C.P. NO. 28/2020 IN O.A. NO. 113/2012 (Shri Bhagwat T. Kadam V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri K.G. Salunke, learned counsel for the petitioner and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

- 2. The learned counsel for the petitioner seeks leave to substantiate the name of the Contemnor since the erstwhile respondent is no more holding the charge of the said post. In the circumstances, leave is granted. The necessary amendment be carried out within one week and amended copy of C.P. be served upon the learned P.O.
- 3. S.O. to 10.8.2022.

MEMBER (A)

**VICE CHAIRMAN** 

C.P. 1/2021 IN O.A. 83/2018 (Shri Vyankat S. More & Ors. V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

#### TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri K.M. Nagarkar, learned Counsel for the applicants (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

- 2. The learned Presenting Officer has sought time for filing the affidavit in reply of respondent nos. 3, 5 and 6. Time granted.
- 3. S.O. to 12.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 756/2018 (Shri Barindrakumar C. Gavit V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

TRIBUNAL'S ORDERS

COPAM: Hon'ble Justice Shui D.P. Pore

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri A.S. Shelke, learned Counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

- 2. The learned counsel has sought time for filing rejoinder affidavit of the applicant. Time granted as a last chance.
- 3. S.O. to 13.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 814/2018 (Shri Chandrasen V. Gaysamudre V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri R.K. Jadhavar, learned Counsel for the applicant (**absent**). Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, is present.

- 2. The learned P.O. has sought time for filing affidavit in reply of the respondents. Time granted.
- 3. S.O. to 14.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 906/2018 (Shri Chetan S. Ahire V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

#### **ORAL ORDER:**

Shri S.D. Joshi, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

- 2. The learned P.O. has sought time for filing the affidavit in reply of the respondents. Time granted.
- 3. S.O. to 14.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 97/2019 (Shri Mirkhan Lliyaskhan Pathan V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri Y.B. Pathan, learned Counsel for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

- 2. The learned P.O. has sought time for filing the affidavit in reply of the respondents. Time granted.
- 3. S.O. to 15.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

O.A. NOS. 304 AND 305 BOTH OF 2019 (Shri Pandharinath M. Ahire & Anr. V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri H.S. Bali, learned Counsel for the applicants in both the matters and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in both the matters, are present.

- 2. The learned counsel has tendered across the bar the rejoinder affidavits of respective applicants in respective matters. The same are taken on record and copies thereof are supplied to other side.
- 3. S.O. to 15.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 119/2021 (Shri Sudhakar B. Aandhale V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri Ajit M. Gholap, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

- 2. The learned counsel has sought time for filing the rejoinder affidavit of the applicant. Time granted.
- 3. S.O. to 16.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 770/2021 (Shri Gangaram S. Bele V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri S.S. Londhe, learned Counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present.

- 2. The learned C.P.O. has sought time for filing the affidavit in reply of the respondents. Time granted.
- 3. S.O. to 16.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 797/2021 (Smt. Ranjana D. Jaybhaye V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri S.D. Munde, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

- 2. The learned C.P.O. has tendered across the affidavit in reply of respondent no. 3. The same is taken on record and copy thereof has been supplied to other side.
- 3. S.O. to 16.9.2022 for filing rejoinder affidavit, if any, by the applicant.

MEMBER (A)

**VICE CHAIRMAN** 

O.A. NOS. 463, 464, 465, 466 AND 467 ALL OF 2022 (Shri Ramdas S. Bhalke & Ors. V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

#### **ORAL ORDER:**

Shri S.A. Deshmukh, learned Counsel for the applicants in all these matters and Shri M.A. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these matters, are present.

- 2. The learned C.P.O. has sought time for filing the affidavit in reply of the respondents in all these matters. Time granted.
- 3. S.O. to 24.8.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 643/2022 (Shri Raosaheb B. Jangle V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 3.8.2022

**ORAL ORDER:** 

Shri S.G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

- 2. The learned C.P.O. has sought time for filing the affidavit in reply of the respondents. Time granted.
- 3. S.O. to 22.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

M.A. 5/2021 IN O.A. ST. 778/2020 (Shri Shridhar R. Kundatwad V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri R.D. Biradar, learned Counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

- 2. Await service.
- 3. S.O. to 21.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

M.A. 205/2021 IN O.A. ST. 2467/2019 (Shri Vijaykumar B. Rathi V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri M.M. Bhokarikar, learned Counsel for the applicant (**absent**). Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, is present.

- 2. Await service.
- 3. S.O. to 21.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

M.A. 273/2021 IN O.A. ST. 987/2021 (Shri Prakash N. Phulluke V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

#### **ORAL ORDER:**

Shri S.D. Joshi, learned Counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

- 2. The learned P.O. has sought time for filing affidavit in reply of the respondents. Time granted.
- 3. S.O. to 22.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

M.A. 55/2022 IN O.A. 604/2021 (Shri Sarang K. Gorge V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri G.N. Kulkarni, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

- 2. The learned P.O. has sought time for filing the affidavit in reply of the respondents. Time granted.
- 3. S.O. to 22.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

M.A. 60/2022 IN O.A. ST. 67/2022 (Shri Gaus Mohayyopdin Shamshodin V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

#### TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri G.N. Kulkarni, learned Counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

- 2. The learned counsel has sought time for filing rejoinder affidavit of the applicant. Time granted.
- 3. S.O. to 22.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

### M.A. 181/2016 WITH M.A. 372/2016 IN O.A. 67/2016 WITH

O.A. NO. 368/2016, O.A. NO. 369/2016, O.A. NO. 490/2016 (Shri Jagdishkumar N. Shirsath & Ors. V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 3.8.2022

#### **ORAL ORDER:**

Shri Sudhir Patil, learned counsel for the applicants in all these matters and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these matters, are present.

2. With the consent of both the sides, S.O. to 12.9.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 233/2016 (Shri Pankaj W. Pangul V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

#### **ORAL ORDER:**

Shri S.K. Mathpati, learned counsel for the applicant (**absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 12.9.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 403/2016 (Shri Prakash A. Doiphode V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

#### **ORAL ORDER:**

Shri S.G. Kulkarni, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 13.9.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 406/2016 (Shri Vasanta B. Rathod V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri Shrijit Surve, learned counsel holding for Shri Hemant Surve, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 13.9.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 447/2016 (Smt. Bhagyashri P. Kadam V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

#### TRIBUNAL'S ORDERS

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<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri Gajanan Kadam, learned counsel for the applicant (**absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 14.9.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 587/2016 (Shri Vijaysing H. Bagul V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

TRIBUNAL'S ORDERS

CODAN . Hawking Shai D.D. Dans

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri A.D. Gadekar, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 14.9.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 845/2017 (Shri Rambhau L. Kuskar V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

#### **ORAL ORDER:**

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

2. With the consent of both the sides, S.O. to 15.9.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 273/2018 (Shri Ganesh D. Chavhan V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

#### **ORAL ORDER:**

Shri S.B. Sontakke, learned counsel for the applicant (**absent**). Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, is present. Shri Pramod A. Salvi, learned counsel for respondent no. 4 (**absent**).

2. In view of absence of learned counsel for the applicant and the learned counsel for respondent no. 4, S.O. to 16.9.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 291/2018 (Shri Sahebrao G. Tawade V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri Y.P. Deshmukh, learned counsel for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 16.9.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 292/2018 (Smt. Bhavana H. Thakare V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

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

2. With the consent of both the sides, S.O. to 19.9.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 428/2018 (Shri Sainath J. Korpakwad & Ors. V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

TRIBUNAL'S ORDERS

CODAN . Hawking Chai D.D. Dans

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri V.B. Wagh, learned counsel for the applicants, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent no. 1, are present.

2. With the consent of both the sides, S.O. to 19.9.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 461/2018 (Shri Pravin M. Honule V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri S.D. Joshi, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 19.9.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 514/2018 (Shri Sahebrao G. Avhad V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri Mahesh S. Taur, learned counsel for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 20.9.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 569/2018 (Shri Prashant A. Bhonge V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri S.S. Ware, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 20.9.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 705/2018 (Akbar Khan Nadar Khan Pathan V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

TRIBUNAL'S ORDERS

CODAN . Hawking Chair D.D. Dans

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 21.9.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 776/2018 (Shri Nana B. Salunke V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

#### **ORAL ORDER:**

Shri A.D. Sugdare, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 21.9.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 117/2019 (Shri Sainath K. Matkar V/s. State of Maharashtra & Ors.)

**OFFICE ORDER** 

TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri Prasad D. Jarare, learned counsel for the applicant (absent). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 21.9.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 248/2019 (Shri Vikram B. Mate & Ors. V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

#### **ORAL ORDER:**

Shri V.G. Pingle, learned counsel for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities and Shri S.D. Dhongde, learned counsel for respondent nos. 3 & 4, are present.

2. With the consent of both the sides, S.O. to 22.9.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 531/2019 (Shri Nagnath V. Hatkar & Ors. V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

#### **ORAL ORDER:**

Shri Shamsunder B. Patil, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 22.9.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 538/2020 (Shri Sachin S. Pardeshi V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

TRIBUNAL'S ORDERS

CODAM . Hawking Shei D.D. Dans

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri Jitendra S. Gangawane, learned counsel for the applicant (**absent**). Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note of learned counsel, S.O. to 22.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 559/2020 (Vishranti B. Giri V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

TRIBUNAL'S ORDERS

CODAM . Hawking Shei D.D. Dans

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri A.C. Deshpande, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

- 2. Though last chance was granted to the respondents to file the affidavit in reply, the same is not filed today. The learned C.P.O. again sought time for filing affidavit in reply. Time granted as a final last chance.
- 3. S.O. to 7.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 562/2020 (Shri Amol N. Bari V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

### **ORAL ORDER:**

Shri V.B. Wagh, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 22.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 27/2021 (Shri Mohan G. Wadajkar V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

TRIBUNAL'S ORDERS

CODAW . Hawihla Institut Chai D.D. Dana

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri Dhananjay A. Mane, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

- 2. The learned CPO has tendered across the bar the affidavit in reply of respondent no. 1. It is taken on record. He undertook to supply copy of reply of respondent no. 1 to the learned counsel for the applicant.
- 3. In view of absence of learned counsel, S.O. to 7.9.2022 for hearing.
- 4. It is open for the applicant to file rejoinder, if any, to the affidavit in reply of respondent no. 1.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 28/2021 (Shri Gorakh B. Dhakane V/s. State of Maharashtra & Ors.)

**OFFICE ORDER** 

TRIBUNAL'S ORDERS

\_\_\_\_\_ CORAM: Hon'ble Justice Shri P.R. Bora,

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri Dhananjay A. Mane, learned counsel for the applicant (absent). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

In view of absence of learned counsel, S.O. to 7.9.2022 for hearing...

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 77/2021 (Vishvanath H. Mahindrakar & Ors. V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

### **ORAL ORDER:**

Shri V.B. Wagh, learned counsel for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 16.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 395/2021 (Shri Bhau N. Chaudhari V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri Ajit M. Gholap, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 16.9.2022 for further consideration.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 407/2021 (Aziz Imman Shaikh V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri Gaurav L. Deshpande, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 19.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 655/2021 (Shri Rahul D. Gaikwad V/s. State of Maharashtra & Ors.)

**OFFICE ORDER** 

TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

S/shri UL / NU Telgaonkar, learned counsel for the applicant (absent). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

In view of absence of learned counsel for the applicant, S.O. to 5.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 702/2021 (Shri Vivekanand P. Dhongade V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

### **ORAL ORDER:**

Shri A.S. Khedkar, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 5.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 775/2021 (Shri Ganesh D. Ingale V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri Swaraj S. Tandale, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 5.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 779/2021 (Shri Datta A. Tumram V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Ms. Sai Joshi, learned counsel holding for J.P. Legal & Association, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 6.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

M.A. 362/2019 IN O.A. ST. 1539/2019 (Shri Prakash W. Bhambre V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri H.S. Bali, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 15.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

M.A. 200/2020 IN M.A. 506/2018 IN O.A. ST. 1951/2018 (Sajed Khan Ajiz Khan Pathan V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

### **ORAL ORDER:**

Shri R.N. Bharaswadkar, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri V.G. Pingle, learned counsel for respondent no. 7, are present. Shri C.B. Gore, learned counsel for respondent nos. 5 & 6 (absent).

2. In view of absence of learned counsel for respondent nos. 5 & 6, S.O. to 12.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

M.A. 169/2021 IN O.A. ST. 141/2021 (Shri Anil J. Kande & Ors. V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

### **ORAL ORDER:**

Shri S.D. Munde, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 13.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 792/2019 (Shri Datta Prasad Hiraman Galphade V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

TRIBUNAL'S ORDERS

CODAN . Hawking Chair D.D. Dans

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri U.L. Momale, learned counsel holding for Shri P.D. Suryawanshi, learned counsel for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri V.B. Wagh, learned counsel for respondent no. 3, are present.

2. With the consent of both the sides, S.O. to 15.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

O.A. NOS. 1040/2019 WITH 1042/2019 (Shri Santosh S. Raut V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

### **ORAL ORDER:**

Shri Prashant Deshmukh, learned counsel for the applicants in both the matters (**absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities in both the matters, are present.

2. In view of absence of learned counsel, S.O. to 22.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 1069/2019 (Shri Prabhakar M. Kathar V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

### **ORAL ORDER:**

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

2. With the consent of both the sides, S.O. to 16.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 140/2020 (Shri Shrikant K. Bhale V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri H.A. Joshi, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 16.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 143/2020 (Khan Yusuf Fatte Khan V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

TRIBUNAL'S ORDERS

CODAN . Hawking Shai D.D. Dans

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

Vice Chairman

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri A.V. Thombre, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 19.9.2022 for hearing. **High on Board**.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 157/2020 (Shri Rohidas T. Shinde V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri Avinash S. Deshmukh, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 19.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 265/2020 (Shri Gulab H. Panchal V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

Vice Chairman

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

### **ORAL ORDER:**

Shri Avinash S. Deshmukh, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 20.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 354/2020 (Shri Suresh L. Kamthane V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri Girish L. Awale, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri V.B. Wagh, learned counsel for respondent nos. 4, 6 & 7, are present.

2. In view of absence of learned counsel for the applicant, S.O. to 20.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 409/2020 (Kamini S. Suryawanshi V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri V.P. Patil, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 21.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 420/2020 (Anish S. Patel V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri S.D. Dhongde, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 21.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 491/2020 (Rajnikant D. Patil V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri V.G. Pingle, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 8.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

M.A.NO.244/2022 IN O.A.NO.215/2022 (Santosh R. Bhosale & Ors. V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 03-08-2022

**ORAL ORDER:** 

Shri U.L.Momale, learned Counsel for the applicants in M.A., and for respondent nos.4 to 20 and 22 to 24 in O.A.No.215/2022, Shri A.S.Deshmukh, learned Counsel for applicants in O.A., Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned CPO tendered a communication dated 22-07-2022 received to the office of CPO from the Water Resources Department of the State Government. Along with the said communication certain G.Rs. are annexed as well as the data of the promotions effected is annexed with the said communication. The aforesaid communication as well as the documents annexed thereto are taken on record alsong with the data/information in regard to the posts which are to

be regularized of Assistant Engineer Grade-I cadre for the selection year 2010-2011 to 2016-2017. The copies of the documents filed on record are provided to the Counsel for the other side.

- 3. If any submissions are to be made on behalf of the applicants and other respondents it would be open for them to make such submissions on 05-08-2022.
- 4. Interim relief granted earlier to continue till then.
- 5. S.O. to 05-08-2022.

MEMBER (A)

**VICE CHAIRMAN** 

YUK (!) ORAL ORDERS 02-08-2022

### M.A.NO.141/2021 WITH M.A.NO.121/2021 IN O.A.NO.295/2019 WITH C.P.NO.03/2021

(Maharashtra Rajya Hangami Hivtap Prayogshala Karmachari Sanghatna V/s. State of Maharashtra & Ors.)

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### OFFICE ORDER

### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 03-08-2022

**ORAL ORDER:** 

Heard Ku. Preeti Wankhade, learned Counsel for applicants in C.P.03/2021, Shri Vinod Patil, learned Counsel for the applicants (Interveners) in M.A.No.121/2021 and Shri V.R.Bhumkar, learned Presenting Officer for applicants in M.A.No.141/2021 (original respondents).

2. On 22-02-2019 advertisement was issued by Joint Director, Public Health Services, (Malaria and Filaria and Water Born Diseases), Pune (respondent no.3 in O.A.) for recruitment on the post of Laboratory Scientific Officer Group-C. Total 362 posts were advertised. In the advertisement, 30% advertised posts were shown to be reserved for persons who have performed work of blood testing under the National

Malaria Eradication Programme as Senior Field Worker. After the said advertisement was published, the present O.A. came to be filed by the Association of Maharashtra Rajya Hangami Hivtap Prayogshala Karmachari Sanghatana. In the O.A., interim relief was claimed for staying the recruitment process in pursuance to the advertisement dated 22-02-2019.

- 3. The record shows that on 24-07-2019, the Tribunal has passed an order restraining the respondents from holding the examinations till copy of the reference of the committee is filed before the Tribunal. It was clarified in the said order itself that examinations may be conducted with prior permission of the Tribunal. From the submissions made on behalf of the parties, it is however, revealed that the examinations have been conducted.
- 4. Now, it is the submission by the learned P.O. as well as the learned Counsel appearing for the Interveners that the result of the said examination has not been yet declared because of the interim order passed by this Tribunal. The learned Counsel for the

applicant has, however, disputed the said contention. According to her, the result has not been declared in so far as the 30% posts reserved for the seasonal employees. It is the further contention of the learned Counsel for the applicant that as per the instructions received to her from her client, excluding the posts reserved for the seasonal employees, other results are declared and the appointment orders have also been issued to the selected candidates. The learned P.O. and learned Counsel for the Interveners, however, have asserted that the results are not yet declared and no appointment orders yet been issued in favour of any of the candidates.

5. It is the contention of the Interveners that they are Seasonal employees and have applied for the posts reserved for Seasonal employees i.e. 30% posts reserved for them. It is the further contention of the Interveners that all the Seasonal employees are aged more than 50 years and are eagerly waiting for the result of the examinations and for their consequent appointment if they succeed.

- 6. We regret to state that no authentic information is coming on record from either of the parties not even from the State. Contrary submissions are made in so far as the declaration of the result of the examinations is concerned. It has been argued as noted hereinabove that the results are not yet declared because of the interim order passed by this Tribunal. We do not agree with the submissions so made. Till date, the State has not pointed out this fact to the Tribunal and no request has been made till this date by the State seeking permission to declare the result of the examinations held. The fact apart that the examinations are held without obtaining permission of this Tribunal though there was a direction in that regard. However, now we are concerned with the fact which has been brought to our notice that though examinations are held results are not yet declared.
- 7. In view of the fact that on this issue two contrary statements are made, we direct the parties to file a short affidavit in that regard. Learned P.O. shall take information from the competent authority and file

affidavit of the said authority explaining the fact whether the results of the examinations are declared or not, or whether the results are declared partly. The authority should also clarify if the results of the examinations are declared whether the further process has been carried out and the appointment orders are issued to the selected candidates or not. The authority shall also explain whether the terms of reference of the committee as indicated in the order dated 22-07-2019 are finalized or not, if finalized, the same shall be placed on record by the next date.

8. According to us the more worrying factor is whether the results are declared or not and whether the recruitment process has been proceeded further or not. We reiterate that in absence of any concrete and authentic information, we are unable to pass any specific order. However, having regard to the contentions made before us, we direct the respondents to declare the result of the examinations of all the candidates including those who have applied through the quota of Seasonal employees, if the same are not yet declared, and prepare select list in order of merit

having regard to the social reservation and the special reservation prescribed in each of the said categories.

9. It would be open for the respondents to issue appointment orders to the candidates, other than the Seasonal employees who have applied through the quota for Seasonal employees, securing merit in the respective categories by ascertaining that the said candidates are otherwise entitled and fulfilling the eligibility criteria in all respects by keeping 30% posts vacant in each of the said categories which are reserved for Seasonal employees. Compliance be reported on the next date.

10. S.O. to 18-08-2022.

MEMBER (A)

**VICE CHAIRMAN** 

YUK (!) ORAL ORDERS 03-08-2022

M.A.NO.121/2021 WITH O.A.NO.295/2019 WITH C.P.NO.03/2021 (Maharashtra Rajya Hangami Hivtap Prayogshala Karmachari Sanghatna V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 03-08-2022

**ORAL ORDER:** 

Ku. Preeti Wankhade, learned Counsel for applicants, Shri Vinod Patil, learned Counsel for the Interveners and Shri V.R.Bhumkar, learned Presenting Officer for respondent authorities.

2. This is an application for intervention. It has been filed by the workers who claim themselves to be Seasonal employees having worked for more than 180 days. As stated in the application, these candidates have participated in the selection process by filing their applications through the quota earmarked for the Seasonal employees. It is further contended that these applicants have appeared for the examinations also. In view of the facts as above, it appears to us that there is valid reason for these applicants to intervene in the Original Application filed by the Association of

Maharashtra Rajya Hangami Hivtap Prayogshala Karmachari Sanghatana. We are, therefore, inclined to allow the M.A.No.121/2021. Hence the following order:

### ORDER

- (i) M.A.No.121/2021 is allowed.
- (ii) Interveners be allowed as party respondents in O.A.No.295/2019.
- (iii) M.A. stands disposed of accordingly with no order as to costs.

MEMBER (A)

**VICE CHAIRMAN** 

YUK (!) ORAL ORDERS 03-08-2022

M.A.NO.266/2022 IN O.A.NO.589/2020 (Anil Karbhari V/s. State of Maharashtra & Ors.)

## **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 03-08-2022

**ORAL ORDER:** 

Heard Shri R.B.Deshmukh, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents.

- 2. Learned Counsel for the applicant submits that for bringing on record the subsequent events occurred during the pendency of the O.A., amendment is required and subsequent prayers are also to be incorporated. Hence, he prayed for allowing the M.A. for amendment.
- 3. Learned P.O. submits that she does not have any objection for allowing the amendment application.
- 4. In view of the above, following order is passed:

## ORDER

- (i) M.A.No.266/2022 seeking amendment in O.A. is allowed.
- (ii) Necessary amendment be carried out within a week. Copy of the amended portion be supplied to the other side.
- (iii) It will be open for the respondents to file reply to the amended portion.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO.589/2020 (Anil Karbhari V/s. State of Maharashtra & Ors.)

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## **OFFICE ORDER**

## TRIBUNAL'S ORDERS

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<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 03-08-2022

**ORAL ORDER:** 

Heard Shri R.B.Deshmukh, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents.

2. S.O. to 13-09-2022.

MEMBER (A)

**VICE CHAIRMAN** 

YUK (!) ORAL ORDERS 03-08-2022

ORIGINAL APPLICATION NO.1387/2000 (Prayagbai Ghule V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER

## TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 03-08-2022

**ORAL ORDER:** 

Shri A.D.Sugdare, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. S.O. to 19-09-2022.

MEMBER (A)

**VICE CHAIRMAN** 

YUK (!) ORAL ORDERS 03-08-2022

## ORIGINAL APPLICATION NO.91/2019 (Vijaykumar S. Dhainje V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

## TRIBUNAL'S ORDERS

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<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 03-08-2022

**ORAL ORDER:** 

Shri S.S.Ware, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 05-09-2022.

MEMBER (A)

**VICE CHAIRMAN** 

YUK (!) ORAL ORDERS 03-08-2022

M.A. No. 82/2020 in O.A. St. No. 172/2020 (Arshad Khan Gulab Khan V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER

### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

## **ORAL ORDER:**

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 05.09.2022.

MEMBER (J)

M.A. No. 303/2022 in O.A. St. No. 708/2022 (Nagnath M. Adamankar V/s. State of Maharashtra & Ors.)

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### OFFICE ORDER

### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

## **ORAL ORDER:**

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

- 2. Issue notice to the respondents in M.A., returnable on 06.09.2022.
- 3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
- 7. S.O. to 06.09.2022.
- 8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

## ORIGINAL APPLICATION NO. 549 OF 2020 (Nitin T. Jadhav V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER

### TRIBUNAL'S ORDERS

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<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J)

**DATE** : 03.08.2022.

**ORAL ORDER:** 

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

- 2. Learned Advocate for the applicant submitted that the applicant is no more being died on 06.03.2022. He produced on record a copy of death certificate. It is taken on record and placed at page No. 127 (Annexure A-19) of the paper book.
- 3. The present Original Application is filed challenging the impugned show cause notice dated 23.11.2020 (Annexure A-15) issued by the respondent No. 2 to the applicant asking him to produce on record certain documents, which were not found at the time of inspection, failing which the further action was contemplated. In view of that, the right to sue would not survive in heirs and legal representatives of the deceased applicant, as the alleged cause of action was pure personal.
- 4. In view of above, the O.A. stands disposed of being abated and cause of action being would not survive. There shall be no order as to costs.

## ORIGINAL APPLICATION NO. 588 OF 2020 (Savita S. Salve V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER

## TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

## **ORAL ORDER:**

Shri S.S. Shinde, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 06.09.2022.

MEMBER (J)

## ORIGINAL APPLICATION NO. 571 OF 2020 (Madhukar R. Mapari V/s. State of Maharashtra & Ors.)

## OFFICE ORDER

### TRIBUNAL'S ORDERS

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

: 03.08.2022.

## **ORAL ORDER:**

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

- 2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 4. Same is taken on record and copy thereof has been served on the other side.
- 3. S.O. to 07.09.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

M.A. No. 28/2022 in O.A. St. No. 57/2022 (Pankaj D. Soundankar V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER

### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

## **ORAL ORDER:**

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

- 2. Record shows that affidavit in reply is already filed on behalf of respondent No. 2 in M.A.
- 3. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit in M.A.
- 4. S.O. to 06.09.2022 for hearing.

**MEMBER (J)** 

M.A. No. 284/2020 in O.A. St. No. 1213/2020 (Sumanbai R. Tayde V/s. State of Maharashtra & Ors.)

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## **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

## **ORAL ORDER:**

Heard Shri S.D. Dhongde, learned Advocate holding for Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

- 2. At the request of learned Presenting Officer, time is granted as a last chance for filing affidavit in reply on behalf of respondents in M.A.
- 3. S.O. to 06.09.2022.

**MEMBER (J)** 

M.A. No. 27/2022 in O.A. St. No. 64/2022 (Madhavi M. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER

### TRIBUNAL'S ORDERS

CODAN . Hawkla Chai V.D. Danama Mambar (I)

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J)

**DATE** : 03.08.2022.

## **ORAL ORDER**:

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

- 2. Learned Advocate for the applicant submits that the applicants do not wish to file rejoinder affidavit in M.A.
- 3. S.O. to 06.09.2022 for hearing.

**MEMBER (J)** 

M.A. No. 167/2022 in O.A. St. No. 553/2022 (Agatrao N. Kolekar V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER

### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

## **ORAL ORDER**:

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

- 2. Learned Presenting Officer filed short affidavit in reply on behalf of respondent No. 3. Same is taken on record and copy thereof has been served on the other side.
- 3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1, 2 & 4 in M.A.
- 4. S.O. to 07.09.2022.

MEMBER (J)

M.A. No. 201/2022 in O.A. St. No. 828/2022 (Gajanan R. Rohankar V/s. State of Maharashtra & Ors.)

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## **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

## **ORAL ORDER:**

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

- 2. At the request of learned Presenting Officer, time is granted as a last chance for filing affidavit in reply on behalf of respondents in M.A.
- 3. S.O. to 05.09.2022.

**MEMBER (J)** 

## ORIGINAL APPLICATION NO. 310 OF 2020 (Sandip P. Nalawade V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER

### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

## **ORAL ORDER:**

Heard Shri Mayur Subhedar, learned Advocate holding for Shri C.V. Dharurkar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

- 2. The present matter has already been treated as part heard.
- 3. At the request of learned Advocate for the applicant, S.O. to 17.08.2022.

MEMBER (J)

## ORIGINAL APPLICATION NO. 566 OF 2020 (Nathu N. Khadtare & ors. V/s. State of Maharashtra & Ors.)

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## **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

## **ORAL ORDER:**

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

- 2. The present matter has already been treated as part heard.
- 3. At the request of learned Presenting Officer, S.O. to 11.08.2022.

**MEMBER (J)** 

## ORIGINAL APPLICATION NO. 58 OF 2017 (Maruti M. Kakad V/s. State of Maharashtra & Ors.)

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## **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

## **ORAL ORDER:**

Shri D.T. Devane, learned Advocate for the applicant (**Absent**). Heard Shri I.S. Thorat, learned Presenting Officer for the respondents.

- 2. Learned Presenting Officer filed affidavit in reply on behalf of respondent No. 1. Same is taken on record. He has also deposited one additional copy of the said affidavit in reply of respondent No. 1 for the applicant.
- 3. As none present for the applicant, S.O. to 23.08.2022 for final hearing.

**MEMBER (J)** 

## ORIGINAL APPLICATION NO. 388 OF 2018 (Namdeo P. Gawali V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER

## TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

## **ORAL ORDER**:

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

2. By consent of both the parties, S.O. to 07.09.2022 for final hearing.

MEMBER (J)

## ORIGINAL APPLICATION NO. 200 OF 2018 (Dinkar G. Shahane V/s. State of Maharashtra & Ors.)

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OFFICE ORDER

### TRIBUNAL'S ORDERS

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

DATE: 03.08.2022.

## **ORAL ORDER:**

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

- 2. Learned Advocate for the applicant submits that the amendment in the present O.A. is necessary and therefore, he seeks time to take necessary steps in matter. Time granted.
- 3. S.O. to 18.08.2022 for final hearing.

**MEMBER (J)** 

## ORIGINAL APPLICATION NO. 206 OF 2019 (Amruta R. Paralikar V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER

### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

## **ORAL ORDER:**

Shri C.K. Shinde, learned Advocate for the applicant (**Absent**). Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Record shows that nobody is appearing on behalf of the applicant since last five dates i.e. on 11.02.2022, 15.03.2022, 22.04.2022, 24.06.2022 and 19.07.2022. In view of the same, it appears that the applicant is not interested in prosecuting the matter. Hence, the O.A. stands dismissed in default.

MEMBER (J)

## ORIGINAL APPLICATION NO. 810 OF 2019

(Shamsunder M. Choudhari V/s. State of Maharashtra & Ors.)

OFFICE ORDER

### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

## **ORAL ORDER:**

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

- 2. The present matter is to be treated as part heard.
- 3. By consent of both the sides, S.O. to 08.09.2022.

MEMBER (J)

## ORIGINAL APPLICATION NO. 186 OF 2020 (Sachin H. Kendre V/s. State of Maharashtra & Ors.)

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## **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

## **ORAL ORDER**:

Shri A.B. Kale, learned Advocate for the applicant and S.A. Ambad, learned Advocate for respondent No. 5, are **absent**. Heard Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1 to 4.

2. Record shows that nobody is appearing on behalf of the applicant since last six dates i.e. on 16.12.2021, 01.02.2022, 30.03.2022, 05.05.2022, 21.06.2022 and 19.07.2022. In view of the same, it appears that the applicant is not interested in prosecuting the matter. Hence, the O.A. stands dismissed in default.

MEMBER (J)

## ORIGINAL APPLICATION NO. 35 OF 2021

(Shaikh Mohammad Noman Shaikh Aleem & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

### TRIBUNAL'S ORDERS

CODAM . Handle Chair V.D. Danner Manchau (1)

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

DATE: 03.08.2022.

## **ORAL ORDER:**

Shri Mohit Deshmukh, learned Advocate for the applicants (**Absent**). Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. As none present for the applicants, S.O. to 08.09.2022 for final hearing.

**MEMBER (J)** 

## ORIGINAL APPLICATION NO. 180 OF 2021 (Chandrashekhar S. Kulthe V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER

### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

## **ORAL ORDER**:

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

- 2. The present matter is to be treated as part heard.
- 3. At the request of learned Presenting Officer, S.O. to 08.09.2022.

**MEMBER (J)** 

## ORIGINAL APPLICATION NO. 361 OF 2021 (Madhukar G. Misal V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER

### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

## **ORAL ORDER:**

Heard Shri Mayur Subhedar, learned Advocate holding for Shri C.V. Dharurkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 08.09.2022 for final hearing.

**MEMBER (J)** 

## ORIGINAL APPLICATION NO. 347 OF 2021 (Suresh K. Bharati V/s. State of Maharashtra & Ors.)

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### OFFICE ORDER

### TRIBUNAL'S ORDERS

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

DATE: 03.08.2022.

## **ORAL ORDER:**

Smt. R.L. Jakhade / Shri S.A. Kulkarni, learned Advocate for the applicant (**Absent**). Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 08.09.2022 for final hearing.

MEMBER (J)

## ORIGINAL APPLICATION NO. 189 OF 2021 (Sakharam C. Kashid V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER

### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

## **ORAL ORDER:**

Heard Shri Avinash Khedkar, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent No. 1 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 and 3.

- 2. The present matter is to be treated as part heard.
- 3. By consent of all the parties, S.O. to 26.08.2022. Interim relief granted earlier to continue till then.

MEMBER (J)

## ORIGINAL APPLICATION NO. 214 OF 2021 (Ramnath N. Raut V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER

### TRIBUNAL'S ORDERS

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

DATE: 03.08.2022.

## **ORAL ORDER:**

Heard Shri Avinash Khedkar, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent No. 1 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 and 3.

- 2. The present matter is to be treated as part heard.
- 3. By consent of all the parties, S.O. to 26.08.2022. Interim relief granted earlier to continue till then.

MEMBER (J)

## ORIGINAL APPLICATION NO. 336 OF 2021 (Raosaheb S. Bhosale V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER

### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

## **ORAL ORDER:**

Heard Shri Avinash Khedkar, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent No. 1 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 and 3.

- 2. The present matter is to be treated as part heard.
- 3. By consent of all the parties, S.O. to 26.08.2022. Interim relief granted earlier to continue till then.

MEMBER (J)

## ORIGINAL APPLICATION NO. 365 OF 2021 (Prabhakar B. Jondhale V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER

### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

## **ORAL ORDER:**

Heard Shri Avinash Khedkar, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent No. 1 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 and 3.

- 2. The present matter is to be treated as part heard.
- 3. By consent of all the parties, S.O. to 26.08.2022.

MEMBER (J)

## ORIGINAL APPLICATION NO. 533 OF 2021 (Diwakar M. Jadhav V/s. State of Maharashtra & Ors.)

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### OFFICE ORDER

### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

## **ORAL ORDER:**

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

- 2. The present matter is to be treated as part heard.
- 3. By consent of both the sides, S.O. to 22.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 674 OF 2021 (Pravin J. Rasal V/s. State of Maharashtra & Ors.)

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## **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

## **ORAL ORDER:**

Heard Shri Sayyed Tauseef, learned Advocate holding for Shri P.D. Suryawanshi, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 06.09.2022 for final hearing.

**MEMBER (J)** 

## ORIGINAL APPLICATION NO. 189 OF 2020 (Mamta S. Vispute & Anr. V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER

### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

## **ORAL ORDER:**

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

- 2. The present matter is to be treated as part heard.
- 3. By consent of both the sides, S.O. to 22.08.2022 for final hearing.

MEMBER (J)

## ORIGINAL APPLICATION NO. 04 OF 2020 (Chhaya S. Shinde V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER

### TRIBUNAL'S ORDERS

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

DATE: 03.08.2022.

## **ORAL ORDER:**

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

- 2. The present matter is to be treated as part heard.
- 3. By consent of both the sides, S.O. to 10.08.2022 for final hearing.

**MEMBER (J)** 

M.A. St. No. 1235/2022 in O.A. No. 491/2022 (Ashok B. Yede V/s. Utkarsh S. Gute & Ors.)

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### **OFFICE ORDER**

### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

## **ORAL ORDER:**

The present Misc. Application is filed seeking to intervene in the O.A. No. 491/2022 filed by the respondent No. 1.

- 2. The respondent No. 1 herein (applicant in O.A.) filed O.A. No. 491/2022 challenging the legality and validity of the impugned order of his suspension dated 01.06.2022 issued by the respondent No. 2 herein.
- 3. It is the contention of present applicant / intervenor that he is the district president of Aam Admi Party of Beed district and is also citizen of Beed occasions, city. On various he had tendered representations / applications to the competent authorities, whereby the conduct and behavior of the respondent No. 1 was brought into light and had shown the illegalities committed at the instance of the respondent No. 1 substantiating the said allegations by proof. In view of the same, the respondent No. 1 came to be suspended. In these circumstances, he has a right to intervene in the O.A. No. 491/2022 filed by the respondent No. 1, as the respondent No. 1 is a public servant. The present applicant has locus-standi

to intervene in the O.A. No. 491/2022, as the respondent No. 1 is a public servant.

- 4. The respondent No. 1 filed affidavit in reply and resisted the present Misc. Application contending that the applicant / intervenor has no right to seek intervention in the O.A. filed by him raising service matter as defined under Section 3 (q) of the Administrative Tribunals Act, 1985.
- 5. It is further contended by him that bare reading of the application would show that the status of the present applicant / intervenor is a politician. It would show that the intentions of the applicant / intervenor are not bona-fide and he clearly wants to prolong the proceedings. Moreover, so-called record sought to be filed by him regarding alleged irregularities committed by the respondent No. 1 / applicant in O.A. can be filed before this Tribunal through the respondent Nos. 1 to 3 in the O.A., who are resisting the proceedings. In view of the same, the present M.A. is liable to be rejected.
- 6. I have heard the arguments advanced by Shri V.S. Kadam, learned Advocate for the applicant / intervenor in the present M.A., Shri Avinash Deshmukh, learned Advocate for respondent No. 1 in the present M.A. / applicant in O.A. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

- 7. Perusal of the M.A. would show that it is on stamp number and the office has raised objection about maintainability of the said application, as the applicant / intervenor is not a Government servant.
- 8. Perusal of the Original Application No. 491/2022 would show that the same is filed challenging the impugned order of suspension of the original applicant dated 01.06.2022 issued by the respondent No. 1 in the said O.A. In the said O.A., notices were already issued and the pleadings are complete up to the rejoinder affidavit and the matter is ready for hearing at the stage of admission.
- 9. The O.A. No. 491/2022 is filed by invoking jurisdiction of this Tribunal under Section 19 of the Administrative Tribunals Act, 1985, which specifies that a person aggrieved by any order pertaining to any matter within the jurisdiction of a Tribunal may make an application to the Tribunal for the redressal of his grievance. In this regard, it would also be just and proper to refer to Section 15 of the Administrative Tribunals Act, 1985 of jurisdiction, powers and authority of State Administrative Tribunals. Causes (b) & (c) of sub-section (1) of Section 15 of the said Act is as follows:-
  - "15. Jurisdiction, powers and authority of State Administrative Tribunals.—(1) Save as otherwise expressly provided in this Act, the Administrative Tribunal for a State shall exercise, on and from the appointed day, all the jurisdiction, powers and authority exercisable immediately before

that day by all courts (except the Supreme Court 3 \*\*\*) in relation to—

(a).....

- (b) all service matters concerning a person [not being a person referred to in clause (c) of this subsection or a member, person or civilian referred to in clause (b) of sub-section (1) of section 14] appointed to any civil service of the State or any civil post under the State and pertaining to the service of such person in connection with the affairs of the State or of any local or other authority under the control of the State Government or of any corporation 4 [or society] owned or controlled by the State Government;
- (c) all service matters pertaining to service in connection with the affairs of the State concerning a person appointed to any service or post referred to in clause (b), being a person whose services have been placed by any such local or other authority or corporation 4 [or society] or other body as is controlled or owned by the State Government, at the disposal of the State Government for such appointment."

In this connection also it would be just and proper to refer the definition of 'service matters' under Section 3 (q) of the Administrative Tribunals Act, 1985, which is as follows:-

## "3. Definitions.—

- (q) "service matters", in relation to a person, means all matters relating to the conditions of his service in connection with the affairs of the Union or of any State or of any local or other authority within the territory of India or under the control of the Government of India, or, as the case may be, of any corporation 6 [or society] owned or controlled by the Government, as respects—
- (i) remuneration (including allowances), pension and other retirement benefits;

- (ii) tenure including confirmation, seniority, promotion, reversion, premature retirement and superannuation;
  - (iii) leave of any kind;
  - (iv) disciplinary matters; or
  - (v) any other matter whatsoever;"
- 10. Upon plain reading of the above-said provisions conjointly, it is evident that what is contemplated under Administrative Tribunals Act, 1985 is the litigation between the Government servant and the concerned State Government or authorities of State of Government. Hence, aggrieved person as contemplated under this scheme only can be a Government servant in connection with the service matters.
- 11. Admittedly, in this case, the applicant / intervenor is not a Government servant and as a Government servant, he is not likely to be affected due to outcome of the O.A. No. 491/2022 filed by the respondent No. 1. The respondents / Government Authorities are there to take care of the rights of general public. In view of the same, even if, it is assumed that on the complaint made by this applicant and like person, if any action is initiated against the Government servant, it cannot be said that only because he is likely to be affected by the conduct of the Government servant, such person who is not a Government servant can be said to be likely to be affected due to outcome of a litigation and also likely to be aggrieved person as contemplated under Section 19 of the Administrative Tribunals Act, 1985. In view of the same, if the matter is seen from any of the angles

//6// M.A. St. 1235/2022 in O.A. No. 491/2022

by any stretch of imagination, it cannot be said that the applicant / intervenor would be a person having locus-standi to make such intervention application in the O.A. filed invoking the jurisdiction of this Tribunal under Section 19 of the Administrative Tribunals Act, 1985. In view of the same, the present Misc. Application must fail. I therefore proceed to pass following order:-

## ORDER

The M.A. St. No. 1235/2022 stands rejected with no order as to costs.

MEMBER (J)

KBP ORAL ORDERS 03.08.2022

M.A. St. No. 1243/2022 in O.A. No. 491/2022 (Balaji Narsu Pawar V/s. Utkarsh S. Gute & Ors.)

**OFFICE ORDER** 

#### TRIBUNAL'S ORDERS

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

CORAM : Hon ble Snri V.D. Dongre, Member

**DATE** : 03.08.2022.

## **ORAL ORDER:**

The present Misc. Application is filed seeking to intervene in the O.A. No. 491/2022 filed by the respondent No. 3 herein.

- 2. It is contended that the respondent No. 3 filed above-said O.A. No. 491/2022 challenging suspension order dated 01.06.2022. According to him, the present applicant / intervenor is resident of Palwan, Beed and is an agriculturist. According to him, the respondent No. 3 committed fraud during his service tenure as a Chief Officer of Nagar Parishad Beed and also committed several irregularities in Ward formation. Therefore, Aassembly question was raised and considering the seriousness of the matter, the Government was pleased to suspend the respondent No. 3. The present applicant wants to produce certain documents in O.A. being interested person and therefore, he seeks intervention in the O.A. No. 491/2022.
- 3. The respondent No. 3 filed affidavit in reply and resisted the present Misc. Application contending that the applicant / intervenor has no right to seek intervention in the O.A. filed by him raising service

matter as defined under Section 3 (q) of the Administrative Tribunals Act, 1985.

- 4. It is further contended by him that bare reading of the application would show that the present applicant / intervenor is a total stranger. It would show that the intentions of the applicant / intervenor are not bona-fide and he clearly wants to prolong the proceedings. Moreover, he wants to place on record so-called record regarding alleged irregularities committed by the respondent No. 3 / applicant in O.A., which can be produced before this Tribunal through the respondent Nos. 1 to 3 in the O.A., who are resisting the proceedings. In view of the same, the present M.A. is liable to be rejected.
- 5. I have heard the arguments advanced by Shri C.V. Thombre, learned Advocate for the applicant / intervenor in the present M.A., Shri Avinash Deshmukh, learned Advocate for respondent No. 3 in the present M.A. / applicant in O.A. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.
- 6. Perusal of the M.A. would show that it is on stamp number and the office has raised objection about maintainability of the said application, as the applicant / intervenor is not a Government servant.
- 7. Perusal of the Original Application No. 491/2022 would show that the same is filed challenging the

impugned order of suspension of the original applicant dated 01.06.2022 issued by the respondent No. 1 in the said O.A. In the said O.A., notices were already issued and the pleadings are complete up to the rejoinder affidavit and the matter is ready for hearing at the stage of admission.

- 8. The O.A. No. 491/2022 is filed by invoking jurisdiction of this Tribunal under Section 19 of the Administrative Tribunals Act, 1985, which specifies that a person aggrieved by any order pertaining to any matter within the jurisdiction of a Tribunal may make an application to the Tribunal for the redressal of his grievance. In this regard, it would also be just and proper to refer to Section 15 of the Administrative Tribunals Act, 1985 of jurisdiction, powers and authority of State Administrative Tribunals. Causes (b) & (c) of sub-section (1) of Section 15 of the said Act is as follows:-
  - "15. Jurisdiction, powers and authority of State Administrative Tribunals.—(1) Save as otherwise expressly provided in this Act, the Administrative Tribunal for a State shall exercise, on and from the appointed day, all the jurisdiction, powers and authority exercisable immediately before that day by all courts (except the Supreme Court 3 \*\*\*) in relation to—

1	a	)

<sup>(</sup>b) all service matters concerning a person [not being a person referred to in clause (c) of this subsection or a member, person or civilian referred to in clause (b) of sub-section (1) of section 14] appointed to any civil service of the State or any civil post

under the State and pertaining to the service of such person in connection with the affairs of the State or of any local or other authority under the control of the State Government or of any corporation 4 [or society] owned or controlled by the State Government;

(c) all service matters pertaining to service in connection with the affairs of the State concerning a person appointed to any service or post referred to in clause (b), being a person whose services have been placed by any such local or other authority or corporation 4 [or society] or other body as is controlled or owned by the State Government, at the disposal of the State Government for such appointment."

In this connection also it would be just and proper to refer the definition of 'service matters' under Section 3 (q) of the Administrative Tribunals Act, 1985, which is as follows:-

### "3. Definitions.—

- (q) "service matters", in relation to a person, means all matters relating to the conditions of his service in connection with the affairs of the Union or of any State or of any local or other authority within the territory of India or under the control of the Government of India, or, as the case may be, of any corporation 6 [or society] owned or controlled by the Government, as respects—
- (i) remuneration (including allowances), pension and other retirement benefits;
- (ii) tenure including confirmation, seniority, promotion, reversion, premature retirement and superannuation;
  - (iii) leave of any kind;
  - (iv) disciplinary matters; or
  - (v) any other matter whatsoever;"

- 9. Upon plain reading of the above-said provisions conjointly, it is evident that what is contemplated under Administrative Tribunals Act, 1985 is the litigation between the Government servant and the concerned State Government or authorities of State of Government. Hence, aggrieved person as contemplated under this scheme only can be a Government servant in connection with the service matters.
- 10. Admittedly, in this case, the applicant / intervenor is not a Government servant and as a Government servant, he is not likely to be affected due to outcome of the O.A. No. 491/2022 filed by the The respondents / Government respondent No. 3. Authorities are there to take care of the rights of general public. In view of the same, even if, it is assumed that on the complaint made by this applicant and like person, if any action is initiated against the Government servant, it cannot be said that only because he is likely to be affected by the conduct of the Government servant, such person who is not a Government servant can be said to be likely to be affected due to outcome of a litigation and also likely to be aggrieved person as contemplated under Section 19 of the Administrative Tribunals Act, 1985. In view of the same, if the matter is seen from any of the angles by any stretch of imagination, it cannot be said that the applicant / intervenor would be a person having locus-standi to make such intervention application in the O.A. filed invoking the jurisdiction of this Tribunal

//6// M.A. St. 1243/2022 in O.A. No. 491/2022

under Section 19 of the Administrative Tribunals Act, 1985. In view of the same, the present Misc. Application must fail. I therefore proceed to pass following order:-

### ORDER

The M.A. St. No. 1243/2022 stands rejected with no order as to costs.

MEMBER (J)

KBP ORAL ORDERS 03.08.2022

O.A. No. 491/2022 with O.A. No. 536/2022 (Utkarsh S. Gute & Anr. V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

## **ORAL ORDER:**

Heard Shri Avinash Deshmukh, learned Advocate for the applicants in both the O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in both the O.As..

2. By consent of both the sides, S.O. to 11.08.2022 for hearing at the stage of admission.

MEMBER (J)

KBP ORAL ORDERS 03.08.2022

# ORIGINAL APPLICATION NO.545 OF 2020 (Dayanand U. Rajgire V/s. State of Maharashtra & Ors.)

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# **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

### **ORAL ORDER:**

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

- 2. At the request of the learned Advocate for the applicant, time is granted as a last chance for filing affidavit-in-rejoinder.
- 3. S.O. to 22.08.2022.

MEMBER (J)

# ORIGINAL APPLICATION NO.638 OF 2021 (Ganesh R. Admankar V/s. State of Maharashtra & Ors.)

**OFFICE ORDER** 

#### TRIBUNAL'S ORDERS

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

DATE: 03.08.2022.

### **ORAL ORDER:**

Heard Shri V.G. Pingle, learned Advocate for the applicant, Shri S.K.Shirse, learned Presenting Officer for the respondent No.1 and Shri G.N. Patil, learned Advocate for the respondent Nos.2 to 5.

- 2. At the request of the learned Advocate for the respondent Nos.2 to 5, time is granted for filing affidavit-in-reply on behalf of the respondent Nos.2 to 5.
- 3. S.O. to 05.09.2022.

MEMBER (J)

# ORIGINAL APPLICATION NO.421 OF 2022 (Nandkishor V. Joshi V/s. State of Maharashtra & Ors.)

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## **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

### **ORAL ORDER:**

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

- 2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.
- 3. S.O. to 05.09.2022.

**MEMBER (J)** 

# ORIGINAL APPLICATION NO.443 OF 2022 (Diwakar M. Jadhav V/s. State of Maharashtra & Ors.)

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## **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

### **ORAL ORDER:**

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

- 2. Await service of notice on the respondent No.2.
- 3. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1,3 & 4.
- 4. S.O. to 05.09.2022.

MEMBER (J)

# ORIGINAL APPLICATION NO.449 OF 2022 (Sachin R. Gupta V/s. State of Maharashtra & Ors.)

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## **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

### **ORAL ORDER:**

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

- 2. Affidavit-in-rejoinder filed on behalf of the applicant is taken on record and copy thereof has been served on the other side.
- 3. S.O. to 06.09.2022 for admission.

MEMBER (J)

# ORIGINAL APPLICATION NO.483 OF 2020 (Sanjay A. Fasale V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

### **ORAL ORDER:**

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

- 2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.
- 3. S.O. to 05.09.2022.

**MEMBER (J)** 

# ORIGINAL APPLICATION NO.496 OF 2022 (Ramesh G. Walke V/s. State of Maharashtra & Ors.)

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## **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

DATE: 03.08.2022.

### **ORAL ORDER:**

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

- 2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.
- 3. S.O. to 25.08.2022.

MEMBER (J)

# ORIGINAL APPLICATION NO.618 OF 2022 (Shivaji M. Palepad V/s. State of Maharashtra & Ors.)

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# **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

DATE: 03.08.2022.

### **ORAL ORDER:**

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

- 2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.
- 3. S.O. to 25.08.2022.

MEMBER (J)

M.A.NO.12 OF 2021 IN O.A.ST.NO.34 OF 2021 (Gorakh B. Dhakane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

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DATE: 03.08.2022.

### **ORAL ORDER:**

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

2. In view of absence of learned Advocate for the applicant, S.O. to 07.09.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

M.A.NO.18 OF 2021 IN O.A.ST.NO.64 OF 2021 (Asef Aslam Shaikh V/s. State of Maharashtra & Ors.)

## **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

### **ORAL ORDER:**

Heard Shri R.R. Bangar, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent No.1 and Shri S.D. Dhongde, learned Advocate for the respondent Nos.2 & 3.

- 2. At the request of the learned P.O., time is granted as a last chance for filing affidavit-in-reply on behalf of the respondent No.1.
- 3. S.O. to 08.09.2022.

MEMBER (J)

# M.A.NO.78 OF 2022 IN O.A.ST.NO.293 OF 2022 (Vaishali B. Tote V/s. State of Maharashtra & Ors.)

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## **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

DATE: 03.08.2022.

### **ORAL ORDER:**

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

- 2. At the request of the learned P.O., one more last chance is granted for filing affidavit-in-reply on behalf of the respondents in M.A.
- 3. S.O. to 23.08.2022.

MEMBER (J)

# ORIGINAL APPLICATION NO.593 OF 2022 (Yuvraj R. Giri V/s. State of Maharashtra & Ors.)

# **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

### **ORAL ORDER:**

Shri Umakant P. Giri, learned Advocate for the applicant and Shri Yashwant P. Jadhav, learned Advocate for the respondent No.3, are **absent**. Heard Shri B.S. Deokar, learned Presenting Officer for the respondent Nos.1 & 2. None present on behalf of the respondent No.4.

2. In view of absence of learned Advocate for the applicant, S.O.to 06.09.2022 for filing affidavit-in-rejoinder.

MEMBER (J)

# ORIGINAL APPLICATION NO.177 OF 2021 (Lata B. Jadhav V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

#### TRIBUNAL'S ORDERS

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

DATE: 03.08.2022.

### **ORAL ORDER:**

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

- 2. Affidavit-in-reply filed on behalf of the respondent Nos.1 to 4 is taken on record and copy thereof has been served on the other side.
- 3. S.O. to 05.09.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

# ORIGINAL APPLICATION NO.272 OF 2021 (Jayawant R. Bhangare V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

### **ORAL ORDER:**

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

- 2. At the request of the learned Advocate for the applicant, one more last chance is granted for filing affidavit-in-rejoinder.
- 3. S.O. to 24.08.2022.

MEMBER (J)

## ORIGINAL APPLICATION NO.357 OF 2021

(Mirza Jamil Baig Mirza Hayat Baig V/s. State of Maharashtra & Ors.)

**OFFICE ORDER** 

#### TRIBUNAL'S ORDERS

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

DATE: 03.08.2022.

### **ORAL ORDER:**

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

- 2. Affidavit-in-sur-rejoinder filed on behalf of the respondent No.3 is taken on record and copy thereof has been served on the other side.
- 3. At the request of the learned P.O., one more last chance is granted for filing affidavit-in-reply on behalf of the respondent No.4.
- 4. S.O. to 30.08.2022.

MEMBER (J)

# ORIGINAL APPLICATION NO.387 OF 2021 (Shakar B. Ghogare V/s. State of Maharashtra & Ors.)

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## **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

### **ORAL ORDER:**

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

- 2. At the request of the learned Advocate for the applicant, time is granted for filing affidavit-in-rejoinder.
- 3. S.O. to 08.09.2022.

MEMBER (J)

# ORIGINAL APPLICATION NO.711 OF 2021 (Lalita Late Bhagwan Gaikwad V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

### **ORAL ORDER:**

Shri Rahul M. Jade, learned Advocate for the applicant, is **absent**. Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 08.09.2022 for filing affidavit-in-rejoinder.

MEMBER (J)

## **ORIGINAL APPLICATION NO.68 OF 2022** (Laxman S. Kolhe V/s. State of Maharashtra & Ors.)

## OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

## **ORAL ORDER:**

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

- At the request of the learned Advocate for the applicant, time is granted for filing affidavit-inrejoinder.
- S.O. to 30.08.2022. 3.

MEMBER (J)

# ORIGINAL APPLICATION NO.85 OF 2022 (Madhav B. Nilawad V/s. State of Maharashtra & Ors.)

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## **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

DATE: 03.08.2022.

### **ORAL ORDER:**

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

- 2. Learned P.O. for the respondents submits that during the course of the day he would file affidavit-in-reply on behalf of the respondent Nos.1 & 2.
- 3. S.O. to 30.08.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

# ORIGINAL APPLICATION NO.147 OF 2022 (Bhaskar D. Nalte V/s. State of Maharashtra & Ors.)

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## **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

DATE: 03.08.2022.

### **ORAL ORDER:**

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

- 2. At the request of the learned P.O., one more last chance is granted for filing affidavit-in-reply on behalf of the respondents.
- 3. S.O. to 24.08.2022.

**MEMBER (J)** 

# ORIGINAL APPLICATION NO.398 OF 2022 (Yuvraj B. Dhamik V/s. State of Maharashtra & Ors.)

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# **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

### **ORAL ORDER:**

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

- 2. At the request of the learned C.P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.
- 3. S.O. to 05.09.2022.

MEMBER (J)

M.A. No. 82/2020 in O.A. St. No. 172/2020 (Arshad Khan Gulab Khan V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

## **ORAL ORDER:**

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 05.09.2022.

MEMBER (J)

KBP ORAL ORDERS 03.08.2022

M.A. No. 303/2022 in O.A. St. No. 708/2022 (Nagnath M. Adamankar V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

### **ORAL ORDER:**

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

- 2. Issue notice to the respondents in M.A., returnable on 06.09.2022.
- 3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
- 7. S.O. to 06.09.2022.
- 8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

# ORIGINAL APPLICATION NO. 549 OF 2020 (Nitin T. Jadhav V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J)

**DATE** : 03.08.2022.

**ORAL ORDER:** 

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

- 2. Learned Advocate for the applicant submitted that the applicant is no more being died on 06.03.2022. He produced on record a copy of death certificate. It is taken on record and placed at page No. 127 (Annexure A-19) of the paper book.
- 3. The present Original Application is filed challenging the impugned show cause notice dated 23.11.2020 (Annexure A-15) issued by the respondent No. 2 to the applicant asking him to produce on record certain documents, which were not found at the time of inspection, failing which the further action was contemplated. In view of that, the right to sue would not survive in heirs and legal representatives of the deceased applicant, as the alleged cause of action was pure personal.
- 4. In view of above, the O.A. stands disposed of being abated and cause of action being would not survive. There shall be no order as to costs.

# ORIGINAL APPLICATION NO. 588 OF 2020 (Savita S. Salve V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

## **ORAL ORDER:**

Shri S.S. Shinde, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 06.09.2022.

MEMBER (J)

KBP ORAL ORDERS 03.08.2022

### ORIGINAL APPLICATION NO. 571 OF 2020 (Madhukar R. Mapari V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

#### **ORAL ORDER**:

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

- 2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 4. Same is taken on record and copy thereof has been served on the other side.
- 3. S.O. to 07.09.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

M.A. No. 28/2022 in O.A. St. No. 57/2022 (Pankaj D. Soundankar V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

CODAM . Hawkla Chai V.D. Danama Mamban (I)

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J)

**DATE** : 03.08.2022.

#### **ORAL ORDER**:

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

- 2. Record shows that affidavit in reply is already filed on behalf of respondent No. 2 in M.A.
- 3. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit in M.A.
- 4. S.O. to 06.09.2022 for hearing.

**MEMBER (J)** 

M.A. No. 284/2020 in O.A. St. No. 1213/2020 (Sumanbai R. Tayde V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

#### **ORAL ORDER:**

Heard Shri S.D. Dhongde, learned Advocate holding for Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

- 2. At the request of learned Presenting Officer, time is granted as a last chance for filing affidavit in reply on behalf of respondents in M.A.
- 3. S.O. to 06.09.2022.

**MEMBER (J)** 

M.A. No. 27/2022 in O.A. St. No. 64/2022 (Madhavi M. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J)

**DATE** : 03.08.2022.

#### **ORAL ORDER**:

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

- 2. Learned Advocate for the applicant submits that the applicants do not wish to file rejoinder affidavit in M.A.
- 3. S.O. to 06.09.2022 for hearing.

**MEMBER (J)** 

M.A. No. 167/2022 in O.A. St. No. 553/2022 (Agatrao N. Kolekar V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

#### **ORAL ORDER:**

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

- 2. Learned Presenting Officer filed short affidavit in reply on behalf of respondent No. 3. Same is taken on record and copy thereof has been served on the other side.
- 3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1, 2 & 4 in M.A.
- 4. S.O. to 07.09.2022.

MEMBER (J)

M.A. No. 201/2022 in O.A. St. No. 828/2022 (Gajanan R. Rohankar V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

#### **ORAL ORDER:**

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

- 2. At the request of learned Presenting Officer, time is granted as a last chance for filing affidavit in reply on behalf of respondents in M.A.
- 3. S.O. to 05.09.2022.

MEMBER (J)

### ORIGINAL APPLICATION NO. 310 OF 2020 (Sandip P. Nalawade V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

#### **ORAL ORDER:**

Heard Shri Mayur Subhedar, learned Advocate holding for Shri C.V. Dharurkar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

- 2. The present matter has already been treated as part heard.
- 3. At the request of learned Advocate for the applicant, S.O. to 17.08.2022.

MEMBER (J)

### ORIGINAL APPLICATION NO. 566 OF 2020 (Nathu N. Khadtare & ors. V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

DATE: 03.08.2022.

#### **ORAL ORDER:**

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

- 2. The present matter has already been treated as part heard.
- 3. At the request of learned Presenting Officer, S.O. to 11.08.2022.

MEMBER (J)

### ORIGINAL APPLICATION NO. 58 OF 2017 (Maruti M. Kakad V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

#### **ORAL ORDER:**

Shri D.T. Devane, learned Advocate for the applicant (**Absent**). Heard Shri I.S. Thorat, learned Presenting Officer for the respondents.

- 2. Learned Presenting Officer filed affidavit in reply on behalf of respondent No. 1. Same is taken on record. He has also deposited one additional copy of the said affidavit in reply of respondent No. 1 for the applicant.
- 3. As none present for the applicant, S.O. to 23.08.2022 for final hearing.

**MEMBER (J)** 

### ORIGINAL APPLICATION NO. 388 OF 2018 (Namdeo P. Gawali V/s. State of Maharashtra & Ors.)

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OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

#### **ORAL ORDER**:

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

2. By consent of both the parties, S.O. to 07.09.2022 for final hearing.

MEMBER (J)

### ORIGINAL APPLICATION NO. 200 OF 2018 (Dinkar G. Shahane V/s. State of Maharashtra & Ors.)

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OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

#### **ORAL ORDER:**

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

- 2. Learned Advocate for the applicant submits that the amendment in the present O.A. is necessary and therefore, he seeks time to take necessary steps in matter. Time granted.
- 3. S.O. to 18.08.2022 for final hearing.

**MEMBER (J)** 

### ORIGINAL APPLICATION NO. 206 OF 2019 (Amruta R. Paralikar V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

#### **ORAL ORDER**:

Shri C.K. Shinde, learned Advocate for the applicant (**Absent**). Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Record shows that nobody is appearing on behalf of the applicant since last five dates i.e. on 11.02.2022, 15.03.2022, 22.04.2022, 24.06.2022 and 19.07.2022. In view of the same, it appears that the applicant is not interested in prosecuting the matter. Hence, the O.A. stands dismissed in default.

MEMBER (J)

### ORIGINAL APPLICATION NO. 810 OF 2019

(Shamsunder M. Choudhari V/s. State of Maharashtra & Ors.)

OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

#### **ORAL ORDER**:

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

- 2. The present matter is to be treated as part heard.
- 3. By consent of both the sides, S.O. to 08.09.2022.

MEMBER (J)

### ORIGINAL APPLICATION NO. 186 OF 2020 (Sachin H. Kendre V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

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**DATE** : 03.08.2022.

#### **ORAL ORDER**:

Shri A.B. Kale, learned Advocate for the applicant and S.A. Ambad, learned Advocate for respondent No. 5, are **absent**. Heard Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1 to 4.

2. Record shows that nobody is appearing on behalf of the applicant since last six dates i.e. on 16.12.2021, 01.02.2022, 30.03.2022, 05.05.2022, 21.06.2022 and 19.07.2022. In view of the same, it appears that the applicant is not interested in prosecuting the matter. Hence, the O.A. stands dismissed in default.

MEMBER (J)

#### ORIGINAL APPLICATION NO. 35 OF 2021

(Shaikh Mohammad Noman Shaikh Aleem & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

#### TRIBUNAL'S ORDERS

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<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J)

**DATE** : 03.08.2022.

#### **ORAL ORDER:**

Shri Mohit Deshmukh, learned Advocate for the applicants (**Absent**). Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. As none present for the applicants, S.O. to 08.09.2022 for final hearing.

**MEMBER (J)** 

### ORIGINAL APPLICATION NO. 180 OF 2021 (Chandrashekhar S. Kulthe V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

#### **ORAL ORDER:**

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

- 2. The present matter is to be treated as part heard.
- 3. At the request of learned Presenting Officer, S.O. to 08.09.2022.

MEMBER (J)

### ORIGINAL APPLICATION NO. 361 OF 2021 (Madhukar G. Misal V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

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**DATE** : 03.08.2022.

#### **ORAL ORDER**:

Heard Shri Mayur Subhedar, learned Advocate holding for Shri C.V. Dharurkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 08.09.2022 for final hearing.

MEMBER (J)

### ORIGINAL APPLICATION NO. 347 OF 2021 (Suresh K. Bharati V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

DATE: 03.08.2022.

#### **ORAL ORDER:**

Smt. R.L. Jakhade / Shri S.A. Kulkarni, learned Advocate for the applicant (**Absent**). Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 08.09.2022 for final hearing.

MEMBER (J)

### ORIGINAL APPLICATION NO. 189 OF 2021 (Sakharam C. Kashid V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

DATE: 03.08.2022.

#### **ORAL ORDER:**

Heard Shri Avinash Khedkar, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent No. 1 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 and 3.

- 2. The present matter is to be treated as part heard.
- 3. By consent of all the parties, S.O. to 26.08.2022. Interim relief granted earlier to continue till then.

MEMBER (J)

### ORIGINAL APPLICATION NO. 214 OF 2021 (Ramnath N. Raut V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

#### **ORAL ORDER**:

Heard Shri Avinash Khedkar, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent No. 1 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 and 3.

- 2. The present matter is to be treated as part heard.
- 3. By consent of all the parties, S.O. to 26.08.2022. Interim relief granted earlier to continue till then.

MEMBER (J)

### ORIGINAL APPLICATION NO. 336 OF 2021 (Raosaheb S. Bhosale V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

#### **ORAL ORDER**:

Heard Shri Avinash Khedkar, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent No. 1 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 and 3.

- 2. The present matter is to be treated as part heard.
- 3. By consent of all the parties, S.O. to 26.08.2022. Interim relief granted earlier to continue till then.

MEMBER (J)

### ORIGINAL APPLICATION NO. 365 OF 2021 (Prabhakar B. Jondhale V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

#### **ORAL ORDER**:

Heard Shri Avinash Khedkar, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent No. 1 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 and 3.

- 2. The present matter is to be treated as part heard.
- 3. By consent of all the parties, S.O. to 26.08.2022.

MEMBER (J)

### ORIGINAL APPLICATION NO. 533 OF 2021 (Diwakar M. Jadhav V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

**DATE** : 03.08.2022.

#### **ORAL ORDER:**

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

- 2. The present matter is to be treated as part heard.
- 3. By consent of both the sides, S.O. to 22.08.2022.

MEMBER (J)

### ORIGINAL APPLICATION NO. 674 OF 2021 (Pravin J. Rasal V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J)

**DATE** : 03.08.2022.

#### **ORAL ORDER:**

Heard Shri Sayyed Tauseef, learned Advocate holding for Shri P.D. Suryawanshi, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 06.09.2022 for final hearing.

**MEMBER (J)** 

### ORIGINAL APPLICATION NO. 189 OF 2020 (Mamta S. Vispute & Anr. V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

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**DATE** : 03.08.2022.

#### **ORAL ORDER**:

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

- 2. The present matter is to be treated as part heard.
- 3. By consent of both the sides, S.O. to 22.08.2022 for final hearing.

**MEMBER (J)** 

### ORIGINAL APPLICATION NO. 04 OF 2020 (Chhaya S. Shinde V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

CODAM . Hanible Shei V.D. Dangra Mambar (I)

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

**DATE** : 03.08.2022.

#### **ORAL ORDER**:

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

- 2. The present matter is to be treated as part heard.
- 3. By consent of both the sides, S.O. to 10.08.2022 for final hearing.

MEMBER (J)

M.A. St. No. 1235/2022 in O.A. No. 491/2022 (Ashok B. Yede V/s. Utkarsh S. Gute & Ors.)

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TRIBUNAL'S ORDERS

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

DATE: 03.08.2022.

#### **ORAL ORDER:**

The present Misc. Application is filed seeking to intervene in the O.A. No. 491/2022 filed by the respondent No. 1.

- 2. The respondent No. 1 herein (applicant in O.A.) filed O.A. No. 491/2022 challenging the legality and validity of the impugned order of his suspension dated 01.06.2022 issued by the respondent No. 2 herein.
- 3. It is the contention of present applicant / intervenor that he is the district president of Aam Admi Party of Beed district and is also citizen of Beed occasions, city. On various he had tendered representations / applications to the competent authorities, whereby the conduct and behavior of the respondent No. 1 was brought into light and had shown the illegalities committed at the instance of the respondent No. 1 substantiating the said allegations by proof. In view of the same, the respondent No. 1 came to be suspended. In these circumstances, he has a right to intervene in the O.A. No. 491/2022 filed by the respondent No. 1, as the respondent No. 1 is a public servant. The present applicant has locus-standi

to intervene in the O.A. No. 491/2022, as the respondent No. 1 is a public servant.

- 4. The respondent No. 1 filed affidavit in reply and resisted the present Misc. Application contending that the applicant / intervenor has no right to seek intervention in the O.A. filed by him raising service matter as defined under Section 3 (q) of the Administrative Tribunals Act, 1985.
- 5. It is further contended by him that bare reading of the application would show that the status of the present applicant / intervenor is a politician. It would show that the intentions of the applicant / intervenor are not bona-fide and he clearly wants to prolong the proceedings. Moreover, so-called record sought to be filed by him regarding alleged irregularities committed by the respondent No. 1 / applicant in O.A. can be filed before this Tribunal through the respondent Nos. 1 to 3 in the O.A., who are resisting the proceedings. In view of the same, the present M.A. is liable to be rejected.
- 6. I have heard the arguments advanced by Shri V.S. Kadam, learned Advocate for the applicant / intervenor in the present M.A., Shri Avinash Deshmukh, learned Advocate for respondent No. 1 in the present M.A. / applicant in O.A. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

- 7. Perusal of the M.A. would show that it is on stamp number and the office has raised objection about maintainability of the said application, as the applicant / intervenor is not a Government servant.
- 8. Perusal of the Original Application No. 491/2022 would show that the same is filed challenging the impugned order of suspension of the original applicant dated 01.06.2022 issued by the respondent No. 1 in the said O.A. In the said O.A., notices were already issued and the pleadings are complete up to the rejoinder affidavit and the matter is ready for hearing at the stage of admission.
- 9. The O.A. No. 491/2022 is filed by invoking jurisdiction of this Tribunal under Section 19 of the Administrative Tribunals Act, 1985, which specifies that a person aggrieved by any order pertaining to any matter within the jurisdiction of a Tribunal may make an application to the Tribunal for the redressal of his grievance. In this regard, it would also be just and proper to refer to Section 15 of the Administrative Tribunals Act, 1985 of jurisdiction, powers and authority of State Administrative Tribunals. Causes (b) & (c) of sub-section (1) of Section 15 of the said Act is as follows:-
  - "15. Jurisdiction, powers and authority of State Administrative Tribunals.—(1) Save as otherwise expressly provided in this Act, the Administrative Tribunal for a State shall exercise, on and from the appointed day, all the jurisdiction, powers and authority exercisable immediately before

that day by all courts (except the Supreme Court 3 \*\*\*) in relation to—

(a).....

- (b) all service matters concerning a person [not being a person referred to in clause (c) of this subsection or a member, person or civilian referred to in clause (b) of sub-section (1) of section 14] appointed to any civil service of the State or any civil post under the State and pertaining to the service of such person in connection with the affairs of the State or of any local or other authority under the control of the State Government or of any corporation 4 [or society] owned or controlled by the State Government;
- (c) all service matters pertaining to service in connection with the affairs of the State concerning a person appointed to any service or post referred to in clause (b), being a person whose services have been placed by any such local or other authority or corporation 4 [or society] or other body as is controlled or owned by the State Government, at the disposal of the State Government for such appointment."

In this connection also it would be just and proper to refer the definition of 'service matters' under Section 3 (q) of the Administrative Tribunals Act, 1985, which is as follows:-

#### "3. Definitions.—

- (q) "service matters", in relation to a person, means all matters relating to the conditions of his service in connection with the affairs of the Union or of any State or of any local or other authority within the territory of India or under the control of the Government of India, or, as the case may be, of any corporation 6 [or society] owned or controlled by the Government, as respects—
- (i) remuneration (including allowances), pension and other retirement benefits;

- (ii) tenure including confirmation, seniority, promotion, reversion, premature retirement and superannuation;
  - (iii) leave of any kind;
  - (iv) disciplinary matters; or
  - (v) any other matter whatsoever;"
- 10. Upon plain reading of the above-said provisions conjointly, it is evident that what is contemplated under Administrative Tribunals Act, 1985 is the litigation between the Government servant and the concerned State Government or authorities of State of Government. Hence, aggrieved person as contemplated under this scheme only can be a Government servant in connection with the service matters.
- 11. Admittedly, in this case, the applicant / intervenor is not a Government servant and as a Government servant, he is not likely to be affected due to outcome of the O.A. No. 491/2022 filed by the respondent No. 1. The respondents / Government Authorities are there to take care of the rights of general public. In view of the same, even if, it is assumed that on the complaint made by this applicant and like person, if any action is initiated against the Government servant, it cannot be said that only because he is likely to be affected by the conduct of the Government servant, such person who is not a Government servant can be said to be likely to be affected due to outcome of a litigation and also likely to be aggrieved person as contemplated under Section 19 of the Administrative Tribunals Act, 1985. In view of the same, if the matter is seen from any of the angles

//6// M.A. St. 1235/2022 in O.A. No. 491/2022

by any stretch of imagination, it cannot be said that the applicant / intervenor would be a person having locus-standi to make such intervention application in the O.A. filed invoking the jurisdiction of this Tribunal under Section 19 of the Administrative Tribunals Act, 1985. In view of the same, the present Misc. Application must fail. I therefore proceed to pass following order:-

#### ORDER

The M.A. St. No. 1235/2022 stands rejected with no order as to costs.

MEMBER (J)

M.A. St. No. 1243/2022 in O.A. No. 491/2022 (Balaji Narsu Pawar V/s. Utkarsh S. Gute & Ors.)

**OFFICE ORDER** 

#### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

#### **ORAL ORDER:**

The present Misc. Application is filed seeking to intervene in the O.A. No. 491/2022 filed by the respondent No. 3 herein.

- 2. It is contended that the respondent No. 3 filed above-said O.A. No. 491/2022 challenging suspension order dated 01.06.2022. According to him, the present applicant / intervenor is resident of Palwan, Beed and is an agriculturist. According to him, the respondent No. 3 committed fraud during his service tenure as a Chief Officer of Nagar Parishad Beed and also committed several irregularities in Ward formation. Therefore, Aassembly question was raised and considering the seriousness of the matter, the Government was pleased to suspend the respondent No. 3. The present applicant wants to produce certain documents in O.A. being interested person and therefore, he seeks intervention in the O.A. No. 491/2022.
- 3. The respondent No. 3 filed affidavit in reply and resisted the present Misc. Application contending that the applicant / intervenor has no right to seek intervention in the O.A. filed by him raising service

matter as defined under Section 3 (q) of the Administrative Tribunals Act, 1985.

- 4. It is further contended by him that bare reading of the application would show that the present applicant / intervenor is a total stranger. It would show that the intentions of the applicant / intervenor are not bona-fide and he clearly wants to prolong the proceedings. Moreover, he wants to place on record so-called record regarding alleged irregularities committed by the respondent No. 3 / applicant in O.A., which can be produced before this Tribunal through the respondent Nos. 1 to 3 in the O.A., who are resisting the proceedings. In view of the same, the present M.A. is liable to be rejected.
- 5. I have heard the arguments advanced by Shri C.V. Thombre, learned Advocate for the applicant / intervenor in the present M.A., Shri Avinash Deshmukh, learned Advocate for respondent No. 3 in the present M.A. / applicant in O.A. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.
- 6. Perusal of the M.A. would show that it is on stamp number and the office has raised objection about maintainability of the said application, as the applicant / intervenor is not a Government servant.
- 7. Perusal of the Original Application No. 491/2022 would show that the same is filed challenging the

impugned order of suspension of the original applicant dated 01.06.2022 issued by the respondent No. 1 in the said O.A. In the said O.A., notices were already issued and the pleadings are complete up to the rejoinder affidavit and the matter is ready for hearing at the stage of admission.

- 8. The O.A. No. 491/2022 is filed by invoking jurisdiction of this Tribunal under Section 19 of the Administrative Tribunals Act, 1985, which specifies that a person aggrieved by any order pertaining to any matter within the jurisdiction of a Tribunal may make an application to the Tribunal for the redressal of his grievance. In this regard, it would also be just and proper to refer to Section 15 of the Administrative Tribunals Act, 1985 of jurisdiction, powers and authority of State Administrative Tribunals. Causes (b) & (c) of sub-section (1) of Section 15 of the said Act is as follows:-
  - "15. Jurisdiction, powers and authority of State Administrative Tribunals.—(1) Save as otherwise expressly provided in this Act, the Administrative Tribunal for a State shall exercise, on and from the appointed day, all the jurisdiction, powers and authority exercisable immediately before that day by all courts (except the Supreme Court 3 \*\*\*) in relation to—

1	a	)

<sup>(</sup>b) all service matters concerning a person [not being a person referred to in clause (c) of this subsection or a member, person or civilian referred to in clause (b) of sub-section (1) of section 14] appointed to any civil service of the State or any civil post

under the State and pertaining to the service of such person in connection with the affairs of the State or of any local or other authority under the control of the State Government or of any corporation 4 [or society] owned or controlled by the State Government;

(c) all service matters pertaining to service in connection with the affairs of the State concerning a person appointed to any service or post referred to in clause (b), being a person whose services have been placed by any such local or other authority or corporation 4 [or society] or other body as is controlled or owned by the State Government, at the disposal of the State Government for such appointment."

In this connection also it would be just and proper to refer the definition of 'service matters' under Section 3 (q) of the Administrative Tribunals Act, 1985, which is as follows:-

#### "3. Definitions.—

- (q) "service matters", in relation to a person, means all matters relating to the conditions of his service in connection with the affairs of the Union or of any State or of any local or other authority within the territory of India or under the control of the Government of India, or, as the case may be, of any corporation 6 [or society] owned or controlled by the Government, as respects—
- (i) remuneration (including allowances), pension and other retirement benefits;
- (ii) tenure including confirmation, seniority, promotion, reversion, premature retirement and superannuation;
  - (iii) leave of any kind;
  - (iv) disciplinary matters; or
  - (v) any other matter whatsoever;"

- 9. Upon plain reading of the above-said provisions conjointly, it is evident that what is contemplated under Administrative Tribunals Act, 1985 is the litigation between the Government servant and the concerned State Government or authorities of State of Government. Hence, aggrieved person as contemplated under this scheme only can be a Government servant in connection with the service matters.
- 10. Admittedly, in this case, the applicant / intervenor is not a Government servant and as a Government servant, he is not likely to be affected due to outcome of the O.A. No. 491/2022 filed by the The respondents / Government respondent No. 3. Authorities are there to take care of the rights of general public. In view of the same, even if, it is assumed that on the complaint made by this applicant and like person, if any action is initiated against the Government servant, it cannot be said that only because he is likely to be affected by the conduct of the Government servant, such person who is not a Government servant can be said to be likely to be affected due to outcome of a litigation and also likely to be aggrieved person as contemplated under Section 19 of the Administrative Tribunals Act, 1985. In view of the same, if the matter is seen from any of the angles by any stretch of imagination, it cannot be said that the applicant / intervenor would be a person having locus-standi to make such intervention application in the O.A. filed invoking the jurisdiction of this Tribunal

//6// M.A. St. 1243/2022 in O.A. No. 491/2022

under Section 19 of the Administrative Tribunals Act, 1985. In view of the same, the present Misc. Application must fail. I therefore proceed to pass following order:-

### ORDER

The M.A. St. No. 1243/2022 stands rejected with no order as to costs.

MEMBER (J)

KBP ORAL ORDERS 03.08.2022

O.A. No. 491/2022 with O.A. No. 536/2022 (Utkarsh S. Gute & Anr. V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

DATE : 03.08.2022.

### **ORAL ORDER:**

Heard Shri Avinash Deshmukh, learned Advocate for the applicants in both the O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in both the O.As..

2. By consent of both the sides, S.O. to 11.08.2022 for hearing at the stage of admission.

MEMBER (J)

KBP ORAL ORDERS 03.08.2022

ORIGINAL APPLICATION NO. 490 OF 2018 (Bhaudas D. Vaishnav V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 3.8.2022

**ORAL ORDER:** 

Ms. Angha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

- 2. Learned counsel submits that she will place on record order passed by the Hon'ble Supreme Court on 25.2.2004 and seeks till till tomorrow. Time granted as prayed for.
- 3. S.O. to 4.8.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 568 OF 2018 (Sonyabapu G Bachkar V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

#### **ORAL ORDER:**

Shri P.S. Dighe, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

None appears for respondent Nos. 4 to 6.

2. At the request of learned counsel for the applicant, S.O. to 5.8.2022.

MEMBER (A)

**VICE CHAIRMAN** 

M.A.NO. 323/2022 IN O.A.ST.NO. 1251/2022 (Ashok B. Pawar & Ors. V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

<u>w</u> . Hon ble dustice Shiri Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

### **ORAL ORDER:**

Shri K.B. Jadhav, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. The present case be removed from the board.

MEMBER (A)

**VICE CHAIRMAN** 

M.A.NO. 320/2022 IN O.A.ST.NO. 1180/2022 (Amol V. Sanap & Ors. V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

#### TRIBUNAL'S ORDERS

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<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 3.8.2022

**ORAL ORDER:** 

Heard Shri M.S. Karad, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

- 2. This is an application preferred by the applicants seeking leave to sue jointly.
- 3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.
- 4. Accompanying O.A. be registered and numbered, after removal of office objections, if any. The present M.A. stands disposed of accordingly without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO. 1180 OF 2022 (Amol V. Sanap & Ors. V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

### TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 3.8.2022

#### **ORAL ORDER:**

Heard Shri M.S. Karad, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

- 2. Issue notice to respondents, returnable on 6.9.2022.
- 3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 4. Applicants are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 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 6.9.2022.
- 8. Steno copy and Hamdast is allowed to both parties.

#### MEMBER (A)

**VICE CHAIRMAN** 

### ORIGINAL APPLICATION NO. 693 OF 2022

(Dr. Aayesha Munwar Mohammed Ayub V/s. State of Maharashtra & Ors.)

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OFFICE ORDER

### TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Heard Shri A.D. Sugdare, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

- 2. Issue notice to respondents, returnable on 17.8.2022.
- 3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
- 7. S.O. to 17.8.2022.
- 8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

**VICE CHAIRMAN** 

### ORIGINAL APPLICATION NO. 961 OF 2017 (Manoj J. Agale V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 3.8.2022

#### **ORAL ORDER:**

Shri Suvidh S. Kulkarni, learned counsel for the applicant (**absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. When the present matter is taken up for consideration no one has caused appearance. On the previous date also i.e. on 25.7.2022 no one was present for the applicant. Even prior to that date i.e. on 15.6.2022 also the matter was not proceeded because of the absence of the learned counsel for the applicant. It appears that the applicant has lost the interest for prosecuting his matter further. Hence, the following order: -

### ORDER

The Original Application stands dismissed for want of prosecution however, without any order as to costs.

#### MEMBER (A)

#### **VICE CHAIRMAN**

### LATER ON

Learned Counsel for the applicant appeared and submitted that he was busy in conducting the matter

before the Hon'ble High Court, and therefore, could not remain present before the Tribunal when the matter was called out. In view of the fact that the learned Counsel has appeared later on today itself, we recall the order of dismissing the O.A. in default and restore the same.

At the request of learned Counsel for the applicant, S.O. to 17-08-2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 495 OF 2020 (Suyog Dattatray Suradkar V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

### **ORAL ORDER:**

Shri Pramod A. Kulkarni, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present.

2. When the present matter is taken up for consideration no one has caused appearance. On the previous date also i.e. on 25.7.2022 no one was present for the applicant. Even prior to that date i.e. on 15.6.2022 also the matter was not proceeded because of the absence of the learned counsel for the applicant. It appears that the applicant has lost the interest for prosecuting his matter further. Hence, the following order: -

#### ORDER

The Original Application stands dismissed for want of prosecution however, without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

O.A.NOS. 614 & 666 BOTH OF 2022 (Dr. Deepak N. Kawale & Ors. V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

### **ORAL ORDER:**

Shri A.D. Sugdare, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

- 2. The present Original Applications be tagged with O.A. No. 693/2022.
- 3. S.O. to 17.8.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 1035 OF 2019 (Dr. Sonali Bhausaheb Sayamber V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri V.B. Wagh, 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 for filing affidavit in reply. Time granted by way of last chance.
- 3. S.O. to 14.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 41 OF 2021 (Bharat Bansi Sangale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

3.8.2022 DATE:

**ORAL ORDER:** 

Shri Swaraj Tandale, learned counsel holding for Shri S.R. Kedar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

- 2. Learned Chief Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 4 and the same is taken on record and copy thereof has been served on the other side.
- 3. Learned counsel for the applicant submits that the applicant does not desire to file any rejoinder affidavit.
- 4. List the matter for hearing on 15.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 151 OF 2019 (Sachin Ashok Gade & Ors. V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

### **ORAL ORDER:**

Shri V.B. Wagh, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 14.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 481 OF 2021 (Archana Nilesh Bansode V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 3.8.2022

**ORAL ORDER:** 

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

- 2. The present case is not on today's board. It is taken on board at the request of learned counsel for the applicant.
- 3. Learned counsel for the applicant submits that the respondents have given oral assurance that the appointment on compassionate ground will be shortly issued in favour of the applicant. In view of the assurance so given, learned counsel for the applicant, on instructions, seeks leave of this Tribunal to withdraw the present Original Application. Hence, the following order: -

#### ORDER

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

MEMBER (A)

**VICE CHAIRMAN** 

C.P.NO. 5/2022 IN O.A.NO. 69/2020 (Suresh Ghanshyamrao Tandale V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

#### TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

Shri Swaraj Tandale, learned counsel holding for Shri B.R. Kedar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

- 2. Learned Presenting Officer has tendered across the bar communication dated 2.8.2022 contending therein that the order passed by this Tribunal has been fully complied with. The contention so made is objected by the learned counsel for the applicant. Additional affidavit is filed on record by the learned counsel for the applicant.
- 3. In view of the submissions made by both the parties, instead of disposing of the contempt petition we deem it appropriate to wait for some time. Hence, S.O. to 18.11.2022.

MEMBER (A)

**VICE CHAIRMAN** 

C.P.NO. 12/2022 IN O.A.NO. 265/2017 (Dr. Suresh Manikrao Karamunge V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 3.8.2022

**ORAL ORDER:** 

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

- 2. Learned counsel Shri P.R. Tandale has appeared for respondent No. 4 and has sought time for filing affidavit in reply on behalf of the said respondent. Learned Presenting Officer has also sought time to file affidavit in reply on behalf of the State authorities. Time granted.
- 3. S.O. to 13.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

T.A.NO. 2/2021 IN C.P. 1/2022 IN M.A. 1/2022 IN M.A. 309/2021 IN M.A.NO. 337/2021 WITH T.A. 1/2021 (W.P.NO. 4908/2021) (Bhaudas D. Vaishnav V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

Vice Chairman

**AND** 

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 3.8.2022

### **ORAL ORDER:**

Shri Ajay S. Deshpande, learned counsel for the applicants in T.A.NO. 2/2021, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, Shri U.S. Patil, learned counsel for respondent Nos. 5 to 10 in M.A. No. 337/2021, are present. Shri P.R. Katneshwarkar, learned Special counsel for respondent Nos. 1 to 4 in T.A. 2/2021 (absent).

### T.A. NO. 1/2021 (W.P. NO. 4908/2021)

Shri Avinash S. Deshmukh, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, Shri C.V. Dharurkar, learned counsel for respondent Nos. 6 to 8, Shri Ujjwal S. Patil, learned counsel for respondent Nos. 3 to 5, are present. Shri P.R. Katneshwarkar, learned Special counsel for respondent Nos. 1 & 2 (absent).

- 2. In the present matters extensive arguments were heard of the parties before summer vacation and the OAs were reserved for orders. Since, longer time has lapsed in between, we deem it appropriate to list the matter once again for giving opportunity to the parties to recapitulate their contentions and accordingly matters are taken on today's board.
- 3. Learned counsel for the parties have advanced brief arguments referring to their written notes of arguments. Learned counsel in T.A. No. 2/2021 has tendered across the bar the "Rules of Business" of the Government of Maharashtra. The same are taken on record. Learned counsel has also cited copies of few judgments, which are also annexed along with the said Rules of Business.
- 4. It is stated that learned Special counsel Shri P.R. Katneshwarkar appearing for the State may not be able to appear before this Tribunal today. Learned C.P.O. shall pass on these documents to Shri P.R. Katneshwarkar and if learned Special counsel intends to make submissions in these matters he may make the submissions.
- 5. S.O. to 5.8.2022.

### O.A.NOS. 658 TO 661 ALL OF 2021 WITH O.A.NOS. 182, 183, 184, 185, 186 & 187 ALL OF 2022

(Sayyed Taufik Harun & Ors. V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 3.8.2022

**ORAL ORDER:** 

Shri M.S. Karad, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these matters, are present.

- 2. In the present matters the learned C.P.O. has tendered across the bar communication received to his office from the State Government i.e. from the Health Department dated 2.8.2022. On the basis of the communication so received the learned C.P.O. has prayed six weeks' time to submit the reply in all these matters.
- 3. Learned counsel appearing for the applicants has opposed the request stating that the matters are filed in the year 2021 and since then ample opportunities have been availed but the affidavits in reply have not been filed. Having regard to the communication and more particularly after having noticed that one committee has been appointed to resolve dispute raised in the present maters, we are inclined to grant four weeks' time by way of last chance to the respondents.
- 4. S.O. to 15.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

### ORIGINAL APPLICATION NO. 702 OF 2019

(Ismail @ Raju Moinoddin Tamboli V/s. State of Maharashtra & Ors.)

#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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

Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE: 3.8.2022

**ORAL ORDER:** 

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

### 2. The facts of the case: -

2 i.e. the Commissioner, Respondent No. Department of Soil and Water Conservation (M.S.), had issued an advertisement Aurangabad 26.12.2018 for the recruitment on the post of Water Conservation Officer, Group-B. Total 282 posts were advertised. On 27.12.2018 the applicant applied for the said post by filling the examination form. 30.01.2019 the examination was conducted online and the applicant passed the said examination. On 10.07.2019 the list of the candidates eligible for documents verification was published by respondent No. 2. Name of the applicant was included in the said On 15.07.2019 the applicant appeared for list. documents verification and submitted As mentioned in the application, 9 documents. documents were to be submitted for verification.

On 20.07.2019 the list of selected candidates was published by respondent No. 2. However, name of the present applicant was not included in the said list. 22.07.2019 On the applicant preferred the representation to respondent No. 2 with request to disclose the reason for not inclusion of his name in the list of selected candidates. On 29.07.2019 the respondent No. 2 communicated to the applicant that since he does not hold requisite qualification as mentioned in the advertisement and also as per the Service Entry Rules for the post advertised, his candidature was not considered by it. In the letter dated 29.07.2019 it was clarified that since the applicant does not possess the qualification of 3 years diploma in Civil Engineering he was ineligible for being selected on the advertised post.

3. Aggrieved by the said decision the applicant has preferred the present O.A. It is the contention of the applicant that he possesses the qualification of diploma in Civil Engineering awarded by the Institute of Advanced Studies in Education (Deemed to be University), Gandhi Vidya Mandir, Sardarshahr-331403 Dist. Churu (Rajasthan). It is the contention of the applicant that the duration of the aforesaid diploma is 3 years, however, since he had passed 12<sup>th</sup> examination, with vocational subjects he got the admission for the said diploma course by way of lateral entry to the 3<sup>rd</sup> semester.

- It is further submitted by the applicant that the respondents have for wrong reasons not considered the candidature of the applicant though he was fulfilling the educational qualification. Learned Presenting Officer has reiterated the contentions raised in the affidavit in reply. In the affidavit in reply filed on behalf of the respondents it has been contended that the candidate must have completed 3 years diploma in Civil Engineering which is the mandatory requirement. It is further contended that completed HSC without the applicant had Mathematics subject from the Maharashtra State Board on 2.6.2014 and thereafter the applicant has completed HSC i.e. only with one subject Mathematics. It is further contended that the applicant directly took admission for diploma in Civil Engineering in the second year and has spent only two years for diploma course. As such, according to the respondents, the applicant does not fulfill the educational qualification as prescribed in the diploma, as well as, as provided in the Government Gazette dated 1.1.1998.
- 5. We have carefully considered the submissions advanced by learned counsel appearing for the applicant and the learned Presenting Officer appearing for the respondent authorities.
- 6. It is not in dispute that the applicant has secured diploma in Civil Engineering from the Institute of Advanced Studies in Education (Deemed University),

Gandhi Vidya Mandir, Sardarshahr-331403 Dist. Churu (Rajasthan). The diploma certificate is placed on record (page 78 of the paper book). counsel appearing for the applicant has brought to our notice that the State Government vide G.R. dated 12th December, 2006 has approved the list of Universities recognized by the State Government. Learned counsel pointed out that the Institute of Advanced Studies in Education (Deemed University) from where the applicant has completed his diploma in Civil Engineering is included in the said list at Sr. No. 206. It is also brought to our notice that the University Grant Commission has recognized and conferred the status of Deemed University on the aforesaid institution. It is further brought to our notice that the Human Resources Department of the Central Government has also included the name of the aforesaid Institution in the approved educational institution and Deemed Universities for the purposes of securing employment in the State Government services or in the Central Government services except for the purposes of teaching.

7. The applicant had from the Maharashtra State Technical Education Board sought information under Right to Information Act as about the equivalence of the diploma course completed by him and the technical board has in reply submitted that the diploma course completed by taking admission directly in the second year is equivalent to 3 yeas

diploma course, we deem it appropriate to reproduce the information as was sought and the reply given to the said information as it is in vernacular from the letter dated 20.8.2019 received to the applicant from the Maharashtra State Technical Education Board.

"उपरोक्त संदर्भाधिन माहिती अधिकाराच्या अर्जाच्या अनुषंगाने आपल्या माहिती अधिकर अर्जात नमूद केलेल्या मुद्यांची माहिती खालीलप्रमाणे देण्यात येत आहे.

माहितीचा विषय :- थेट व्दितीय वर्ष पदिवका हि तीन वर्ष पदिवकाशी समतुल्य/समकक्ष आहे का? जर असेल तर = Reference any gov. G.R. जर नसेल तर = Reference any gov. G.R.

अ.क.	मुददा	माहिती	
9)	वरील विषयास अनुसरुन तांबोळी इस्माईल उर्फ राजू मैनुदवीन विधार्थी असून / उमेदवार असून माझी थेट व्दितीय वर्ष मधून Diploma in civil Engg. 12th MCVC या Vocational आधारे झाली आहे. वरील विषयास अनुषंगाने मला सविस्तर माहिती देण्यात यावी.	माध्यमिक शालान्त विज्ञान परीक्षा उत्तीर्ण अथवा आद्योगिक प्रशिक्षण संस्था यामधून उत्तीर्ण झालेल्या	

उपरोक्त माहितीशी आपण संतुष्ट नसल्यास अपिलीय अधिकारी तथा उपसचिव (तां), अभ्यासकम विभाग, महाराष्ट्र राज्य तंत्रशिक्षण मंडळ, शासकीय तंत्र निकेतन इमारत, ४९, खेरवाडी, अलियावर जंग मार्ग, बांद्रा (पू) मुंबई - ४०० ०५१ यांच्याकडे ३० दिवसापर्यंत अपिल करु शकता."

8. After having considered the documents as aforesaid there shall not remain any doubt that though the applicant got the admission directly to 2<sup>nd</sup> year by way of lateral entry and thereafter he further studied the said diploma course only for 2 years he

### :: - 6 - :: O.A. NO. 702/2019

has to be held to have completed 3 years diploma course as prescribed in the eligibility criteria. In the circumstances, in our opinion the candidature of the applicant was kept out of consideration for wrong reasons. The applicant shall be held to have possessing the prescribed qualification and his candidature, therefore, deserves to be considered for the subject post. We are, therefore, inclined to allow the present application in terms of prayer clauses 'B' & 'C' of the Original Application however, without any order as to costs.

MEMBER (A)

**VICE CHAIRMAN**