is given to other side.

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

4. Pleadings completed. List the matter for admission hearing on 23.07.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1026 OF 2019  
(Keshav M. Soundarmal Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. The present Original Application is hereby partly allowed for the reasons to follow. No costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 147 OF 2022  
(Bhaskar D. Nelte Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri J.B. Choudhary, learned counsel for the applicant has filed a **leave note**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. This is a part heard matter.

3. In view of leave note of learned counsel for the applicant, S.O. to 01.08.2024 for further hearing.

**MEMBER (J)**

**M.A.NO. 122/2023 IN O.A.ST.NO. 418/2023  
(Rukhmin S. Mendhake Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 20.08.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 03.07.2024

**M.A.NO. 272/2023 IN O.A.ST.NO. 1086/2023  
(Ajaykumar S. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri J.B. Choudhary, learned counsel for the applicant has filed a **leave note**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note of learned counsel for the applicant, S.O. to 01.08.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 03.07.2024

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

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel holding for Shri S.B. Solanke, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 09.09.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 03.07.2024



**O.A.NOS. 670 TO 673 ALL OF 2021**  
**(Gokul D. Patil & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. Learned Presenting Officer submits that during course of the day the additional short affidavit will be filed.

4. Learned counsel for the applicants submits that the copy of the same is yet not received and he needs time to go through the same. Time granted.

5. S.O. to 01.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 691 OF 2019  
(Rajendra B. Potdar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned counsel holding for Shri A.N. Gaddime, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. This is a part heard matter.

3. At the request of learned counsel for the applicant, S.O. to 01.08.2024 for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 962 OF 2017  
(Bhausahab Baburao Rayate Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Shri A.S. Bayas, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. The present matter is reserved for order.

**MEMBER (J)**

SAS ORAL ORDER 03.07.2024

**ORIGINAL APPLICATION NO. 511 OF 2022**  
(Sandip R. Patil Vs. State of Maharashtra & Ors.)

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri M.G. Patil, learned counsel for the applicant (**Absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 & 2. Same is taken on record along with spare copy for the applicant.

3. List the matte for filing rejoinder affidavit, if any and admission hearing on 22.08.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 419 OF 2023**  
**(Dilip Vitthalrao Dengale Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. I have heard learned counsel for the applicant for some time.

3. By filing the present Original Application, the applicant is seeking direction to the respondents to grant him extension of two years and re-appoint him on the post of Police Patil of village Nimgaon Jali, Tq. Sangamner, Dist. Ahmednagar as a special case.

4. Learned counsel for the applicant submits that the applicant came to be retired on 03.04.2023 after completion of five years of his tenure and also on completion of 60 years. Learned counsel submits that the applicant is seeking directions to the respondents to take final decision to increase the age of retirement from 60 years to 62 years for the post of Police Patil.

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O.A. No. 419/2023

5. Learned Presenting Officer submits that the respondent No. 3 has already decided the application dated 01.04.2023 filed by the applicant by order 04.05.2023 (Annexure R-3). The applicant is now retired on attaining the age of 60 years. Unless the policy decision is taken about the extension of age, no extension to the tenure of the applicant as Police Patil can be granted.

6. Thus considering the entire aspect of the case, there is no reason to keep the present Original Application pending. If at all any policy decision is taken till the applicant attains the age of 62 years, applicant may submit an application for re-appointing him as Police Patil by considering the period of his earlier tenure. The Original Application is accordingly disposed of. No order as to costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 834 OF 2023**  
(Dr. Balasaheb Shankarrao Nagargoje Vs. State of Maharashtra & Ors.)

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. In compliance with the observations made by the Tribunal in the order dated 10.05.2024, learned Presenting Officer has placed before us a copy of communication dated 01.07.2024, which is marked 'X' of identification. On perusal of the same, it appears that the department has reinstated the applicant by revoking his suspension order. Learned P.O. thus submits that nothing survives for further consideration in the present Original Application.

3. Learned counsel for the applicant has vehemently submitted that after reinstatement of the applicant, he has been given posting as Medical Superintendent and before the suspension the applicant is working as Civil Surgeon. Learned counsel submits that the Medical Superintendent works under the Civil Surgeon.

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O.A. No. 834/2023

4. In view of above submissions, the applicant is at liberty to file Original Application challenging the said posting, if he so desire. However, there is no reason to keep the present Original Application pending. The Original Application is accordingly disposed of. No order as to costs.

**MEMBER (J)**

KPB ORAL ORDER 03.07.2024



**ORIGINAL APPLICATION NO. 697 OF 2022**  
(Mohammad Shahejada Mohammad Sultan Vs. State of Maharashtra & Ors.)

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri G.N. Kulkarni, learned counsel for the applicant (**Absent**). Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record along with spare copy for the applicant.

3. List the matte for filing rejoinder affidavit, if any and admission hearing on 23.07.2024.

**MEMBER (J)**

**M.A. No. 575/2023 in O.A. St. No. 2221/2023**  
**(Rajabhau B. Kulkarni Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri U.S. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that respondent No. 4 has been duly served and the service affidavit will be filed in the office today itself.

3. Learned counsel Shri Kartik Mundhe, submits that he has instructions to appear on behalf of respondent Nos. 3 & 4 and seeks time to file affidavit in reply. Time granted.

4. S.O. to 23.08.2024 for filing affidavit in reply.

**MEMBER (J)**

**M.A. No. 94/2023 in O.A. St. No. 171/2024**  
**(Amolsinh P. Gour Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, returnable date is extended by six weeks.

3. S.O. to 21.08.2024.

**MEMBER (J)**

KPB ORAL ORDER 03.07.2024

**ORIGINAL APPLICATION NO. 1014 OF 2023**  
(Ashok B. Zamkade Vs. State of Maharashtra & Ors.)

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Smt. Mayuri Kasturkar, learned counsel holding for Shri Masood C. Syed, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicant, re-issue notices to the respondents, returnable on 18.09.2024.

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

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

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

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 18.09.2024.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 188 OF 2022**  
**(Gorakh M. Shinde Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri G.L. Awale, learned counsel for the applicant (**Absent**). Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 12.09.2024 as a last chance for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 285 OF 2022**  
**(Shashikant D. Guntoorkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri M.A. Golegaonkar, learned counsel for the applicant (**Absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 13.09.2024 as a last chance for hearing.

**MEMBER (J)**

**O.A. Nos. 672, 673 & 674 all of 2022**  
**(Dinesh R. Chaoudhari Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Shri P.S. Jadhav, learned counsel holding for Shri S.N. Pagare, learned counsel for the applicant in all these O.As. and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these O.As.

2. The present matters are reserved for orders.

**MEMBER (J)**

KPB ORAL ORDER 03.07.2024

**ORIGINAL APPLICATION NO. 836 OF 2022**  
**(Shravan Y. Khairnar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri V.P. Golewar, learned counsel holding for Shri A.S. Sawant, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 18.09.2024 for hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 1010 OF 2022**  
**(Khurshid Begum Mohd. Moosa Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri A.G. Dalal, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer seeks leave to file separate affidavits in reply on behalf of respondent Nos. 2 and 3 respectively, when the matter is posted for hearing. Leave granted. Affidavits in reply are accepted and copies thereof are given to learned counsel for the applicant today itself.

3. Learned counsel for the applicant seeks time to go through the said affidavits in reply and file rejoinder affidavit, if necessary. Time granted.

4. S.O. to 20.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 353 OF 2023**  
**(Satyabhama R. Ubale Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 08.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NOS. 372 & 373 BOTH  
OF 2023**

**(Raosaheb S. Deshmukh & Dhanraj P. Kankriya Vs. State of  
Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicants in both the O.As. and Shri A.P. Basarkar & Smt. Resha Deshmukh, learned Presenting Officers for the respondent authorities in respective O.As., are present.

2. I have heard learned counsel for the applicants for some time.

3. Learned counsel for the applicant has mainly relied upon the following three cases :-

- (i) Devidas Bhiku Borker and Ors. Vs. State of Maharashtra and Anr., reported in 2011(6) Mh.L.J. 331.
- (ii) O.A. No. 550/2019 (Kashinath S/o Govindrao Ghumre Vs. The State of Maharashtra and Ors.), decided on 23.11.2021.
- (iii) State of Maharashtra Vs. Meena A. Kuwalekar and other connected W.Ps., reported in 2016 SSC OnLine Bom 2497, decided on 28.04.2016.

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4. Learned Presenting Officer submits that being aggrieved by the judgment and order passed in O.A. No. 550/2019, the State of Maharashtra has preferred W.P. bearing No. 8123/2022, which is still pending before the Hon'ble High Court of Bombay, Bench at Aurangabad.

5. Learned Presenting Officer is thus directed to place before this Tribunal a copy of memo of said W.P. No. 8123/2022 on the next date of hearing.

6. S.O. to 21.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 417 OF 2023**  
**(Chandrashekhar P. Nikam Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks leave to file affidavit in reply on behalf of sole respondent. Leave granted. Affidavit in reply is accepted and copy thereof is already given to learned counsel for the applicant.

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

4. S.O. to 24.07.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 139 OF 2017**  
**(Shaikh Liyakat Shaikh Dildar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant submits that similarly situated employee viz. Sunil S/o Vitthal Jagtap has approached this Tribunal by filed O.A. No. 944/2016 and by judgment and order dated 11.08.2022, this Tribunal has allowed the said O.A. in terms of prayer clause. Learned counsel submits a copy of G.R. dated 20.02.2024 and submits that in view of the decision taken by this Tribunal in the aforesaid O.A., the Government has also issued G.R. Same is taken on record.

3. The present matter is reserved for orders.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 174 OF 2017**  
**(Dr. Madhav F. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant submits that the respondent authorities have submitted one page chart and there is a vast difference between the chart submitted by the applicant so also respondent authorities.

3. In view of above submissions, since the applicant has filed chart before this Tribunal, which runs into 15 pages, the respondents shall explain the difference, as pointed out by learned counsel for the applicant, by filing short affidavit on the next date of hearing.

4. S.O. to 24.07.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 580 OF 2017**  
**(Subhmangal S. Bhakt Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri M.B. Kolpe, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 09.07.2024 for final hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 581 OF 2017**  
**(Mangal S. Kathar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri D.T. Devane, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 09.07.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 03.07.2024

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**ORIGINAL APPLICATION NO. 104 OF 2024**  
**(Vishnu S. Darade Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri Gajanan Kadam, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri H.P. Jadhav, learned counsel for respondent Nos. 3 & 4, are present.

2. At the request of learned counsel for the applicant, S.O. to 12.07.2024 for hearing. Status quo granted earlier to continue till then.

3. **The present matter be placed in urgent admission category.**

**MEMBER (J)**

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

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. The learned counsel for the applicant seeks leave to correct the name of applicant in the title clause. Leave granted. The necessary correction be carried out forthwith.

3. The present applicant applied for the post of Staff Nurse in pursuance of the advertisement issued on 14.02.2023. After having undergone the selection process the name of the applicant was included in the list of selected candidates. The applicant belongs to Scheduled Caste Category. However, having considered the marks secured by her she was recommended as Open candidate. The selected candidates were called for documents verification on 29<sup>th</sup> & 30<sup>th</sup> April, 2024. It is the case of the applicant that she did not come to know about the said dates for document verification and, as such, she could not remain present on the given dates

for the purpose of document verification. It is the contention of the applicant that she resides in rural area and because of non-availability of the net services in the said area she could not access the website of the recruiting body. It is the further contention of the applicant that she came to know about the dates of verification and the further progress in the selection process recently when she made enquiry with certain other candidates who had also appeared for the examination and were aspiring for their appointment. Learned counsel submitted that there was no reason for the applicant not to remain present for documents verification, but for the internet problem. Learned counsel in the circumstances while praying for issuance of notice to the respondents also prayed for interim relief seeking directions against the respondents to call present applicant for document verification and to verify her documents and if she satisfies the said criteria to consider her for appointment on the subject post.

3. Learned Presenting Officer tendered across bar communication dated 27.06.2024 received to the office of Chief Presenting Officer, wherein it is contended that the program for document verification was published on the website of the recruiting body on 25.04.2024. It is further submitted by Shri Pingle, learned Presenting

Officer that by way of abundant precaution emails were also forwarded to the concerned candidates informing about the dates for document verification and to remain present for the said verification. It is further submitted that the candidates who could not remain present on the given date i.e. on 29<sup>th</sup> or 30<sup>th</sup> April for some genuine reasons were permitted to appear for the document verification on 02.05.2024. However, the respondents have not acceded the requests thereafter received from other candidates and the selection process has been processed further. It is further contended that excluding the post reserved for Ex-serviceman all other posts have been filled in. In the circumstances, learned Presenting Officer prayed for rejecting the request for interim relief.

4. We have duly considered the submissions made by the learned counsel for the applicant and learned Presenting Officer for the respondent authorities. There appears no dispute as about the fact that the applicant is meritorious candidate and though she belongs to S.C. category on her merit she has secured the seat in the open category. The reason assigned by the applicant cannot be disbelieved at this stage for the reason that there appears no reason for the applicant not to remain present when she has scored good marks in the examination and was selected in the open category. In

the circumstances, we deem it appropriate to pass the following order: -

**ORDER**

(i) Issue notice to respondents, returnable on 30.07.2024. **The applicant shall remain present in the office of respondent No. 3 with the requisite documents on 09.07.2024 and the concerned officer or committee appointed for the said purpose shall verify the documents of the present applicant. Learned Presenting Officer to communicate this order today itself to the concerned office. If any change is to be effected in the date of document verification, the change shall be communicated to the learned counsel appearing for the applicant on his email id, so that he can inform accordingly to the applicant.**

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

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

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

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

(vi) S.O. to 30.07.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**C.P.NO. 9/2021 IN O.A.NO. 70/2018**  
**(Dadabhau T. Parte Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Ms. Preeti R. Wankhade, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer seeks time to file affidavit in reply. Time granted.
3. S.O. to 07.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.07.2024-HDD



**ORIGINAL APPLICATION NO. 885 OF 2022**  
**(Chandrakant Sitaram Nakhate Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. Learned Presenting Officer submits that during the course of the day affidavit in reply on behalf of respondent No. 2 will be filed and the payment of costs also be deposited. If affidavit in reply is filed the same be taken on record and copy thereof be given to the learned counsel for the applicant.

3. List the matter for hearing on 21.08.2024. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 680 OF 2024**  
**(Avinash Shankar Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. Learned Presenting Officer submits that he will take instructions in the matter and seeks time. Time granted.
3. S.O. to 08.07.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 651 OF 2024  
(Vidyanand Ramlal Dethe Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. Issue notice to the respondents, returnable on 23.07.2024. **The point of interim relief is kept open.**

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 23.07.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 517 OF 2024**  
**(Pradip Gokul Gangurde Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri M.V. Bhamre, learned counsel for the applicant (**absent**). Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, is present.

2. Learned counsel for the applicant is absent. On the previous date also nobody has caused appearance for the applicant. List the matter after one week. If nobody appears for the applicant on the next date, the necessary order would follow.

3. S.O. to 10.07.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**C.P.NO. 60/2024 IN O.A.NO. 374/2021**  
**(Pradeep Kishanrao Puri Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue simple notice to the respondents, returnable on 28.08.2024.

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

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

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

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

7. S.O. to 28.08.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 247/24 IN Rev. St.1338/24 IN O.A.238/20  
(State of Maharashtra & Ors. Vs. Balu S. Sumbe)**

**M.A.NO. 248/24 IN Rev. St.1348/24 IN O.A.248/20  
(State of Maharashtra & Ors. Vs. Bhagwan K. Govekar)**

**M.A.NO. 249/24 IN Rev. St.1352/24 IN O.A.243/20  
(State of Maharashtra & Ors. Vs. Somnath N. Gadhve)**

**M.A.NO. 250/24 IN Rev. St.1350/24 IN O.A.249/20  
(State of Maharashtra & Ors. Vs. Vivek V. Nikam)**

**M.A.NO. 251/24 IN Rev. St.1344/24 IN O.A.244/20  
(State of Maharashtra & Ors. Vs. Sandip S. Kale)**

**M.A.NO. 252/24 IN Rev. St.1336/24 IN O.A.246/20  
(State of Maharashtra & Ors. Vs. Dattatraya M. Devkate)**

**M.A.NO. 253/24 IN Rev. St.1346/24 IN O.A.245/20  
(State of Maharashtra & Ors. Vs. Dnyaneshwar J. Sonwane)**

**M.A.NO. 254/24 IN Rev. St.1342/24 IN O.A.242/20  
(State of Maharashtra & Ors. Vs. Bahiru K. Benke)**

**M.A.NO. 255/24 IN Rev. St.1340/24 IN O.A.239/20  
(State of Maharashtra & Ors. Vs. Rahul A. Tarwade)**

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

**AND**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Shri V.R. Bhumkar, learned Presenting Officer for the applicants in the present MAs, is present.

Shri S.R. Sapkal, learned counsel for the applicant in O.A. and Shri S.Y. Shinde, learned counsel for respondent Nos. 4 to 7, **are absent**.

2. Issue notice to the respondents in the present MAs, returnable on 23.08.2024.

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

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

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

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

7. S.O. to 23.08.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.07.2024-HDD

**C.P.NO. 17/2024 IN O.A.NO. 650/2022**  
**(Smt. Umabai Madhav Mane & Anr. Vs. State of Maha. & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri A.B. Rajkar, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 1 and the same is taken on record and copy thereof has been served on the learned counsel for the applicants.

3. List the matter for further consideration on 16.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.07.2024-HDD



**ORIGINAL APPLICATION NO. 969 OF 2023**  
**(Jyoti Ravindra Pansare Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri Bhushan Mahajan, learned counsel for the applicant (**absent**). Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer has filed short affidavit in reply on behalf of the respondent and the same is taken on record.

3. S.O. to 21.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 543 OF 2024**  
**(Mahendra Uttamrao Harpalkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri S.G. Kulkarni, learned counsel appeared today before this Tribunal and submits that learned counsel Shri Ajay S. Deshpande, learned counsel has received instructions from the applicant to appear on his behalf in the matter and has sought time to file **VAKALATNAMA.**

Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, is present.

2. S.O. to 22.07.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 56/2022 IN O.A.NO. 405/2021**  
**(Dinesh Navnath Karande Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. The present Misc. Application has been filed by the applicant seeking leave of this Tribunal to bring on record subsequent events which are having nexus with the pleadings and prayers made in the O.A.

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

4. In view of the subsequent events which have nexus with the prayer made in the O.A., the amendment application is allowed. Amendment be carried out within one week.

5. It would be open for the respondents to file affidavit in reply, if they so desire to the amended portion of the OA.

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**M.A. NO. 56/2022 IN**  
**O.A.NO. 405/2021**

6. The Misc. Application stands disposed of with no order as to costs.

7. The Original Application to come for hearing on 23.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.07.2024-HDD

**ORIGINAL APPLICATION NO.686 OF 2024**  
**(Dnyaneshwari D/o Atmaram Mirkale Vs. the Secretary,**  
**Maharashtra Public Service Commission, Mumbai.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Ms. Chaitali V. Sheth, learned Counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent Commission.

2. Applicant has applied for Group-C post in pursuance of the advertisement bearing no.111/2023 issued on 13.10.2023. Applicant appeared in the examination which was held on 17.12.2023. It is the case of the applicant that, in the upper part of the answer-sheet the applicant though filled in all other information, inadvertently, did not blacken the relevant circle pertaining to Question Booklet Series number. It is the grievance of the applicant that for the lapse as aforesaid, the answer-sheet of the applicant has not been assessed.

3. Learned Counsel submitted that, in the identical set of facts the Principal Bench of the

Tribunal at Mumbai has passed an order in O.A.No.473/2024 with M.A.No.310/2024 on 13.05.2024. Learned Counsel submits that the Principal Bench of the Tribunal at Mumbai has permitted the applicant before it to mention question booklet series number and darken the circle provided for alphabet 'D' in the answer sheet and has further directed the Maharashtra Public Service Commission (MPSC) to assess answer-sheet of the said applicant, communicate result of the examination and allow her to participate in the further selection process, if she is found eligible for the same.

4. Learned Counsel submits that in the present matter further process of conducting skill test has commenced from 01.07.2024 and will continue till 13.07.2024. Learned Counsel in the circumstances has prayed for similar order as has been passed by the Principal Seat at Mumbai in O.A.No.473/2024 with M.A.No.310/2024.

5. Learned Presenting Officer submits that, he will take instructions whether the answer-sheet of

the applicant has been assessed or not and has prayed for keeping the matter after a few days.

6. We do not find any reason for adjourning the matter since from the record it clearly appears that, answer-sheet of the applicant has not been assessed as the column pertaining to code of Question Booklet Series is not filled.

7. We have perused the order passed by the Principal Seat of this Tribunal at Mumbai in O.A.No.473/2024 on 13.05.2024. Similar facts as existed in the matter before the Principal Seat are existing in the present matter. In the said matter also Question Booklet Series was remained to be disclosed as is in the present matter. In the circumstances, we are inclined to pass the similar order as was passed in the aforesaid matter. Hence, the following order:

ORDER

[i] Respondent is directed to allow the applicant to write 'D' in the column provided for mentioning Question Booklet Series and darken the circle

provided for alphabet 'D' in the answer-sheet bearing no. 4255220.

[ii] Respondent is further directed to assess the answer-sheet for both the subjects i.e. English & Marathi as well as General Aptitude Test and declare the result of the same

[iii] Respondent shall permit the applicant to participate in the skill assessment test scheduled to be conducted between 01.07.2024 to 13.07.2024, if the applicant passes the written examination.

[iv] Applicant shall remain present in the office of MPSC on 08.07.2024 for carrying out the necessary compliance.

[v] Learned PO shall intimate the order to the respondent, immediately by fastest mode of communication.

[vi] Steno copy may be provided to the learned PO on his request.

[vii] O.A. stands disposed of in the aforesaid terms, however, without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**



**ORIGINAL APPLICATION ST. NO. 1250/2024**  
**(Dr. Harichandra T. Kokani Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Shri S.A. Raut, learned counsel holding for Shri N.L. Chaudhari, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. The learned counsel for the applicant seeks leave to correct the address of the applicant. It is submitted that inadvertently previous address of the applicant is being given in the O.A. It is further contended that the applicant is presently working at Nandurbar and is eligible to be promoted to the post of District Health Officer.

3. In view of the fact that the applicant is residing at Nandurbar i.e. within the territorial jurisdiction of this Tribunal, the objection as has been raised by the Registry cannot be sustained.

4. Issue notice to respondents, returnable on 26.08.2024.

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

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**O.A. ST. NO. 1250/2024**

6. 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.

7. 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.

8. 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.

9. S.O. to 26.08.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 03.07.2024

**M.A. NO. 235/2024 IN O.A. ST. NO. 1255/2024**  
**(Nitesh Shivaji GhugeVs. The State of Maharashtra & Ors.)**

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

**AND**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Shri V.S. Kadam, learned counsel holding for Shri P.C. Kale, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents on the application for condonation of delay, returnable on 27.08.2024.

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

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

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

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

7. S.O. to 27.08.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A. ST. 1216/2024 IN O.A. ST. NO. 1217/2024**  
**(Suresh Madhavrao Bokade Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. The objection as about the territorial jurisdiction cannot be sustained for the reason that the applicant retired on attaining the age of superannuation at Sengaon, Dist. Hingoli, which falls within the territorial jurisdiction of this Bench of the Tribunal. Since the dispute is in respect of the revision of pay scale, the cause of action can be said to have occurred at the place, where the applicant retired on attaining the age of superannuation. The objection raised by the Registry, therefore, stands rejected.

3. Issue notice to respondents in M.A., returnable on 27.08.2024.

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

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**M.A. ST. 1216/2024 IN**  
**O.A. ST. NO. 1217/2024**

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 27.08.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 03.07.2024

**ORIGINAL APPLICATION ST. NO. 1000/2024**  
**(Varsharani Sudhakar Chavhan Vs. The State of Maharashtra & Ors.)**

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

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

**DATE : 03.07.2024**

**ORAL ORDER :**

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

2. The Office has raised an objection as about filing of appeal before the appellate authority and during pendency of the said appeal filing of the present Original Application. According to office note, the matter is pre-mature.

3. When the present matter is taken up for consideration today, the learned counsel for the applicant submits that till today the first appellate authority has not decided the appeal preferred by the applicant on 11.11.2023. The present Original Application is filed in the month of April, 2024 and in the circumstances the office has rightly raised an objection that the O.A. is prematurely filed. The said objection however now may not sustain since the O.A. was not circulated for even first order and it is

being circulated after the period of 06 months. The objection, therefore, does not sustain.

4. Issue notice to respondents, returnable on 27.08.2024.

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

6. 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.

7. 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.

8. 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.

9. S.O. to 27.08.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 594/2023**  
**(Smt. Sandhya S. Shinde Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Heard Shri Ajinkya Reddy, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri Avinash S. Deshmukh, learned counsel for respondent no. 05.

2. S.O. to 5.07.2024. **Part Heard.**

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 03.07.2024



**ORIGINAL APPLICATION NO. 311/2019**

**(Rekha Indrapal Nanikhedkar Vs. The State of Maharashtra & Ors.)**

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

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri Mayur Subhedar, learned counsel holding for Shri C.V. Dharurkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has placed on record the communication dated 03.07.2024 received to the office of the Chief Presenting Officer. It is taken on record and copy thereof has been given to the learned counsel for the applicant. Learned counsel submits that he will take necessary instructions and will make his submissions on the next date.

3. S.O. to 26.07.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 367/2022**  
(Ikramoddin Khiyamoddin Khatib Vs. The State of Maharashtra  
& Ors.)

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

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri Rhshikesh A. Joshi, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Arguments of both the sides are concluded.
3. The matter is closed for orders.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 03.07.2024

**M.A. NO. 82/2024 IN O.A. NO. 673/2023**  
**(Gajanan B. Darade Vs. The State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**  
**DATE : 03.07.2024**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. This is an application seeking leave to amend the O.A. By way of an amendment, the subsequent events are intended to be brought on record with contextual prayer. Hence, we pass the following order:-

**ORDER**

- (i) The Misc. Application is allowed.
- (ii) The applicant is permitted to amend the O.A.
- (iii) The necessary amendment be carried out within one week and copy of amended O.A. be supplied to learned P.O.
- (iv) It would be open for the respondents to submit additional reply to the amended portion, if they so desire.
- (v) No order as to costs.
- (vi) O.A. to come up on Board on 19.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A. 124/2024 WITH M.A. 69/24 IN O.A. 1048/2023**  
**(Muladharan Prkalpagrasth Kruti Samiti, Ahmednagar through**  
**its Secretary Maruti S. Bachkar Vs. The State of Maharashtra &**  
**Ors.)**

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

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri Pratik Talwar, learned counsel holding for Shri A.B. Kale, learned counsel for the applicant in M.A. No. 124/2024 & O.A. No. 1048/2024, Shri B.R. Survase, learned counsel for the applicants in M.A.. No. 69/2024 and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in all these matters, are present.

2. S.O. to 09.07.2024. Interim Relief granted earlier in O.A. to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 03.07.2024

**ORIGINAL APPLICATION NOS. 48 AND 61 OF 2024**  
**(Dr. Dadasaheb W. Salunke & Ors. Vs. The State of Maharashtra**  
**& Ors.)**

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

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

**DATE : 03.07.2024**

**ORAL ORDER :**

Shri M.R. Kulkarni, learned counsel holding for Shri J.S. Deshmukh, learned counsel for the applicants in both the matters and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in both these matters, are present.

2. S.O. to 23.07.2024. Interim Relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**