

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Division Bench

Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

And

THE HON'BLE SHRI. BIJAY KUMAR, MEMBER (A)

Date: -03/07/2023

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Urgent Admission Matters						
1	OA664/22	Jalana	Adv.R.O. Awasarmol (Vinod J Sonune&Ors.)	Result/ Interview	Urgent Admission As Per Order dtd.26.06.2023 Reply Filed by R-1	26.7.2023
2	OAS1718/22	Latur	Adv.A.D. Gadekar Adv.A.D. Gadekar has Filed Leave Note On 03/07/2023 (Dinkara R Bhosarikar) <u>Adv.Anilkumar B Dhongde</u> <u>For R.Nos. 3 & 4</u>	Major Punishment (Recovery)	With Office Objection	3.8.2023
3	CPS1991/23 In OA485/20	Beed	Adv.Preeti R Wankhade (Vijay S Jadhav)	Contempt Petition	Circulation with Office Objection	6.7.2023
4	MA222/23 In OA182/23	J'gaon	Adv.M.P. Tripathi (Umesh B Jadhav)	M.A. For Amendment		
5	OA368/23	Beed	Adv.K.J. GhutePatil (Sadashiv Y Gaikwad)	Departmental Enquiry		20.7.2023
6	OA472/23	A'nagar	Adv.V.B. Wagh (Bajirao E Gadade)	Promotion		17.7.2023
7	OA516/23	A'bad	Adv.V.V. Deshmukh (Yogesh S Kharde)	Selection Process		24.7.2023

8	OA517/23	J'gaon	Adv.C.V. Dharurkar (Nitin U Nikam)	Compulsory Retirement		10.8.2023
9	OAS1002/23	Jalna	Adv.K.B. Jadhav (Babasaheb B Karjatkar)	Dismissal	with Office Objection	21.8.2023
10	OA430/22	A'bad	Adv.R.O. Awasarmol (Swanand B Thorve&Ors.)	Selection/ Appointment	Circulation	26.7.2023
11	MA271/23 In OA677/22	A'bad	Adv.K.G. Salunke (Ambrish K Bhusane)	M.A. For I.R.	Circulation	18.7.2023
12	OA105/21	A'bad	Adv.C.V. Dharurkar (Smita K Suryawanshi&Ors.)	Seniority	High On Board Time Bound by Hon'ble High Court Reply Filed by Respondents	10.7.2023
Order Matters						
13	MA158/22 In OAS1221/21	J'gaon	Adv.N.L. Choudhary (AzroddinMaheboobPinjari) <u>Adv.B.G. Deshmukh for R.No.8</u>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-4	31.7.2023
14	MA181/23 In MA526/22 In MA385/22 In OAS1402/22	Dhule	Adv.SuchitaDhongde (Subhasj R Mahajan&Ors.) <u>Adv.Sunita D Shelke for R.No.4 in MA385/22 in OAS1402/22</u>	M.A. For Amendment		21.8.2023
High On Board Matters						
15	OA491/13	J'gaon	Adv.S.D. Joshi/ Adv.AshishRajkar (Devidas T Patil)	Recovery/ Departmental Enquiry	<u>Part Heard</u> Reply Filed by R-1 to R-4	25.7.2023
16	OA487/16	A'bad	Adv.A.N. Ansari (Mohammed Badar Akbar Siddiqui)	Punishment	<u>Part Heard</u> Reply Filed by R-1 to R-3 For Reply For R-4	25.7.2023

17	OA350/22	A'bad	Adv.K.G. Salunke (Pralhad C Shelke)	Seniority/ Promotion	Part Heard Reply Filed by R-2 to R-5	10.7.2023
18	OA845/17	A'nagar	Adv.K.B. Jadhav (Rambhau L Kuskar)	Promotion/ Deem Date/ Protection of Pay Scale	High on Board Reply Filed by R-1 to R-5	28.7.2023
19	OA147/18	O'bad	Adv.Nagesh G Talekar/ Adv.Pankaj B Bharat (Dashrath G Shinde)	Promotion	High On Board Reply Filed by R-2 to R-6	27.7.2023
20	OA148/18	O'bad	Adv. Nagesh G Talekar/ Adv.Pankaj B Bharat (Uttam E Mudiraj)	Promotion	High On Board Reply Filed by R-2 to R-6	27.7.2023
21	OA1149/22	Latur	Adv.V.R. Kalyankar/ Adv.P.P. Dama (Dileep M Devkate)	Seniority List	High On Board Reply Filed by R-1 & R-3	27.7.2023
Due Admission Matters						
22	CP33/23 In OA14/23	Nanded	Adv.P.R. Wankhade (Rajesj N Kadam)	Contempt Petition	For Hearing Reply Filed by R-2	6.7.2023
23	CP34/23 In OA15/23	Nanded	Adv.P.R. Wankhede (Balaji G Magre)	Contempt Petition	For Hearing Reply Filed by R-2	6.7.2023
24	CP35/23 In OA16/23	Nanded	Adv.P.R. Wankhede (Vilas N Ingle)	Contempt Petition	For Hearing Reply Filed by R-2	6.7.2023
25	OA392/18	N'bar	Adv.Sachin G Joshi (Chandrakant R Kapse) <u>Adv.Uttam S Dambale for R.Nos.5 to 7 & 9</u>	Promotion/ Seniority	For Hearing Reply Filed by R-1 & R-2	17.8.2023
26	OA650/18	Hingoli	Adv.S.D. Dhongde (Shivaji R Phalegaonkar)	Promotion/ Seniority	For Hearing Reply Filed by R-3	21.8.2023
27	OA685/19	N'bar	Adv.S.D. Joshi (Shivaji R Thakare)	Departmental Enquiry/ Recovery	For Hearing Reply Filed by R-3	3.8.2023

28	OA708/19 with	Hingoli	Adv.J.S. Deshmukh (Dr. Udaykumar T Helkar) <u>Adv.V.V. Bhavthankar for R.No.4</u>	Condonation of Technical Breaks	For Hearing Reply Filed by R-1 to R-3	17.8.2023
29	OA709/19 With	Beed	Adv.J.S. Deshmukh (Dr.Santosh K Gunjkar)	Condonation of Technical Breaks/ Revised Pay Fixation	For Hearing Reply Filed by R-1 to R-3	17.8.2023
30	OA710/19 With	Jalna	Adv.J.S. Deshmukh (Dr.SK IrfanUsman)	Condonation of Technical Breaks/ Revised Pay Fixation	For Hearing Reply Filed by R-1 to R-3	17.8.2023
31	OA711/19 With	Jalna	Adv.J.S. Deshmukh (Dr.Parvez J Quershi) <u>Adv.M.S. Shendge for R.Nos.3 & 4</u>	Condonation of Technical Breaks/ Revised Pay Fixation	For Hearing Reply Filed by R-1 to R-3	17.8.2023
32	OA712/19 with	Beed	Adv.J.S. Deshmukh (Dr.Pravin S Deshmukh)	Condonation of Technical Breaks/ Revised Pay Fixation	For Hearing Reply Filed by R-1 to R-4	17.8.2023
33	OA781/19 with	J'gaon	Adv.J.S. Deshmukh (Dr.Mohansing B Rathod) <u>Adv.S.R. Dheple for R.No.3</u>	Condonation of Technical Breaks/ Increments	For Hearing Reply Filed by R-1 to R-4	17.8.2023
34	OA782/19 With	P'bhnai	Adv.J.S. Deshmukh (Dr.Santosh A Deshmukh)	Condonation of Technical Breaks/ Increments etc.	For Hearing Reply Filed by R-1 to R-4	17.8.2023
35	OA1052/19 With	P'bhnai	Adv.J.S. Deshmukh (Dr.Rameshwar G Rodge)	Condonation of Technical Breaks/	For Hearing Reply Filed by R-1 to R-4	17.8.2023
36	OA1053/19 with	P'bhnai	Adv.J.S. Deshmukh (Dr.Jayashree A Jadhav)	Condonation of Technical Breaks/	For Hearing Reply Filed by R-1 to R-3	17.8.2023
37	OA1054/19 with	Beed	Adv.J.S. Deshmukh (Dr.Ravikant A Choudhare)	Condonation of Technical Breaks/	For Hearing Reply Filed by R-1 to R-4	17.8.2023

38	OA1055/19	Beed	Adv.J.S. Deshmukh (Dr.Rajashri B Shinde)	Condonation of Technical Breaks/ Increment/ Leave	For Hearing Reply Filed by R-1 to R-4	17.8.2023
39	OA1035/19	A'bad	Adv.V.B. Wagh (Dr. Sonali B Sayamber)	Challenging G.R./ Refixation of Pay Scale	For Hearing Parawise Comment Filed by R-1 to R-5	17.8.2023
40	OA190/20	A'bad	Adv.V.B. Wagh (Rajendra S Aware)	Pay Protection/ Pay Fixation	For Hearing Reply Filed by R-1 to R-3	17.8.2023
41	OA354/20	Latur	Adv.Avinash S Deshmukh Adv.Avinash S Deshmukh has Filed Leave Note From 30/06/2023 & 03/07/2023 to 05/07/2023 (Suresh L Kamthane) <u>Adv.V.B. Wagh for R.Nos.4, 6 & 7</u>	Challenging G.R./ Seniority	For Hearing Reply Filed by R-1 to R-3 & Reply Filed by R-4, R-6 to R-7	21.8.2023
42	OA373/20	O'bad	Adv.V.B. Wagh (Rohan S Jadhav)	Appointment	For Hearing	21.8.2023
43	OA564/20	J'gaon	Adv.Suchita A Dhongde (Shantaram P Patil&Ors.) <u>Adv.Sunita D Shelke for R.No.3</u>	Challenging G.R.	For Admission	5.9.2023
44	OA249/21 With	A'bad	Adv.J.S. Deshmukh (Dr. Pandit R Rathod&Ors) <u>Adv. Rakesh Jain for R.No.6</u> <u>Adv.B.S.ShindeFor R.No.2</u> <u>Adv.C.D.BiradarFor R.No.5</u>	Condonation of Technical break/ Increment	For Hearing Reply Filed by R-6	17.8.2023
45	OA251/21	A'bad	Adv.J. S. Deshmukh (Dr. Swapnil SAjabe&Ors) <u>Adv.AshwiniHogePatil For R.No.4</u> <u>Adv.N.U. Yadavfo R.No.10</u> <u>Adv.Sahebrao G Nandedkar for R.No.11</u>	Condonation of Technical break/ Annual Increment/ Revised Pay Fixation	For Hearing Reply Filed by R-1 to R-5 & R-7 to R-9	17.8.2023

46	OA566/21	A'nagar	Adv.S.S. Tandale (Manisha H Sonar)	Departmental Enquiry	For Hearing Reply Filed by R-1 to R-3	22.8.2023
47	OA587/21	A'nagar	Adv.A.B. Rajkar (Pramod G Narsude)	Seniority	For Admission Reply Filed by R-1 & R-2	4.9.2023
48	OA177/22	A'bad	Adv.J.S. Deshmukh (Dr.Pravin K Dhakne) <u>Adv.VaishaliShinde for R.No.4</u>	Condonation of Technical Break/ Increment	For Admission	17.8.2023
49	OA789/22	O'bad	Adv.R.K. Khandelwal (Sukhdeo R Solankar)	Termination	For Admission	21.8.2023
50	OA1015/22	Jalna	Adv.O.Y. Kashid (Vilas D Jagtap)	Preliminary Enquiry/ Departmental Enquiry	For Admission Reply Filed by R-1 to R-6	21.7.2023
Final Hearing Matters						
51	OA633/12	A'bad Beed	Adv.H.A. Joshi (Sachin S Unawane&Ors.)	Selection/ Appointment	Reply Filed by R-1 & R-2 Pending Befor Supreme Court	6.9.2023
52	OA383/17	Nanded	Adv.Ajay S Deshpande (Uttam S Mundhe)	Promotion	Reply Filed by R-1 & R-2	30.8.2023
53	OA664/17	A'bad	Adv.AjayDeshpande (ShaikhKalimSkMannu)	Dismissal	Reply Filed by R-1 to R-4	30.8.2023
54	OA922/17	A'nagar	Adv.Avinash S Deshmukh Adv.Avinash S Deshmukh has Filed Leave Note From 30/06/2023 & 03/07/2023 to 05/07/2023 (Pandurang R Chinchale) <u>Adv.D.T. devane for R.No.2 & 3</u>	Recovery	Reply Filed by R-1 to R-3	31.8.2023
55	OA08/18	Dhule	Adv.PratibhaBharad (Devendra S Jade)	Termination	Reply filed by R-1 to R-3	28.7.2023
56	OA141/18	A'bad	Adv.V.B. Wagh (Nanda P Bankar)	Promotion/ Seniority List	Reply Filed by R-1 & R-2	30.8.2023

			<u>Adv.Avinash S Deshmukh for R.No.2</u> <u>Adv.Avinash S Deshmukh has Filed Leave Note From 30/06/2023 & 03/07/2023 to 05/07/2023</u>			
57	OA383/18	A'bad	Adv.Shamsunder B Patil (Meraj Begum Syeed Abdul Khalak)	Seniority	Reply Filed by R-1 to R-3	22.8.2023
58	OA732/18	A'bad	Adv.Suchita A Dhongde (Akhtarkhan S Pathan&Ors.)	Revision of Pay Scale	Reply Filed by R-1, R-3 & R-4	22.8.2023
59	OA260/19	Dhule	Adv.C.V. Dharurkar/ Adv.TuljaBondarde (Mukund B Jagtap)	Reversion	Reply Filed by R-1 to R-3	26.7.2023
60	OA800/19	A'nagar	Adv.Sandip R Andhale (Maheshkumar P Sathe)	Appointment	Reply Filed by R-1	24.8.2023
61	OA435/20	P'bhani	Adv.Vivek G Pingle (Ratikant R Sonwane)	Termination	Reply Filed by R-1 to R-3	21.8.2023
62	OA332/21	Beed	Adv.S.T. Chalikwar (Suraj B Mundhe)	Appointment on Compassionate Ground	Reply filed by R-1 to R-3	4.9.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
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List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Division Bench

Before: -THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

And

THE HON'BLE SHRI. BIJAY KUMAR, MEMBER (A)

Date: -03/07/2023 For Reply Board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	CP31/22 In OA44/20	Jalna	AdvKakasaheb B Jadhav (Asha S Gaikwad)	Contempt Petition	As a Last Chance For Filing Affidavit in Reply	8.8.2023
2	CP13/23 In OA340/22	A'bad	Adv.M.R. Kulkarni (Nandkishor S Chitlange)	Contempt Petition	For Filing Affidavit in Reply R-1 & R-2	8.8.2023
3	CP27/23 In OA681/19	A'bad	Adv M B Bharashwadkar (Damodhar G Thengde)	Contempt Petition	For Reply	9.8.2023
4	CP39/23 In OA1005/22	A'bad	AdvPrashant M Nagargoje (Ganpat H Darade)	Contempt Petition	Await Service R-2	11.7.2023
5	OA894/19	A'bad	AdvGaurav L Deshpande (Suman B Wavdhane)	Direction/ To Decide Representation/ Roaster Point	For Reply	10.8.2023

6	OA561/21	A'bad	Adv.Sujeet D. Joshi (Toliram P. Rathod)	Major Punishment	Await Service of Notice <u>Ref Order Dtd.</u> <u>16.02.2023</u> & Reply Filed By R- 1 & R-2	21.8.2023
7	OA906/22	Latur	Adv.J.S. Deshmukh (Dr. Ratnakar D Tandale)	Continuity of Service/ Condonation of Technical Break	For Filing Affidavit in Rejoinder	17.8.2023
8	OA1056/22	A'nagar	Adv.A.M. Hajare (Anant A Kokate)	Departmental Enquiry	For Filing Affidavit in Reply	21.8.2023
9	OA1129/22	Nanded	Adv Y.R. Barhate (Madhukar L Rathod)	Dismissal (Major Punishment)	For Filing Affidavit in Reply	22.8.2023
10	OAS1033/23	A'bad	Adv A S Deshpande/ Adv C V Dharurkar (Maharashtra VikasSevaRajpartitAdhikar iSanghatana through the Secretary- VasudeoPandurangSolanke & Ors.)	Proccotion Direction	Notice Not Collected	17.8.2023
11	OA132/23	A'bad	Adv.A.S. Deshpande (Haridas G Kamble&Ors.)	Promotion (Kotwal)	Await Service	29.8.2023
12	OA147/23	Beed	Adv.R.V. Sundale (Ajit A Giri)	Promotion	Await Service	29.8.2023
13	OA183/23	A'nagar	Adv.S.S. Jadhavar (Sahebrao S Wayal)	Advertisement	For Filing Affidavit in Rejoinder	30.8.2023
14	OA229/23	Beed	AdvOmprakash Y Kashid/ Adv V T Patil (Rajendra P Sanap)	Denial of Departmental Enquiry Report	For Reply	21.7.2023
15	OA449/23	Beed	Adv P D Suryawanshi (Chandan D Kulkarni&Ors.)	Promotion	For Reply	13.7.2023

Order Matters						
16	MA518/22 In OA884/22	Latur	Adv. M.B. Kolpe MA518/22 (The Maharashtra Public Service Commission, through its Secretary) Adv.S.S. Panale/Adv.S.S. Dambe in OA884/22 (Dr. Piyusha U Naragude&Ors.)	M.A. For Modifying the Order dtd.03.10.2022 in OAS1691/22	For Filing Affidavit in Rejoinder	9.8.2023
17	MA56/23 In MA540/22 In OAS12016/22	A'bad	Adv.A.B. Girase (Sanjay A Gholave&Ors.)	M.A. For Condonation of Delay	For Filing Affidavit in Rejoinder	9.8.2023
18	MA220/23 In TA01/19 WP11496/19	A'bad	Adv A V Thombre (Smt. Sonali S Varwate)	MA For Direcions	Await Service	9.8.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
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List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench

Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -03/07/2023

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Regular Admission Matters						
1	MA19/23 In OAS1602/22	Nanded	Adv.C.R. Thorat (Bharat V Lahane)	M.A. For Condonation of Delay		11.07.2023

2	OA108/23	A'bad	Adv.B.N. MagarPatil (Dyaneshwar B More)	Police Patil		14.08.2023
3	MA258/23 In OAS758/23	Latur	Adv.R.K. Ashtekar (Bharti V Raut)	M.A. For Condonation of Delay	Circulation	02.08.2023
4	MA272/23 In OAS1086/23	Dhule	Adv.J.B. Choudhary (Ajaykumar S Patil)	M.A. For Condonation of Delay		02.08.2023
5	OA513/23	Latur	Adv.P.B. Jadhav/ Adv.P.P. Shinde (Jaya D Konkewar)	Transfer		Disposed
6	OA518/23	N'bar	Adv.M.D. Waseemullah (Sayyed Mubarak Ali Shaukat Ali)	Transfer	Circulation	Disposed
7	OA519/23	P'bhani	Adv.S.D. Joshi (Dr.Kalidas V Niras)	Transfer	Circulation	17.07.2023
8	OA520/23	P'bhani	Adv.S.D. Joshi (Dr.Abasaheb A Jadhav)	Transfer	Circulation	17.07.2023
9	OA522/23	A'bad	Adv.Dhananjay Mane (Mahesh E Vipute)	Transfer	Circulation	17.07.2023
Order Matters						
10	MA368/22 In OAS307/22	P'bhani	Adv.B.B. Kulkarni (Jaydatt R Bhusare)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1	31.07.2023
11	MA289/23 In OA496/23	A'bad	Adv.Mohit R Deshmukh (Gurunath S Indurkar)	M.A. For Direction	Circulation	05.07.2023
Due Admission Matters						
12	OA619/21	P'bhani	Adv.SuchitaDhongde (Rahul R Wakle)	Benefit of Pay Scale	For Hearing Reply Filed by R-1 & R- 2	22.08.2023
13	OA85/22	A'bad	Adv.S.B. Jadhav (Madhav B Nilawad)	Suspension Period	Reply Filed by R-1 to R- 3	10.08.2023

14	OA433/22	Hingoli	Adv.V.G. Pingle (Prakash B Kamble)	Correction in Date of Birth	Reply filed by R-1 & R- 2	11.08.2023
15	OA753/22	Nanded	Adv.Amol A Kokad (Shravankumar P Jadhav)	Compassionate Appointment	For Hearing Reply Filed by R-2	28.07.2023
16	OA970/22	A'bad	Adv.N.P. Bangar (Raju P Korde) <u>Adv.S.B. Mene for</u> <u>R.Nos. 3 to 6</u>	Directions/ Compassionate Appointment	For Hearing	17.07.2023
Final Hearing Matters						
17	OA265/19	A'nagar	Adv.VidhyaTaksal/ Adv.AbahyTaksal (Taher Ali Sayed)	Relieve	Reply Filed by R-1 to R- 3	24.08.2023
18	OA376/19 with OA122/18 With OA558/18 With	J'gaon	Adv.R.P. Bhumkar (Manik T Takalkar&Ors) in OA.376/19 Adv.R.P. Bhumkar (Ramdas T Patil) in OA122/18 Adv.R.P. Bhumkar (Ganesh D Deshpande) in OA558/18	Time Bound Promotion/ ACPS/ Recovery/ Pension/ Pensionary Benefits In OA376/19 Time Bound Promotion In OA122/18 Recovery In OA558/18	Reply Filed by R-1 to R- 3 in OA376/19 Reply Filed by R-1 to R- 3 In OA122/18 Reply Filed by R-1 to R- 7 In OA558/18	24.08.2023
19	OA87/20	P'bhani	Adv.Preeti R Wankhade (Rajendra B Kamble)	Minor Punishment/ Suspension Period	Reply Filed by R-1 to R- 3	24.08.2023
20	OA210/20	Latur	Adv.D.V. Khillare (Suresh B Hallikar)	Penison&Pensionary Benefits	Reply Filed by R-1 to R-3, R-5 & R-6	09.08.2023
21	OA575/20	Latur	Adv.K.M. Nagarkar (Kondabai R Ghadge&Ors.)	Regularisation of Service/ Continuation	Reply Filed by R-1 to R- 4	09.08.2023
22	OA138/21	Nanded	Adv.Sameer S Kurundkar (Anant R Pande)	Recovery/ Refund of Recovered Amount	Reply Filed by R-1 & R-2	11.08.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
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List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench

Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date:-3/7/2023

For Reply Borad

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	OA866/22	Hingoli	Adv V G Pingle (Tukaram H Jadhav)	Benefit of T. B.P/A.C.P.S	For Filing Affidavit in Rejoinder	03.08.2023
2	OA972/22	Beed	AdvKakasaheb B Jadhav (Saurabh J Tribhuvan)	Compassionate Appointment	For Filing Affidavit in Reply	27.07.2023
3	OA1111/22	Beed	Adv.P.V. Suryawanshi (Nandkishor A Awile)	Compassionate Appointment (Iad Page Samiti)	As a Last Chance For Filing Affidavit in Reply	14.07.2023
4	OA1136/22	A'nagar	AdvVishwas B Wagh (Ramdas N Sangle)	Revision of Pension	For Filing Affidavit in Reply	09.08.2023
5	OA1137/22	A'nagar	AdvVishwas B Wagh (Ravindra G Barde)	Revision of Pension	For Filing Affidavit in Reply	09.08.2023
6	OA30/23	P'rbn	Adv S D Joshi (Prahlad G Ranveer)	Recovery	For Reply	14.07.2023
7	OA39/23	A'bad	Adv.U.S. Jadhav (Raju R Puri)	Leave Encashment	For Reply	10.08.2023
8	OA76/23	Hingoli	Adv V G Pingle (Pankaj D Soundankar)	Compassionate Appointment	For Reply	03.08.2023

9	OA83/23	P'bhani	Adv.MirzaMazhar J Baig/ Adv.Waseem Rahim Baig (MohdSardarMohdAbrar) <u>AdvAmit S Dhongde For R-3</u>	Compassionate Appointment	Await Service R- 1	13.07.2023
10	OA143/23	Nanded	Adv S SThombre (Dwarkadas G Chikhalikar)	Transfer	For Filing Affidavit in Rejoinder	20.07.2023
11	OA210/23	Jalna	Adv M R Kulkarni (Ganesh D Chhabilwad)	Provisional Pension Pensionary Benefits	For Reply	18.08.2023
12	OA212/23	Hingoli	Adv J S Deshmukh (Dr.Santosh P Pardeshi)	Leave & Increments	For Reply	31.07.2023
13	OA279/23	A'bad	AdvSuchitaDhongde (Sheshrao R Kharate)	Benefit of G. R./ Pensionary Benefits	For Reply	07.08.2023
14	OA293/23	Beed	Adv A S Deshmukh <u>Adv A S Deshmukh Has Filed Leave Note From 30.06.2023 & 03.07.2023 to 05.07.2023</u> (Syed Saleem Syed Yakub)	Deputation	For Filing Affidavit in Reply	27.07.2023
15	OA337/23	P'rbn	AdvPriya R Bharaswadkar (Santosh B Ipper)	Transfer	Await Service R-5	27.07.2023
16	OA396/23	A'bad	AdvShrikishan S Shinde (Madhavi S Harne)	Transfer	Await Service R-2	05.07.2023
17	OA484/23	Jalgaon	Adv A D Gade (Hemant R Deore)	Transfer	For Reply	18.07.2023
18	OA501/23	O'bad	AdvAmol N Patale (Nagnath R Kamble)	Transfer	Notice Not Collected	10.07.2023
Order Matter						
19	MA308/18 In OAS1257/18	Nanded	Adv.R.D. Khadap (Bapurao D Pattewale)	M.A. For Condonation of Delay	For Filing Affidavit in Rejoinder	27.07.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench

Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -03/07/2023

Suplimentary Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Final Hearing Matters						
1	OA54/19	Dhule	Adv.P.B. Patil (Varsha S Pawara) <u>Adv.V.C. Patil(Ashtekar) for R.No.3</u>	Police Patil	Reply Filed by R-2 & R-3	23.08.2023
2	OA104/19	Dhule	Adv.S.N. Suryawanshi (Shaikh R Shaifoddin)	Salary	Reply Filed by R-2 to R-4	23.08.2023
3	OA157/22	J'gaon	Adv.S.D. Joshi (Ravindra P Bahadare)	Regularization of Suspension Period	Reply Filed by R-2 to R-4	23.08.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench

Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -03/7/2023

Suplimentary Board For Reply Borad

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	OA1156/22	Nanded	Adv D T Devane (Shrikant S Deshmukh)	Deemed Date of Promotion	For Reply	07.08.2023

Order Matters						
2	MA592/19 In OASt2196/19	Nanded	Adv V S Kadam (Arvind A Joshi) <u>Adv G N Patil For Rno-3</u>	M.A. For Condonation of Delay	For Filing Affidavit in Rejoinder	07.08.2023
3	MA188/22 In OA480/19	P'bhani	AdvSuchitaDhongde (Ashok G Puri) <u>AdvShamsunder B Patil for R.Nos.2 & 3 in OA480/19</u>	M.A. For Condonation of Delay	For Filing Affidavit in Reply	09.08.2023
4	MA174/23 In OASt506/23	A'bad	Adv R P Bhumkar (Gorakhnath R Shelar)	MA For Condonation of Delay	Await Service	07.08.2023

ORIGINAL APPLICATION ST.NO. 1002 OF 2023

(Shri Babasaheb Bhanudas Karjatkar Vs. the state of Maharashtra & Ors.)

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

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

DATE : 03.07.2023

ORAL ORDER :

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

2. Issue notice to the respondents, returnable on 21.08.2023.

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 21.08.2023.

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

VICE CHAIRMAN

M.A.NO. 271 OF 2023 IN O.A.NO. 677 OF 2022
(Shri Ambrish Kashinath Bhusane & Anr. Vs. the state of Maharashtra & Ors.)

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

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

DATE : 03.07.2023

ORAL ORDER :

Heard Shri K.G. Salunke, learned counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents in M.A., returnable on 18.07.2023.
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.
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 18.07.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

C.P.NO. 13 OF 2023 IN O.A.NO. 340 OF 2022
(Shri Nandkishor S. Chitlange Vs. the state of Maharashtra & Ors.)

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

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

DATE : 03.07.2023

ORAL ORDER :

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

2. Learned Presenting Officer filed affidavits in reply on behalf of the respondent Nos. 1 & 2 separately. The same are taken on record and copies thereof have been served on the other side.

3. S.O. to 08.08.2023 for filing affidavit in rejoinder, if any.

VICE CHAIRMAN

SAS ORAL ORDER 03.07.2023

ORIGINAL APPLICATION NO. 685 OF 2019
(Shri Shivaji R. Thakare Vs. the state of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

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

DATE : 03.07.2023

ORAL ORDER :

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

2. S.O. to 03.08.2023 for hearing. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 03.07.2023

**C.P. St. No. 991/2023 in O.A. No. 485/2020
(Vijay S. Jadhav Vs. State of Maharashtra & Ors.)**

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

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

DATE : 03.07.2023

ORAL ORDER :

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

2. S.O to 06.07.2023.

VICE CHAIRMAN

KPB ORAL ORDER 03.07.2023

ORIGINAL APPLICATION NO. 516/2023
(Yogesh S. Kharde Vs. State of Maharashtra & Ors.)

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

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

DATE : 03.07.2023

ORAL ORDER :

Heard Shri V.V. Deshmukh, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 24.07.2023.

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. The issue of interim relief is kept open.

8. S.O. to 24.07.2023.

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

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 472/2023
(Bajirao E. Gadade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

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

DATE : 03.07.2023

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant has submitted short affidavit. Same is taken on record and copy thereof has been served on the other side.

3. Issue notices to the respondents, returnable on 17.07.2023.

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

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

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

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

8. S.O. to 17.07.2023.

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

VICE CHAIRMAN

**MA 56/2023 in M.A. 540/2022 in O.A. St. 2016/2022
(Sanjay A. Gholave & Ors. Vs. State of Maharashtra & Ors.)**

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

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

DATE : 03.07.2023

ORAL ORDER :

Heard Shri A.B. Girase, learned counsel for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicants submits that no rejoinder affidavit is to be filed.

3. As such, least the matter for hearing on 09.08.2023.

VICE CHAIRMAN

KPB ORAL ORDER 03.07.2023

ORIGINAL APPLICATION NO. 517/2023
(Nitin U. Nikam Vs. State of Maharashtra & Ors.)

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

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

DATE : 03.07.2023

ORAL ORDER :

Heard Ms. Mrugnayani Deshpande, learned Advocate holding for Shri C.V. Dharurkar, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 10.08.2023.
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 10.08.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO. 1033/2023
(Maharashtra Vikas Seva Rajpatrit Adhikari Sanghatana & Ors.
Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

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

DATE : 03.07.2023

ORAL ORDER :

Heard Ms. Mrugnayani Deshpande, learned Advocate holding for Shri C.V. Dharurkar, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicants prays for reissuance of notices. Hence, the following order :-

ORDER

- i. Reissue notices to the respondents, returnable on 17.08.2023.
- ii. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- iii. 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.

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O.A. St. No. 1033/2023

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

vi. S.O. to 17.08.2023.

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

VICE CHAIRMAN

KPB ORAL ORDER 03.07.2023

M.A. No. 222/2023 in O.A. No. 182/2023
(Umesh B. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

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

DATE : 03.07.2023

ORAL ORDER :

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

2. By filing present Misc. Application, the applicant is seeking leave to amend the Original Application so as to bring on record the subsequent events occurred after filing of the O.A.

3. Learned counsel submitted that in the meanwhile period the request of the applicant to withdraw decision dated 28.04.2015 has also been rejected by the authorities. The said fact needs to be brought on record. It is further contended that some posts are lying vacant and the said information also needs to be brought on record. In the circumstances the applicant has prayed for allowing the M.A.

4. Learned P.O. has submitted for passing appropriate orders.

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5. In view of the fact that the subsequent events are intended to be brought on record which have some nexus with the subject matter and to add prayer in that context, I am inclined to allow the present M.A. Hence, the following order :-

ORDER

- i. M.A. No. 222/2023 is allowed.
- ii. The amendment be carried out within a period of two weeks and the amended copy of the O.A. be placed on record by providing its copy to the respondents.
- iii. Accordingly, M.A. stands disposed of with no order as to costs.

VICE CHAIRMAN

KPB ORAL ORDER 03.07.2023

ORIGINAL APPLICATION NO. 105/2021
(Smita K. Suryawanshi & Ors. Vs. State of Maharashtra & Ors.)

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

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

DATE : 03.07.2023

ORAL ORDER :

Ms. Mrugnayani Deshpande, learned Advocate holding for Shri C.V. Dharurkar, learned counsel for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 10.07.2023. **High on board.**

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 664/2022
(Vinod J. Sonue & Ors. Vs. State of Maharashtra & Ors.)

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

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

DATE : 03.07.2023

ORAL ORDER :

Shri R.O. Asasarmol, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 26.07.2023 for filing affidavit in reply on behalf of respondent No. 2.

VICE CHAIRMAN

KPB ORAL ORDER 03.07.2023

ORIGINAL APPLICATION NO. 430/2022
(Swanand B. Thorve & Ors. Vs. State of Maharashtra & Ors.)

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

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

DATE : 03.07.2023

ORAL ORDER :

Shri R.O. Asasarmol, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 26.07.2023 for filing affidavit in reply on behalf of respondent No. 2.

VICE CHAIRMAN

KPB ORAL ORDER 03.07.2023

DATE : 03.07.2023

ORIGINAL APPLICATION NO. 525 OF 2023

(Prakash Y. Pawar Vs. The State of Maha. & Ors.)

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

1. Shri V.B. Narke, learned Advocate for the applicant and Shri M.S. Mahajan, learned C.P.O. for the respondents, are present.

2. Circulation is granted. Issue notices to the respondents, returnable on **27.07.2023**. The case be listed for admission hearing on **27.07.2023**.

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

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

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

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

REGISTRAR

Kpb/ Registrar notice

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

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

DATE : 03.07.2023

ORAL ORDER :

Heard Shri Dhananjay Mane, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. The applicant is presently working at Sub District Hospital, Sillod. It is not disputed that the applicant is due for transfer. The applicant claims to be specially abled person and he is possessing 44% permanent disablement. The applicant has now been transferred vide the order dated 10.6.2023, which as per the contentions of the applicant is served upon him on 27.6.2023, at District Hospital, Hingoli, which is at the distance of approximately 350 km from the existing place. Learned counsel submitted that the applicant has not yet been relieved from his existing post and according to the information of the applicant no one has yet been posted in his place. The applicant has immediately made a representation on 27.6.2023

itself after the impugned order of transfer was served upon him. The said representation is not yet considered by the authorities. Learned counsel, in the circumstances, has prayed for staying the effect and operation of the impugned order until further orders.

3. Shri M.P. Gude, learned Presenting Officer has opposed for granting any such relief as has been prayed by the applicant. Learned Presenting Officer submitted that though it is true that the specially abled employees /officers are to be transferred as far as possible near to their place of resident, while considering their request availability of vacant posts and the administrative need or convenience have also to be considered. Learned Presenting Officer submitted that at present he is unable to make any concrete statement as about the reasons and method adopted while issuing the impugned order of transfer. He has, therefore, sought two weeks' time to file affidavit in reply in that regard.

4. I have duly considered submissions made on behalf of the applicant and the learned Presenting Officer.

5. The applicant in annual transfers has been transferred from Sillod to Hingoli. There seems no dispute about the distance as mentioned by the learned counsel for the applicant between these two places i.e. of 350 kms. *Prima facie* there seems no reason to disbelieve the facts as are stated in the application about the percentage of disablement incurred by the applicant. Since the applicant bears 44% permanent disablement, in view of the G.R. dated 15.12.2004 he must have been given posting at one of his choice places for which he has given options/preferences. However, why such request or all these aspects are not considered would reveal only after the affidavit in reply is filed on behalf of the respondents. However, in view of further information given by the applicant that he has not yet been relieved from his existing post and no one has yet been posted in his place, no prejudice is likely to be caused if the applicant is permitted to discharge his duties at his existing post till the reply is filed by the respondents.

6. In the aforesaid circumstances, the following order is passed: -

ORDER

(i) Issue notices to the respondents, returnable on 17.7.2023, **till then the respondents shall allow the applicant to discharge his duty at Sub-District Hospital, Sillod.**

(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 17.7.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 501 OF 2023
(Shri Nagnath R. Kamble Vs. State of Mah. & Ors.)**

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

DATE : 03.07.2023

ORAL ORDER :

Heard Shri Amol N. Patale, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submitted that because of the intervening holidays the notices could not be collected. Learned counsel in the circumstances has prayed for reissuance of notices to the respondents, returnable on 10.7.2023.

3. Issue notices to the respondents, returnable on 10.7.2023.

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

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

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

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

8. Learned Chief Presenting Officer submitted that yet the required information is not received and the moment such information is received he would bring it to the notice of this Tribunal.

9. S.O. to 10.7.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 866 OF 2022
(Tukaram H. Jadhav Vs. State of Mah. & Ors.)**

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

DATE : 03.07.2023

ORAL ORDER :

Heard Shri Vivek G. Pingle, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. The present matter is for filing rejoinder affidavit. Learned counsel for the applicant submitted that though he has prepared the rejoinder, the applicant has not turned out to swear it, despite giving him timely information. Learned counsel further submitted that vide letter dated 24.4.2023 he has informed about the same to the applicant by registered post and instead of that there is no response from the applicant. In the circumstances, learned counsel has prayed for his discharge from the mater. In view of the above, the following order is passed: -

ORDER

- (i) The appearance of Shri V.G. Pingle on behalf of the applicant stands discharged.
- (ii) Registry is directed to issue notice to the applicant for making alternate arrangement and

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O.A. NO. 866/2022

also cautioned the applicant in the said notice that if the alternative arrangement is not made on or before the next date, the matter shall stand dismissed for want of prosecution.

(iii) S.O. to 3.8.2023.

VICE CHAIRMAN

ORAL ORDER 03.07.2023-HDD

**ORIGINAL APPLICATION NO. 76 OF 2023
(Pankaj D. Soundankar Vs. State of Mah. & Ors.)**

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

DATE : 03.07.2023

ORAL ORDER :

Shri Vivek G. Pingle, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has filed rejoinder affidavit and the same is taken on record and copy thereof has been served on the learned Presenting Officer.

3. List the matter for hearing on 3.8.2023.

VICE CHAIRMAN

ORAL ORDER 03.07.2023-HDD

**ORIGINAL APPLICATION NO. 39 OF 2023
(Raju R. Puri Vs. State of Mah. & Ors.)**

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

DATE : 03.07.2023

ORAL ORDER :

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

2. Learned Chief Presenting Officer has sought time to file affidavit in reply. Time granted by way of last chance.

3. S.O. to 10.8.2023

VICE CHAIRMAN

ORAL ORDER 03.07.2023-HDD

**ORIGINAL APPLICATION NO. 513 OF 2023
(Jaya Dhondiba Konkewar Vs. State of Mah. & Ors.)**

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

DATE : 03.07.2023

ORAL ORDER :

Heard Smt. P.P. Shinde, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. On instructions, learned counsel for the applicant seeks leave of this Tribunal to withdraw the present Original Application with liberty to file the same before the appropriate forum. In view of the submission made on behalf of the applicant, the following order is passed: -

ORDER

The Original Application stands disposed of since withdrawn with liberty as prayed for. No order as to costs.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 484 OF 2023
(Hemant R. Deore Vs. State of Mah. & Ors.)**

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

DATE : 03.07.2023

ORAL ORDER :

Shri A.D. Gade, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.
3. S.O. to 18.7.2023.

VICE CHAIRMAN

ORAL ORDER 03.07.2023-HDD

**ORIGINAL APPLICATION NO. 210 OF 2023
(Ganesh D. Chhabilwad Vs. State of Mah. & Ors.)**

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

DATE : 03.07.2023

ORAL ORDER :

Shri M.R. Kulkarni, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer time to file affidavit in reply is extended till 18.8.2023.

3. S.O. to 18.8.2023.

VICE CHAIRMAN

ORAL ORDER 03.07.2023-HDD

**ORIGINAL APPLICATION NO. 972 OF 2022
(Saurabh J. Tribhuvan Vs. State of Mah. & Ors.)**

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

DATE : 03.07.2023

ORAL ORDER :

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

2. Learned Presenting Officer has sought time to file affidavit in reply. Time granted as a last chance.

3. S.O. to 27.7.2023.

VICE CHAIRMAN

ORAL ORDER 03.07.2023-HDD

**ORIGINAL APPLICATION NO. 143 OF 2023
(Dwarkadas G. Chikhalikar Vs. State of Mah. & Ors.)**

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

DATE : 03.07.2023

ORAL ORDER :

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.

3. S.O. to 20.7.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDER 03.07.2023-HDD

ORIGINAL APPLICATION NO. 519/2023
(Dr. Kalidas V. Niras Vs. the State of Maharashtra & Ors.)
AND
ORIGINAL APPLICATION NO. 520/2023
(Dr. Abasaheb A. Jadhav Vs. the State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 3.7.2023

ORAL ORDER :

Heard Shri S.D. Joshi, learned counsel for the applicants in both the matters and S/shri V.R. Bhumkar & M.S. Mahajan, learned Presenting Officer & learned Chief Presenting Officer for the respondent authorities in respective matters.

2. Since the facts involved and issues raised in these 2 matters are identical I have heard these matters together and I deem it appropriate to pass a common order in these 2 Original Applications.

3. It is the grievance of both the applicants that the transfer orders were served upon them on 28.6.2023 and by that time the period provided for raising the grievance about the transfers so made had expired. The learned counsel for the applicants submitted that the applicants are admittedly due for transfer and accordingly they have exercised certain

options with their preferences before the transfer orders are issued. The learned counsel further submitted that both the applicants have been transferred at the places for which none of them had given any option/preference. The learned counsel further submitted that the posts and places for which the options were submitted by the applicants, few of them are still vacant. It is further submitted that the applicants have not yet given the charge of their existing posts and accordingly they have not been relieved. It is further submitted that according to the information with the applicants no one has been posted yet in places of both the applicants.

4. The learned counsel submitted that the representations made by the applicant have not been entertained on the ground that time to make such representation had expired. The learned counsel submitted that after the transfer orders were served upon them they tried to raise the grievance against the said orders on-line through portal prescribed for that. However, the portal displayed the message to the effect that “Support

System/Grievance System is closed now” and in the circumstances they could not upload their grievances on-line. The learned counsel submitted that one of the applicants has tendered the copy of the representation with the respondents and another applicant is seeking leave of the Tribunal to make such representation.

5. The learned counsel in the above circumstances has prayed for staying the effect and operation of the impugned orders till decision of the present O.As.

6. The learned Presenting Officer and Chief Presenting Officer have opposed for granting any such interim relief. The learned Presenting Officer submitted that none of the applicant has submitted the option/preference in accordance with the requirement. The learned P.O. brought to my notice that each applicant was expected to submit 2 options of the difficult i.e. remote, rural or tribal places as notified by the Government. He further submitted that since no such options were submitted by these applicants, perhaps their options are not considered and they

have been transferred according to the vacancies, according to their seniority. The learned P.O. further submitted that the applicants were expected to first join at their transferred places and thereafter only they could have made any such representation. The learned P.O. further submitted that as per the policy adopted by the Government that of filling in the posts in every district in equal proportion the transfers have been made. The learned P.O., in the circumstances, prayed for rejecting the request for interim relief.

7. I have duly considered the submissions made on behalf of the applicants, as well as, the respondents. The Notification/Declaration issued by the Government copy of which annexed at Annex. A-6 page 49 of the paper book in O.A. No. 519/2023 reveals that an opportunity was extended to all transferred officers to raise their grievances, if any, in regard to the places and post to which they are transferred on or before 17.6.2023. As has been contended on behalf of the applicants on oath the transfer orders are served upon them on 28.6.2023. It is thus evident that by that time the time for

making/raising the grievances against the said orders had already expired. As has been submitted on behalf of the applicants both have tried to submit their grievance on-line, however, system did not allow them to upload their objections on the ground that the time for making such objections had expired.

8. When the Government itself has decided to give an opportunity to the officers to raise the grievances against the order of transfer, the officer concerned must get such opportunity and such representations are required to be considered and decided by the authorities as expeditiously as possible. In the present matters opportunity of making representation itself appears to have been denied to both the applicants. The applicants, therefore, have certainly made out a prima-facie case. Though it is submitted by the learned P.O. that the officers concerned must have first resumed at the transferred place, nothing has been brought to my notice to show that such instructions are in existence. Even in the Resolution/Declaration (Annex. A-6 page 49 of the paper book in O.A. No.

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O.A. NOS. 519 & 520/2023

519/2023) it is nowhere mandated that the officer concerned will have to first join at the transferred place and only thereafter he can make a grievance about the said transfer.

9. In the circumstances, at this juncture without any concrete information on record no opinion can be expressed on the aforesaid aspects. The respondents can in their affidavit in reply bring all such facts and circumstances on record. In view of the further submission made on behalf of the applicants they have not yet been relieved from their existing posts and no one had been placed on their posts, I deem it appropriate to pass the following order :-

ORDER

1. Issue notice to respondents, returnable on 17.7.2023, **till then Status-quo as on today be maintained.**
2. **The respondents are directed to accept the representations of both the applicants and to consider the said representations on their own merits and according to law.**
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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O.A. NOS. 519 & 520/2023

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 17.7.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 396/2023
(Smt. Madhavi S. Harne Vs. the State of Maharashtra & Ors.)

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

DATE : 3.7.2023

ORAL ORDER :

Heard Shri Shrikishan S. Shinde, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. The Registrar to look into the matter.
3. S.O. to 5.7.2023.

VICE CHAIRMAN

M.A. NO. 258/2023 IN O.A. ST. NO. 758/2023
(Smt. Bharti V. Raut Vs. the State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 3.7.2023

ORAL ORDER :

Heard Shri R.K. Ashtekar, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents in the present Misc. Application, returnable on 2.8.2023.

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 2.8.2023.

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

VICE CHAIRMAN

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

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 3.7.2023

ORAL ORDER :

Heard Shri J.B. Choudhary, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents in the present Misc. Application, returnable on 2.8.2023.

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 2.8.2023.

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

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 518/2023
(Sayyed Mubarak Ali Shaukat Ali Vs. the State of Maharashtra & Ors.)

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

DATE : 3.7.2023

ORAL ORDER :

Heard Shri M.D. Waseemullah, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. The learned counsel for the applicant has tendered across the bar the copy of order dated 30.6.2023 passed by the Director of Health Services, Pune. The learned counsel on instructions seeks leave to withdraw the present O.A. in view of the said subsequent order issued by the Director of Health Services, Pune on 30.6.2023 thereby staying the impugned order of transfer, with liberty to file a fresh O.A., if contingency so arises.

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O.A. NO. 518/2023

3. In view of the submissions so made the following order is passed :-

ORDER

The Original Application stands disposed of since withdrawn with liberty as prayed for.

VICE CHAIRMAN