

**ORIGINAL APPLICATION NO. 82 OF 2019**  
(Devendra R. Dandgavhal & Ors. Vs. State of Maharashtra & Ors.)

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri Nitin Meshram, learned Advocate holding for Shri Shankar Borkute, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Record shows that affidavit in reply on behalf of respondent Nos. 1 and 2 is already filed on record.
3. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit.
4. In view of above, the present matter is admitted and it be fixed for final hearing on 21.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 69/2019 in O.A. St. No. 323/2019  
(Sarika B. Patole Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant submits that the applicant has prepared short affidavit in compliance of the earlier order dated 09.08.2021. The said affidavit is taken on record and copy thereof has been served on the other side.

3. S.O. to 12.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 69/2020 in O.A. No. 638/2018**  
**(Rajkumar D. Barwal Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. By this Misc. Application, the applicant is seeking to fix the O.A. for final hearing.

3. Record shows that by the order dated 06.08.2019, the Original Application No. 638/2018 is admitted and fixed for final hearing.

3. In view of the same, the M.A. No. 69/2020 is allowed and the O.A. No. 638/2018 is fixed for final hearing on 20.10.2021.

4. Accordingly, M.A. No. 69/2020 stands disposed of with no order as to costs.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 112/2021 in O.A. No. 386/2020**  
**(Ganga S. Suryawanshi Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. By order dated 25.06.2021, we have observed that the O.A. be taken up for hearing. The present matter is pertaining to seniority.

3. In view above, the O.A. is admitted and fixed for final hearing along with present M.A. No. 112/2021 on 21.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 242/2021 in O.A. No. 299/2019**  
**(Rahul T. Pol & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Ms. Preeti Wankhade, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicants, S.O. to 27.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 254/2021 in O.A. No. 192/2021  
(Suresh B. Lande Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents in M.A. Time granted.

3. S.O. to 29.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 257/2021 in O.A. No. 252/2021  
(Arati A. Ghatkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents in M.A. Time granted.

3. S.O. to 29.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 111 OF 2013**  
**(Gajanan M. Shikare Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri R.K. Ashtekar, learned Advocate holding for Shri S.S. Halkude, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1 and 2 and Shri G.J. Kore, learned Advocate for respondent No. 3 and Shri S.K. Sawangikar, learned Advocate for respondent No. 4.

2. At the request and by consent of both the sides, S.O. to 27.09.2021.

**MEMBER (A)**

**MEMBER (J)**



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

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. At the request and by consent of both the sides, S.O. to 24.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**Review No. 8/2017 in O.A. No. 498/2013  
(Shivraj D. Hawanna Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. At the request and by consent of both the sides, S.O. to 08.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 762 OF 2018**  
**(Sahebrao D. Deshmukh & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request and by consent of both the sides, S.O. to 08.10.2021.

**MEMBER (A)**

**MEMBER (J)**

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

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri M.R. Wagh, learned Advocate for the respondent No. 4.

2. At the request and by consent of both the sides, S.O. to 24.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 849 OF 2018**  
**(Dr. Vinod A. Kakade & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri Mohit Deshmukh, learned Advocate holding for Shri S.G. Chapalgaonkar, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request and by consent of both the sides, S.O. to 29.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 171 OF 2019**  
**(Dr. Vaishal R. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri N.B. Gadegaonkar, learned Advocate for respondent No. 4.

2. At the request and by consent of both the sides, S.O. to 04.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 187 OF 2020**  
**(Basanti J. Padavi Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Smt. R.L. Jakhade, learned Advocate holding for Shri S.A. Kulkarni, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request and by consent of both the sides, S.O. to 04.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 230 OF 2020**  
**(Ashwini D. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. Learned Presenting Officer filed sur-rejoinder to the rejoinder affidavit filed by the applicant on behalf of respondent Nos. 1 to 3. Same is taken on record and copy thereof has been served on the other side.

3. The present matter is fixed for further hearing at the stage of admission on 27.09.2021.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 531 OF 2020**  
**(Manik D. Chavan Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 01.10.2021 for filing rejoinder affidavit, if any.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 534 OF 2020**  
**(Rajesh N. Bade Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri Ashish Rajkar, learned Advocate holding for Shri K.B. Jadhav, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. S.O. to 04.10.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 269 OF 2021**  
**(Kishor G. Narwade Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 & 3. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 04.10.2021 for filing rejoinder affidavit, if any.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 297 OF 2021**  
**(Manjusha M. Mutha Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

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

3. S.O. to 04.10.2021 for filing rejoinder affidavit, if any.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 314 OF 2021**  
**(Govind A. Jadhav & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

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

3. S.O. to 05.10.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 335 OF 2021**  
**(Arjun N. Pache Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Ms. Preeti Wankhade, 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 05.10.2021 for filing rejoinder affidavit.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 449 OF 2021**  
**(Dr. Arun S. Shirurkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri S.D. Joshi, 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 for the respondents, time is granted for filing affidavit in reply.

3. S.O. to 24.09.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 450 OF 2021**  
**(Dr. Pratap P. Ege Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

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

3. S.O. to 24.09.2021.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 451 OF 2021**  
**(Dr. Suresh M. Betkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

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

3. S.O. to 24.09.2021.

**MEMBER (J)**

**M.A. 180/2021 in O.A. No. 764/2018**  
**(Prashant B. Kachhawa Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Shri K.G. Salunke, learned Advocate for the applicant (**Absent**).

Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. S.O. to 05.10.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 85 OF 2021**  
**(Satwa N. Sangle Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. At the request and by consent of both the sides, S.O. to 24.09.2021. Interim relief granted earlier to continue till next date.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 851 OF 2019**  
**(Ravindra R. Gite Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. At the request and by consent of both the sides, S.O. to 29.09.2021 for final hearing.

**MEMBER (J)**

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

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri S.S. Tandale, learned Advocate holding for Shri B.R. Kedar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Record shows that pleadings up to rejoinder affidavit are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 29.09.2021.

**MEMBER (J)**

**M.A. No. 496/2019 in O.A. St. No. 1857/2019**  
**(Mamta N. Chavariya Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. The present matter is closed for orders.

**MEMBER (J)**

**M.A. No. 275/2021 in O.A. No. 77/2020**  
**(Mahesh S. Khedkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents in M.A. Time granted.

3. S.O. to 29.09.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 507 OF 2021**  
**(Sunil N. Khamitkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. The present Original Application is filed challenging the transfer orders of the applicant and the respondent No. 4 dated 30.08.2021 (Annexure A-6 & A-7) issued by the respondent No. 1.

3. The applicant is working on his present post as District Social Welfare Officer, Zilla Parishad, Latur under the respondent No. 3 since 24.02.2020 as per his joining report dated 24.02.2020 (Annexure A-2) pursuant to the earlier transfer order in the form of Government order dated 20.02.2020 issued by the respondent No. 1. So as on the date of impugned transfer order the applicant hardly completed tenure of 1 year and six months. The applicant is absolutely not due and / or liable to be transferred out of the said post in view of the provisions of Section 3(1) r/w Section 4(1) of the Transfer Act, 2005. The applicant is



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an officer working in Group-A. His normal tenure in the present post is of three years.

4. It is submitted by the learned Advocate for the applicant that in spite of that, the impugned order dated 30.08.2021 (Annexure A-6) of the applicant is issued, which is mid-term and mid-tenure transfer from Latur to Solapur. On the same day, the respondent No. 1 issued transfer order dated 30.08.2021 (Annexure A-7) separately making the transfer of respondent No. 4 in the place of the applicant pursuant to the request made by him. In view of above, the applicant at this stage seeks interim relief of stay to the execution and implementation of both the impugned orders dated 30.08.2021 (Annexure A-6 & A-7) in respect of the applicant and the respondent No. 4.

5. In this regard, the learned Advocate for the applicant invited my attention to the G.Rs. dated 10.05.2021, 09.07.2021 & 29.07.2021 (Annexure A-4 collectively). He also invited my attention to another transfer order dated 30.08.2021 (Annexure A-8), whereby one Shri Santosh Jadhav has been transferred from his present post of District Social

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Welfare Officer, Zilla Parishad, Solapur to Pune as Research Officer, District Caste Certificate Verification Committee. Incidentally, he pointed out that the applicant has been transferred on the post held by the said Shri Santosh Jadhav. Learned Advocate for the applicant further invited my attention to the internal communication dated 23.09.2020 in the office of Divisional Commissioner, Aurangabad from Deputy Commissioner (Establishment) to Deputy Commissioner (Development), thereby it was stated that the Departmental Enquiry is proposed against Shri S.V. Meghmale, the then C.E.O., Z.P., Smt. Chaya Gadekar and Shri S.T. Naikwadi, the then District Social Welfare Officers, Zilla Parishad, Latur for alleged irregularities committed by them during their service tenure from 2013 to 2018 in Zilla Parishad, Latur.

6. Learned Presenting Officer opposed the submissions advanced on behalf of the applicant and stated that he has to take instructions from the respondents and he would file affidavit in reply.

7. The impugned transfer orders of the applicant and the respondent No. 4 are dated 30.08.2021

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(Annexure A-6 & A-7), thereby the respondent No. 4 has been transferred from Osmanabad to the post held by the applicant at Latur and the applicant has been transferred from Latur to Solapur. By separate order dated 30.08.2021 (Annexure A-8), one Shri Santosh Jadhav has been transferred from Solapur to Pune. The applicant has been transferred by the impugned transfer order on the post held by said Shri Santosh Jadhav.

8. It is a fact that as per the provisions of G.R. dated 10.05.2021, date of General Transfers is extended up to 30.06.2021. Thereafter, by subsequent G.R. dated 09.07.2021, the earlier date of 30.06.2021 is extended up to 31.07.2021. By the said G.R., transfers due to special reasons on vacant posts was to be effected during the period from 01.08.2021 to 14.08.2021. Thereafter, by subsequent G.R. dated 29.07.2021, earlier date 31.07.2021 for effecting transfers was extended up to 09.08.2021 and remaining vacant posts for special reasons were to be filled up during the period from 10.08.2021 to 30.08.2021.

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9. The impugned transfer orders of the applicant and the respondent No. 4 dated 30.08.2021 (Annexure A-6 & A-7) would not fall under the category of General Transfers of the year 2021 as contemplated under Section 3(1) r/w Section 4 (1) and 4 (4) of the Transfer Act, 2005, as the last date for effecting the General Transfers as per the G.R. dated 29.07.2021 was 09.08.2021. In order to appreciate the contention of the applicant, the relevant para Nos. 3 and 4 of the G.R. dated 29.07.2021 are reproduced below:-

*“(३) सर्वप्रथम सर्वसाधारण बदल्यांची कार्यवाही दि. ९ ऑगस्ट, २०२१ पर्यंत पूर्ण करण्यात यावी.*

*(४) सर्वसाधारण बदल्यांची कार्यवाही पूर्ण झाल्यानंतरच, जी पदे रिक्त राहतील केवळ अशा रिक्त पदांवरच विशेष कारणास्तव बदल्या दि. १० ऑगस्ट, २०२१ ते दि. ३० ऑगस्ट, २०२१ या कालावधीपर्यंत अनुज्ञेय राहतील. सबब, जे पद रिक्त नाही अशा पदावरील कार्यरत अधिकारी / कर्मचारी यांची अन्यत्र बदली करून अशा पदावर विशेष कारणास्तव बदली करता येणार नाही.”*

10. As per the clause 4 of the said G.R., after completion of process of General Transfers up to 09.08.2021, remaining posts were to be filled in for special reasons during the period from 10.08.2021 to 30.08.2021.

11. In this background, if the contention of the applicant is examined, it is evident that by the impugned order the applicant has been transferred to Solapur as District Social Welfare Officer, Zilla Parishad, Solapur which post was occupied by Shri Santosh Jadhav. The said Shri Santosh Jadhav has been transferred from the said post by another order dated 30.08.2021 (Annexure A-8). The same is the case in respect of the transfer order of the respondent No. 4 dated 30.08.2021 (Annexure A-7).

12. In view of above, it is prima-facie evident that the impugned transfer orders dated 30.08.2021 (Annexure A-6 & A-7) are issued in contravention of above said Clause 4 of the G.R. dated 29.07.2021. Hence, ad-interim relief in terms of prayer clause 12 (E) of the Original application is granted till filing of the affidavit in reply by the respondents.

13. Issue notice to the respondents, returnable on 11.10.2021.

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

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15. 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.

16. 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.

17. 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.

18. S.O. to 11.10.2021.

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

20. The present matter be placed on separate board.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 508 OF 2021**  
**(Navanath N. Sabale Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. The present Original Application is filed challenging the transfer order of the applicant dated 30.08.2021(Annexure A-5) issued by the respondent No. 1 transferring the applicant from the post of Circle Agriculture Officer, Nardana, Tq. Sindkheda, Dist. Dhule to the post of Circle Agriculture Officer, Adavad, Tq. Chopda, Dist. Jalgaon.

3. The applicant is working on his present post since 24.04.2018, pursuant to the earlier transfer order dated 15.03.2018 (Page No. 20 of paper book). The applicant is Group -B employee (Non Gazetted Officer). His normal tenure is of three years. He is working under the respondent No. 3 i.e. the Divisional Joint Director of Agriculture, Nashik Division, Nashik. The applicant was due for transfer in general transfer to be effected in the month of April-2021. As per the

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requisition received from the respondent No. 3, the applicant submitted 10 options. The last two options given by him were of difficult location. As per the General Transfer order dated 09.08.2021 (Annexure A-4) the applicant was transferred to the post of Circle Agriculture Officer, Akkalkuwa, Tq. Akkalkuwa, Dist. Nandurbar, which was his 10<sup>th</sup> option. However, the applicant was not relieved. He therefore, would not join on the transferred post. Meanwhile, the impugned order dated 30.08.2021 (Annexure A-5) came to be passed and the applicant has been transferred to the post of Circle Agriculture Officer, Adavad, Tq. Chopda, Dist. Jalgaon. It is issued under the provisions of Section 4 (4) and 4 (5) of the Transfer Act, 2005. It is the contention of the applicant that the impugned order of transfer is in contravention of the provisions of the G.R. dated 29.07.2021 issued by the G.A.D of Government of Maharashtra. In the facts and circumstances, the applicant is seeking interim relief of stay to the execution and implementation of the impugned order of transfer dated 30.08.2021 (Annexure A-5).

4. Learned Presenting Officer opposed the submissions advanced on behalf of the applicant and



stated that he would seek instructions from the respondents and file affidavit in reply.

5. From the facts above, it is evident that by the General Transfer order dated 09.08.2021 (Annexure A-4), the applicant was transferred to the post of Circle Agriculture Officer, Akkalkuwa, Tq. Akkalkuwa, Dist. Nandurbar, which was the 10<sup>th</sup> option given by the applicant. However, the said General transfer order dated 09.08.2021 is subsequently modified by the impugned order of transfer dated 30.08.2021 (Annexure A-5) and the applicant has been now transferred to the post of Circle Agriculture Officer, Adavad, Tq. Chopda, Dist. Jalgaon.

6. No doubt, there is mention of provisions of Section 4(4) and 4(5) of the Transfer Act, 2005 in the said impugned order of transfer. However, under what circumstances the earlier transfer order of the applicant is modified is not made known to the applicant. Moreover, while passing the impugned order, none of the remaining options of the applicant seem to have been considered. There is no whisper in the impugned transfer order dated 30.08.2021 (Annexure A-5) about the earlier general transfer order

of the applicant dated 09.08.2021. In view of the same, it can be said that the impugned order of transfer is passed behind back of the applicant and contravening the guidelines given in the G.R. dated 09.04.2018, which prescribes the appropriate procedure. Even if, the impugned transfer order dated 30.08.2021 is considered in the background of the G.R. dated 29.07.2021 (Annexure A-6), the guidelines basically provided in G.R. dated 09.04.2018 cannot be just ignored or contravened. In view of the same, prima-facie, it appears that the impugned order of transfer of the applicant dated 30.08.2021 is in contravention of the provisions of Transfer Act, 2005 and the relevant G.Rs. and therefore, this is a fit case to grant ad-interim stay to the execution and implementation of the said order. Therefore, interim relief in terms of para 18(a) of the Original Application is granted till filing of the affidavit in reply by the respondents.

7. Issue notice to the respondents, returnable on 11.10.2021.

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

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9. 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.

10. 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.

11. 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.

12. S.O. to 11.10.2021.

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

14. The present matter be placed on separate board.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.1048/2019**  
**(Ramchandra Kulkarni Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri K.M.Nagarkar, learned Advocate for the Applicant and Shri N.U.Yadav, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents.

3. Time is granted as a most last chance and affidavit in reply be filed positively on 28-09-2021 otherwise heavy costs may be imposed on the respondents.

4. S.O. to 28-09-2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO.543/2020**  
**(Gaurav Randive Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri J.B.Choudhary, learned Advocate for the Applicant and Shri N.U.Yadav, learned Presenting Officer for the Respondent nos.1 to 4. None appears for respondent no.5.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. In the meantime, learned Advocate for the applicant has been advised to submit following information:

- (i) At relevant point of time between May and November, 2020 what was the qualification required for the post of Training Officer;
- (ii) What was the qualification of the applicant at that time and what was the qualification of respondent no.5 at the same time.

3. S.O. to 06-10-2021 for filing affidavit in reply.

**MEMBER (A)**

**ORIGINAL APPLICATION NO.88/2021**

**(Dr. Rajesh Kasralikar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri Ashish B. Rajkar, learned Advocate for the Applicant and Smt. Deepali Deshpande, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.
3. S.O. to 28-09-2021.

**MEMBER (A)**

**M.A.NO.318/2020 IN O.A.ST.NO.1373/2020  
(Anil Lokhande Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri Kakasaheb B. Jadhav learned Advocate holding for Shri Ashish B. Rajkar, learned Advocate for the Applicant and Shri V.R.Bhumkar, learned Presenting Officer for the Respondents.

2. Learned P.O. files affidavit in reply on behalf of the respondent no.5. It is taken on record. Copy thereof has been served on the other side.

3. Learned P.O. seeks time for filing affidavit in reply on behalf of the respondent nos.1 to 4. Time is granted.

4. Learned Advocate for the applicant has been advised to clarify certain points in O.A. and regarding condonation of delay, as follows:

- (i) When was the applicant taken in police custody and arrested and when was he released on bail.
- (ii) Present status of criminal case and departmental enquiry going against him.

5. S.O. to 07-10-2021 for filing affidavit in reply.

**MEMBER (A)**

**ORIGINAL APPLICATION NO.766/2016**  
**(Rambhau Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri A.D.Sugdare, learned Advocate for the Applicant and Shri B.S.Deokar, learned Presenting Officer for the Respondents.

2. Arguments of learned Advocate for the Applicant are complete. Arguments of the learned P.O. for the respondents will follow on the next date.

3. Matter be treated as **part heard**.

4. S.O. to 29-09-2021.

**MEMBER (A)**



**ORIGINAL APPLICATION NO.184/2019**  
**(Keshav Wable Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri S.V.Suryawanshi, learned Advocate for the Applicant and Shri S.K.Shirse, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant made submission that he has made application with Municipal Council for getting evidence regarding date of birth of younger brother of the applicant.

3. Though the applicant is asking for one week's time, more time is granted to him till 21-09-2021.

4. S.O. to 21-09-2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO.365/2019**  
**(Nilesh Mahajan Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri A.D.Sugdare learned Advocate holding for Shri V.B.Wagh, learned Advocate for the Applicant, Shri D.R.Patil, learned Presenting Officer for the Respondents and Shri V.G.Pingle learned Advocate for respondent no.2.

2. Learned Advocate for the applicant seeks time to file affidavit in rejoinder. Time is granted.

3. S.O. to 08-10-2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO.900/2019**  
**(Arvind Bhingardive Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri A.D.Sugdare learned Advocate holding for Shri V.B.Wagh, learned Advocate for the Applicant and Shri V.R.Bhumkar, learned Presenting Officer for the Respondents.

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

3. S.O. to 25-09-2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO.1062/2019**  
**(Bhau Khade Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Shri R.N.Bharaswadkar, learned Advocate for the Applicant is **absent**. Shri M.P.Gude, learned Presenting Officer for the Respondents is present.

2. The matter has not come up on board after March, 2020. Affidavit in reply has been filed on behalf of respondent nos.1, 2, 4 and 5. Learned P.O. states that respondent no.3 adopts affidavit in reply of other respondents in the matter.

3. S.O. to 11-10-2021 to file rejoinder, if necessary.

**MEMBER (A)**

**ORIGINAL APPLICATION NO.498/2021**  
**(Navnath Sanap Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri O.D.Mane, learned Advocate for the Applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the Respondents.

2. Learned P.O. is assisted by Smt. Shaikh Nazmin Zafer, Sr. Clerk, Office of Superintendent of Police, Beed and provided minutes of meeting of Police Establishment Board of General Transfers of 2021. Service affidavit is filed by the applicant. Documents are taken on record.

3. It is admitted by the learned P.O. that the application filed by the applicant about correction in Village and Taluka of native place was received by the office of Superintendent of Police, Beed. As per business procedure, the request letter for change in name of native Taluka should have been addressed to Inspector General of Police through Superintendent of Police, Beed who would have approved it.

4. In charge Deputy Superintendent of Police, Beed has issued letter dated 02-09-2021 addressed to the applicant informing him about the process of getting change in native place in official record. However, it appears that the office of Superintendent of Police, Beed has not appreciated

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O.A.NO.498/2021

problem of the applicant as there is no change in his native Village however by bifurcation of Patoda Taluka the Village falls under Shirur Kasar Taluka. The office of Superintendent of Police should take note of the fact and accordingly correct their record.

5. The respondents are further directed to consider the factual position and take decision in the instant matter taking into account cause of filing this O.A., on merit within 15 days and accordingly make rectification in transfer order on merit.

6. In view of above, learned P.O. to make submission about the compliance report on the next date.

7. S.O. to 08-10-2021.

**MEMBER (A)**

**C.P.NO.48 OF 2019 IN O.A.NO.933 OF 2018**  
**(Gajanan M. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. Learned P.O. seeks short time for filing affidavit-in-reply on behalf of the respondents. Time is granted.
3. S.O. to 20.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**C.P.NO.23 OF 2020 IN O.A.NO.769 OF 2018**  
**(Pralhad C. Shelke Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri A.B. Rajkar, learned Advocate holding for Shri K.G. Salunke, learned Advocate for the applicant and Smt. Deepali S. Deshpande, 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 07.10.2021.

**MEMBER (A)**

**MEMBER (J)**



**C.P.NO.24 OF 2020 IN O.A.NO.937 OF 2018**  
**(Pradip S. Dahale Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. Record shows that affidavit-in-reply is filed only on behalf of the respondent no.4.

3. Learned P.O. for the respondents submits that the respondents have challenged the order in question dated 02.07.2019 passed in O.A.No.937 of 2018 before the Hon'ble High Court judiciary at Bombay, Bench at Aurangabad by filing Writ petition No.14436/2019 and by order dated 19.01.2021 passed in the said Writ Petition, it is ordered that the respondent therein shall not proceed further with the contempt proceedings as adjournment is sought by the respondent therein.

4. Learned Advocate for the applicant submits that as per order dated 02.07.2019 passed in the Original Application No.937/2018, the order dated 12.09.2018 issued by the respondent no.3, re-fixing the pay of the applicant to his disadvantage and consequential order of recovery dated 12.09.2018 was quashed and set aside.

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**C.P.24/20 In  
O.A.937/218**

5. The respondents thereof were directed to fix the pension of the applicant as per last pay drawn in terms of Rules 9(38) of The Maharashtra (Pension) Service Rules, 1982 and they are further directed to proceed the procedure of the applicant's pension case and disbursed the pensionary benefits to the applicant.

6. Learned Advocate for the applicant submits that in the Contempt Petition, suitable directions can be given to comply the order.

7. In view of the development occurred during pendency of the Contempt Petition, matter is adjourned to 18.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.490 OF 2020  
(Vivek S. Sonawane Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant seeks time for filing affidavit-in-rejoinder. Time is granted.
3. S.O. to 08.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.491 OF 2020**  
**(Rajnikant D. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant seeks time for filing affidavit-in-rejoinder. Time is granted.

3. S.O. to 08.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.150 OF 2021**  
**(Mayur P. Chavan Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. Record shows that affidavit-in-reply is already filed on behalf of the respondent no.4 to 6.

3. Learned P.O. for the respondents submits that she would file affidavit-in-reply on behalf of the respondent nos.2 & 3 during the course of day.

4. Learned Advocate for the applicant seeks time for filing affidavit-in-rejoinder, if any. Time is granted.

5. S.O. to 23.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.217 OF 2021  
(Sunil T. Apte Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. Record shows that affidavit-in-reply is filed on behalf of the respondent nos.1 to 3.
3. Learned Advocate for the applicant submits that the applicant does not wish to file affidavit-in-rejoinder.
4. In view of above, S.O. to 30.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.298 OF 2021**  
**(Ramesh G. Devkhile & Anr. Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

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

3. S.O. to 30.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO.614 OF 2019 IN O.A.ST.NO.2365 OF 2019**  
**(Hanuman P. Jarare Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Record shows that affidavit-in-reply is already filed on behalf of the respondent no.3.

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

4. S.O. to 04.10.2021.

**MEMBER (A)**

**MEMBER (J)**



**M.A.268 OF 2021 IN O.A.ST.NO.460 OF 2021  
(Jagannath S. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. The Original Application is filed for the relief of regular pension, gratuity with interest and 50% of subsistence allowance for the suspension period and for quashing notice dated 14.2.2018 issued by respondent 3 and notice dated 04.04.2019 along with letter dated 15.01.2019 issued by respondent no.1.

3. The present Misc. Application No.268/2021 is made for seeking amendment in the Original Application. It is stated that the Applicant had made two representations dated 29.01.2018 and 27.04.2019 which are produced at Exhibit 'M' collectively. The applicant wants that the said representations are also required to be considered by the Respondents and by seeking amendment he wants to incorporate the requisite prayer and amend the Original Application accordingly.

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**M.A.268 OF 2021 IN  
O.A.ST.NO.460/2021**

4. Considering the facts as above, it is evident that the proposed amendment is not going to change the nature of proceedings and it is necessary to determine the real controversy between the parties.

5. In view of above, Misc. Application No.268 of 2021 is allowed. The applicant to carry out the amendment within a period of one week from the date of this order. Accompanying O.A. be registered and numbered, after removal of office objections, if any. No order as to costs.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION ST.NO.460 OF 2021  
(Jagannath S. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. In view of order passed in M.A.268/2021, after carrying out amendment, issue notice to the respondents, returnable on 08.10.2021.

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

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

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

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**O.A.St.460/21**

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

7. S.O. to 08.10.2021.

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

9. The present matter is placed on separate board.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.261 OF 2021**  
**(Ratan A. Suradkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. Record shows that affidavit-in-reply is already filed on behalf of Respondent Nos.2 & 3.

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

4. In view of above, the matter is admitted and it is fixed for final hearing on 18.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.116 OF 2021**

**(Kendre S. Dhondiram &Ors. Vs. State of Maharashtra & Ors.)**

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

**AND**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. Learned Advocate for the applicants seeks permission to withdraw the Original Application stating that on 27.02.2021, new Recruitment Rules for the appointment of Staff Nurse have been made applicable. The old Recruitment Rules that are under challenge in the present Original Application have been repealed. The Original Application, therefore, become infructuous. The applicants would file fresh Original Application assailing the new Recruitment Rules.

3. In view of same, permission is granted to the applicants to withdraw the present Original Application with liberty to file a fresh O.A.

**//2//**

**O.A.116/2021**

4. In the result, the Original Application is disposed of as withdrawn with no order as to costs.

**MEMBER (A)**

**MEMBER (J)**

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

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. Record shows that the affidavit-in-reply is filed jointly on behalf of the respondent nos.1, 2 & 4 to which the affidavit-in-rejoinder is filed by the applicant.

3. Thereafter, separate affidavit-in-reply is filed on behalf of the respondent nos.3 & 5.

4. Learned Advocate for the applicant submits that the said affidavit-in-reply being same, he adopts the earlier affidavit-in-rejoinder filed by the applicant.

5. Learned P.O. for the respondents submits that the respondents donot wish to file affidavit-in-sur-rejoinder.



**//2//**

**O.A.220/2021**

6. The matter is pertaining to departmental enquiry. It is admitted and fixed for final hearing on 25.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.449 OF 2020**  
**(Yogesh M. Panchwatkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. Record shows that affidavit-in-reply is filed on behalf of the respondent nos.3, 4 & 5.

3. Learned P.O. for the respondents submits that affidavit-in-reply on behalf of other respondents is not necessary.

4. Learned Advocate for the applicant does not wish to file affidavit-in-rejoinder.

5. In view of above, S.O. to 08.10.2021 for hearing at the stage of admission.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.58 OF 2020**  
**(Ritesh R. Kaware & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri R.K. Ashtekar, learned Advocate for the applicants, Shri V.R. Bhumkar, learned Presenting Officer for the respondent no.1 to 3 and Shri Avinash S. Deshmukh, learned Advocate for the respondent no.4.

2. By consent of parties, S.O. to 06.10.2021 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**C.P.NO.10 OF 2020 IN O.A.NO.913 OF 2017  
(Dilipkumar R. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 11.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**C.P.NO.33 OF 2019 IN O.A.NO.678 OF 2017**  
**(Makrand S. Bhalerao Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

Heard Shri Asif Ali, learned Advocate holding for Smt. A.N. Ansari, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Record shows that affidavit-in-reply is filed by the respondent no.2. Record further shows that by order dated 14.11.2029 passed by this bench; the learned P.O. was directed to submit the precise day to day calendar as to how the respondents would process the matter regarding finalization of seniority list and holding of the meeting of D.P.C. by 28.11.2019.

3. In that regard, leaned P.O. submits that the respondents seeks two weeks time for filing the additional affidavit in compliance of the said direction incorporated in the order dated 14.11.2019. Time is granted.

4. S.O. to 29.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO.279 OF 2021 IN O.A.ST.NO.812 OF 2021  
(Asmita M. Kekan & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

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

3. The Original Application is filed for seeking direction against the respondent no.4 i.e. M.P.S.c. to modify the list of candidates who are eligible for recommendation through the waiting list published by the M.P.S.C. on 1.07.2021 and to delete the names of the candidates who have already completed training and working as Police Sub-Inspector and to include the name of the applicant and other candidates in the wait list and for further directions of recommending the applicants name and send them for training with Police Academy Nashik and some other reliefs.

**//2//**

**M.A.NO.279/2021 IN  
O.A.ST.NO.812/ 2021**

4. It is contention of the applicants that they are in the select list. So they are similarly placed persons having the same grievance against the respondents.

5. 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.

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

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION ST.NO.812 OF 2021**  
**(Asmita M. Kekan & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2021**

**ORAL ORDER :**

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

2. Issue notice to the respondents, returnable on 12.10.2021.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicants are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.



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**O.A.St.812/21**

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

7. S.O. to 12.10.2021.

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

9. The present matter is placed on separate board.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 517 OF 2021  
(Manisha P. Paithane Vs. the State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)  
DATE : 3.9.2021  
ORAL ORDER**

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

2. The present Original Application has been filed by the applicant challenging his transfer order dated 30.8.2021 issued by the Desk Officer, Mantralaya, Mumbai, thereby transferring him from the post of Senior Clerk, Joint Sub-Registrar, Class-2, Sillod District Aurangabad to the office of Joint Sub-Registrar, Nagpur City No. 1.

3. Learned Presenting Officer has been advised to get copy of the relevant part of the concerned record, either minutes of the Civil Services Board or noting containing special reasons / exceptional circumstances for issuance of impugned transfer order dated 30.8.2021 recorded by the competent authority.

4. In view of the above, parties are directed to maintain status quo till tomorrow.

5. S.O. to tomorrow i.e. 4.9.2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO. 506 OF 2021  
(Ranjana A. Barde Vs. the State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)  
DATE : 3.9.2021  
ORAL ORDER**

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed coy of the minutes of meeting dated 22.4.2021 of Police Establishment Board. It is taken on record and marked as document 'X' for the purpose of identification.

3. Learned Advocate for the applicant has argued as follows: -

(a) According to the learned Advocate for the applicant, the Government Resolution dated 23<sup>rd</sup> April, 2010 providing guidelines for preparing proposal of transfers of Police Personnel is of the date prior to enactment of Maharashtra Police (Amendment) Act, 2015 and, therefore, it should be inferred that the said G.R. stands overruled and has no force of law.

(b) Transfer of the applicant can be only effected as per the provisions under Section 22N(1) and

Section 22N(2) of Maharashtra Police (Amendment) Act of 2015.

(c) Learned Advocate for the applicant is not aware whether as per the provisions in Zilla Parishad and Panchayat Samiti Act, 1961 the husband of the applicant, who is class-IV employee in Zilla Parishad, Beed, is transferrable to the new place of posting of the applicant. However, she has maintained if at all husband of the applicant is to be transferred to the new place of posting of the applicant, there has to be a clear vacancy and as per her knowledge it is not there.

4. Learned Presenting Officer has submitted that the applicant has completed more than 14 years in Beed Taluka and, therefore, as per guidelines for the transfers of Police Personnel, impugned transfer order is according to the norms and no injustice has been caused to the applicant.

5. Since the Government Resolution dated 23<sup>rd</sup> April, 2010 is in force and that is not a matter in challenge and may be deliberated at appropriate time. The, action of District Superintendent of Police, *prima facie*, appears to be according to the provisions of this Government Resolution.

Therefore, interim relief granted earlier by this Tribunal vide its order dated 2.9.2021 is vacated.

6. Impugned transfer will be subject to the outcome of the present Original Application.

7. S.O. to 1.10.2021.

**MEMBER (A)**

ORAL ORDERS 3.9.2021-HDD

**Date : 03.09.2021**

**ORIGINAL APPLICATION NO.479/2021**

**(Lotan Devchand Vishni V/s State of Maharashtra & Ors.)**

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

1. Shri A.S.Deshmukh Id. Advocate for the applicant and Smt. Sanjivani Ghate Id. PO for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 05.10.2021. The case be listed for admission hearing on 05.10.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**

03.09.2021/yuk registrar notice/

**Date : 03.09.2021**

**ORIGINAL APPLICATION NO.464/2021**

**(Vilas Kailas Hiwale V/s State of Maharashtra & Ors.)**

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

1. Shri A.S.Deshmukh Id. Advocate for the applicant and Smt. Deepali Deshpande Id. PO for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 05.10.2021. The case be listed for admission hearing on 05.10.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**

03.09.2021/yuk registrar notice/

**Date : 3.9.2021**

**O.A. 84/2020**

**(Chunilal M. Yawalkar V/s State of Maharashtra & Ors.)**

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

1. Shri A.D. Sugdare, learned Advocate for the applicant and Smt. M.S. Patni, learned P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on 6.10.2021. The case be listed for admission hearing on 6.10.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**



**Date : 3.9.2021**  
**O.A. 511/2021**  
**(Dr. Sujitkumar S. Randive V/s State of**  
**Maharashtra & Ors.)**

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

1. Shri A.D. Sugdare, learned Advocate for the applicant and Shri I.S. Thorat, learned P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on 6.10.2021. The case be listed for admission hearing on 6.10.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**

**Date : 3.9.2021**

**O.A. 514/2021**

**(Gautam G. Dhule V/s State of Maharashtra & Ors.)**

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

1. Shri K.B. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on 7.10.2021. The case be listed for admission hearing on 7.10.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**

**Date : 3.9.2021**

**O.A. 510/2021**

**(Rohidas A. Bhalsing V/s State of Maharashtra & Ors.)**

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

1. Smt. Priya R. Bharaswadkar, learned Advocate for the applicant and Shri D.R. Patil, learned P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on 7.10.2021. The case be listed for admission hearing on 7.10.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**

**Date : 3.9.2021**

**O.A. 515/2021**

**(Mansab Gaus Khan V/s State of Maharashtra & Ors.)**

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

1. Shri V.G. Pingle, learned Advocate for the applicant and Shri M.P. Gude, learned P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on 7.10.2021. The case be listed for admission hearing on 7.10.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**