

**ORIGINAL APPLICATION NO. 1142 OF 2022**  
**(Maya B. Chabukswar Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Partly Heard.

3. Learned counsel for the applicant seeks time to place on record the copy of order dated 02.05.2016 passed in O.A.No. 242/2009 in the case of Dr. Rajesh Gaikwad Vs. the State of Maharashtra & Ors. Time granted.

4. S.O. to 25.01.2024 for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 277 OF 2017  
(Shaikh Mehboob Abdul Kareem Vs. State of Maharashtra  
& Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Shri S.S. Jadhavar, learned counsel for the applicant, is **absent**. Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant. This is an old matter of year 2017. In view of same, S.O. to 05.03.2024 for passing order.

**MEMBER (J)**

ORAL ORDER 04.01.2024 sas

**ORIGINAL APPLICATION NO. 321 OF 2021  
(Dr. Pramod U. Wawdhane Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Shri S.V. Kurundkar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

Shri A.B. Shinde, learned counsel for respondent No.4, is **absent**.

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

3. S.O. to 01.02.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 351 OF 2021  
(Kautik Y. Kachole Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 01.02.2024 for final hearing.

**MEMBER (J)**

ORAL ORDER 04.01.2024 sas

**ORIGINAL APPLICATION NO. 761 OF 2021  
(Pradeep B. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Shri N.N. Desale, learned counsel for respondent No.3 is **absent** today. Even on the last date he remained absent.

3. Learned counsel for the applicant submits that the interim relief is operating in favour of the applicant since 07.01.2022 and the relieving order passed by the respondent No.3 has been stayed. Learned counsel for the applicant submits that the applicant is a State Government employee and he was deputed to Zilla Parishad, Dhule. However, without the order of State Government or without any consultation, the respondent No.3 has unilaterally relieved the applicant.

4. Learned counsel for the applicant submits that the said interim relief of stay is operating since long

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and if the respondent No.3 is no more interested in pursuing the matter, this application may be disposed of by making interim relief absolute.

5. Learned counsel for the applicant has however submitted that he would inform the learned counsel for respondent No.3 about the next date of hearing.

6. In view of above, S.O. to 25.01.2024 as a last chance. Interim relief granted earlier to continue till then.

**MEMBER (J)**

ORAL ORDER 04.01.2024 sas

**ORIGINAL APPLICATION NO. 415 OF 2023**  
**(Santosh Tejerao Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant submits that being aggrieved by the General Transfer order dated 05.04.2023 issued by respondent No.2 when the applicant has not found his name in the transferred employees, approached to the respondent authorities by filing the representation dated 17.04.2023 seeking transfer at Collector Office, Nanded or Tahasil Office, Nanded or Mudkhed on the ground of couple convenience.

3. Learned counsel for the applicant submits that during pendency of this Original Application, the Collector Nanded by transfer order dated 30.06.2023 has transferred the applicant from the post of Awwal Karkoon, Tahasil Office, Mahur to the post of Entertainment Tax Inspector, Entertainment Brach

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office of Collector, Nanded on administrative ground. Learned counsel for the applicant submits the copy of said transfer order dated 30.06.2023. The same is taken on record and marked as document 'X' for the purpose of identification.

4. Learned counsel for the applicant submits that in terms of the said transfer order dated 30.06.2023, the applicant has joined the post of his transfer.

5. In view of same, though the transfer order came to be passed on administrative ground, the purpose of filing this Original Application is served and nothing survives in this Original Application for further consideration.

6. In view of same, the Original Application is disposed of being infructuous. No order as to costs.

**MEMBER (J)**



**O.A.ST.NO. 542 OF 2023 WITH M.A.NO. 380 OF 2023  
(Dr. Kantilal Zetaru Chaudhari Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Heard Shri S.P. Dhobale, learned counsel holding for Shri Shri N.L. Choudhari, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions submits that in view of G.R. dated 08.11.2023, the applicant would get the increments from the date of his first appointment so also the fixation of pay. In view of the same, learned counsel for the applicant seeks leave to withdraw the present Original Application. Leave as prayed for is granted.

3. In view of above, nothing survives for further consideration in the O.A. Accordingly, the Original Application is disposed of as withdrawn. Consequently, the Misc. Application is also stand disposed of. No order as to costs.

**MEMBER (J)**

**M.A. No. 534/2023 in O.A. No. 496/2023**  
**(Gurunath S. Indurkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Shri A.S. Mirajgaonkar, learned counsel holding for Shri Mohit Deshmukh, learned counsel for the applicant and Shri M.S. Mahajan, learned C.P.O. for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, issue fresh notice to respondent No. 4 in M.A., returnable on 08.02.2024.

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

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

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

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

7. S.O. to 08.02.2024.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 418 OF 2023  
(Dr. Shrimant C. Harkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

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

2. Though last chance is given, the affidavit in reply is not filed.

3. List the matter for admission hearing on 14.03.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 781 OF 2018**  
**(Suryakant M. Garude & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Shri J.B. Choudhary, learned counsel for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 29.02.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 04.01.2024

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

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Shri J.B. Choudhary, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Advocate for the applicant, S.O. to 29.02.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 950 OF 2012  
(Sanjeev R. Kadam Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Heard Shri J.B. Choudhary, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instruction seeks leave to withdraw the present Original Application.

3. Leave granted. The Original Application is disposed of as withdrawn. No order as to costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 994 OF 2022  
(Sharad S. Borse Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Shri R.O. Awasarmol, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 13.03.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 04.01.2024

**M.A. No. 276/2019 in O.A. St. No. 871/2019  
(Rakesh T. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Shri S.G. Kulkarni, learned counsel holding for Shri S.N. Suryawanshi, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 14.03.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 04.01.2024



**ORIGINAL APPLICATION NO. 994 OF 2022**  
**(Sharad S. Borse Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Shri R.O. Awasarmol, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 13.03.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 04.01.2024

**ORIGINAL APPLICATION NO. 515 OF 2021  
(Mansab Gaus Khan Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Shri V.G. Pingle, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present. Shri S.B. Mene, learned counsel for respondent Nos. 2 & 3 (**Leave Note**).

2. In view of leave note filed by learned counsel for respondent Nos. 2 & 3, S.O. to 12.03.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 587 OF 2023  
(Manlal D. Shelte Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record and copy thereof is given to learned counsel for the applicant.

3. Learned counsel for the applicant seeks time to file rejoinder affidavit. Time granted.

4. S.O. to 29.02.2024. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 980 OF 2023**  
**(Smita P. Gavit Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant seeks time to file rejoinder affidavit. Time granted.

3. S.O. to 29.02.2024. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 569 OF 2023**  
**(Bhagwan R. Shewale Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent. Same is taken on record and copy thereof is given to learned counsel for the applicant today itself.

3. List the matter for admission hearing on 04.03.2024.

**MEMBER (J)**

**M.A. No. 361/2023 in O.A. St. No. 1150/2023  
(Arvind N. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant submits that notices were not served on the respondents due to some personal reasons. In view the same, time is granted by 4 weeks to serve the notices on the respondents.

3. S.O. to 01.02.2024.

**MEMBER (J)**

**T.A. No. 19/2023 (W.P. No. 8273/2023)**  
**(Santosh P. Raut Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Shri U.P. Giri, learned counsel for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 11.03.2024.

**MEMBER (J)**

KPB ORAL ORDER 04.01.2024

**ORIGINAL APPLICATION NO. 133 OF 2021**  
**(Balasaheb A. Chivate Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Smt. Suchita Dhongde, learned counsel for the applicant (**Leave Note**). Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note filed by learned Advocate for the applicant, S.O. to 29.02.2024 for further hearing.

**MEMBER (J)**

KPB ORAL ORDER 04.01.2024



**ORIGINAL APPLICATION NO. 986 OF 2023**  
**(Mahendra B. Takpire Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted by way of last chance.

3. S.O. to 07.03.2024.

**MEMBER (J)**

**M.A. No. 34/2022 in O.A. St. No. 861/2021  
(Ankush B. Bedke Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Shri S.R. Kedar, learned counsel holding for Shri D.H. Jadhavar, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Leave to correct the pagination.
3. Learned counsel for the applicant is requested to file synopsis of events, since there is an inordinate delay of 23 years in approaching this Tribunal.
4. S.O. to 12.01.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1100 OF 2023**  
**(Dr. Sanjay M. Rathod Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned counsel for the applicant, Shri M.S. Mahajan, learned C.P.O. for the respondent authorities and Shri Avinash Deshmukh along with Shri Shamsunder B. Patil, learned counsel for respondent No. 4.

2. Learned counsel for respondent No. 4 submits that during the course of the day affidavit in reply will be filed.

3. Learned C.P.O. on instructions in writing submits that the Government is intending to appoint the Special Counsel to represent the respondents and for the same, time is required.

4. It appears that on last date i.e. on 22.12.2023, this Tribunal has recorded that the learned C.P.O. would file affidavit in reply positively, however due to the aforesaid developments, there are least chances of filing affidavit in reply on behalf of respondents immediately. It further appears that the Special Counsel is yet to be appointed and the process is going on.

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O.A. No. 1100/2023

5. In view of the same, considering urgency in the present matter, S.O. to 11.01.2024 with the hope that the Special Counsel would appear before this Tribunal on the next date of hearing and file affidavit in reply.

6. The respondents shall produce the original record and proceedings pertaining to the transfer order of the applicant on the next date of hearing.

**MEMBER (J)**

KPB ORAL ORDER 04.01.2024

**M.A. No. 586/2023 in O.A. No. 341/2022**  
(State of Maharashtra & Ors. Vs. Shaikh Shafiqueedin Shaikh Ahmed)

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Heard Shri I.S. Thorat, learned Presenting Officer for the applicants in M.A./respondents in O.A.

Shri P.D. Jarare, learned counsel for the respondent in M.A. /applicant in O.A., is **absent**.

2. By order dated 15.09.2023, this Tribunal has disposed of the O.A. No. 341/2022, thereby directing respondents to pay the interest @ 8% per annum on the amount of arrears paid by them to the applicant, for the period from 18.08.2017 till 01.03.2020 within 12 weeks from the date of the order.

3. Respondent Nos. 1 to 3 have filed the present M.A. for extension of further four weeks' time from 15.12.2023

4. Learned P.O. on instructions submits that during pendency of the present M.A., the respondents have complied with the order passed by

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M.A. 586/2023 in  
O.A. 341/2022

this Tribunal in O.A. No. 341/2022 and the cheque of interest amount as directed by the Tribunal has also been handed over to the applicant. Learned P.O. has submitted the Xerox copy of receipt and cheque. Same are taken on record and marked as document 'X' & 'X-1' for identification.

5. In view of the same, nothing survives in the present M.A. Learned counsel for the applicant is also absent. So far as receipt placed on record by the learned P.O. is concerned, the applicant himself has admitted in the said receipt that he has no further grievance. In view of the same, the M.A. stands disposed of. No order as to costs.

**MEMBER (J)**

**M.A. No. 587/2023 in O.A. No. 165/2020**  
**(Babu D. Ghute Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Heard Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent authorities and Shri A.D. Gadekar, learned counsel for respondent No. 2.

2. The Original Application is yet to be admitted. In view of the same, it is open for the other sides to file their affidavit in reply, if in the event amendment is allowed.

3. Other sides have not raised any serious objection except that the applicant shall submit the amended copy of the O.A. and correct pagination.

4. In view of the same and for the reasons stated in the application, the M.A. No. 587/2023 is allowed in terms of prayer clause 3(B). The applicant is hereby directed to carry out the necessary amendment in the O.A. within a period of 2 weeks and place on record the amended copy of the O.A. along with spare copy for other sides and also correct the pagination, if so required.

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M.A. 587/2023 in  
O.A. 165/2020

5. M.A. No. 587/2023 is accordingly disposed of.  
No order as to costs.

6. The O.A. to come up on board for hearing on  
14.03.2024.

**MEMBER (J)**

KPB ORAL ORDER 04.01.2024



**ORIGINAL APPLICATION NO. 348 OF 2021**  
**(Balaji M. Ghulekar Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Shri M.V. Thorat, learned counsel for the applicant (**Absent**).

Heard Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. None present for the applicant, even though absence of the applicant and his learned counsel is recorded in the last order dated 14.12.2023.

3. The present Original Application is of the year 2021 challenging the order of transfer. It appears that the applicant is no more interested in prosecuting the present matter and further it appears that there might be nothing now survives in the matter. Thus, considering the persistent absence of the applicant and his counsel, O.A. is hereby dismissed for want of prosecution. No order as to costs.

**MEMBER (J)**

**O.A. NOS. 537, 538, 539, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 563, 565, 566, 581, 582, 585, 629, 531, 631, 632, 633, 635, 749, 741, 742, 743, 744, 745, 747, 753, 755, 764, 765, 653, 775, 781, 791, 831, 832, 807, 808 AND 830 ALL OF 2023 (Dr. Snehalata T. Yellambkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Ms. P.R. Wankhade, S/Shri J.B. Choudhary, J.S. Deshmukh, S.B. Patil, K.G. Salunke, M.R. Kulkarni, A.V. Sakolkar, Ajay Deshpande, learned counsel for the respective applicants in respective O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these O.A. and Shri M.R. Kulkarni, learned counsel for respondent No. 6 in O.A. 742/2023, are present. Shri S.B. Mene, learned counsel for the applicant in O.A. 653/2023 (**Leave Note**).

2. Learned C.P.O. on instructions submits that during pendency of present Original Applications, the respondent No. 1 has modified the transfer order. In view of the same, the respondent No. 1 wants to file short affidavit to clarify the same.

3. The applicant in person in O.A. No. 653/2023 submits rejoinder affidavit. Same is taken on record and copy thereof is given to other side.

4. S.O. to 15.02.2024 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.1096/2023**  
**(Shahusen S. Shaikh Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**  
**ORAL ORDER :**

Shri Amol N. Patale, learned Counsel for the applicant is **absent**. Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities is present.

2. In view of absence of learned Counsel for the applicant, S.O. to 05-02-2024.

**MEMBER (A)**  
YUK ORAL ORDER 04.01.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.08/2024**  
**(Vitthal M. Kakade Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**  
**ORAL ORDER :**

Shri Amol N. Kakade, learned Counsel for the applicant is **absent**. Shri M.P.Gude, learned Presenting Officer for the respondent authorities is present.

2. In view of absence of learned Counsel for the applicant, S.O. to 06-02-2024.

**MEMBER (A)**  
YUK ORAL ORDER 04.01.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.1118/2023**  
**(Kisan Khandare Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Heard Shri S.P.Dhobale, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 05-03-2024.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 05-03-2024.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.464/2023**  
**(Muzaffer Mustafa Shah Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Heard Shri A.B.Chalak, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities.

2. When the present matter was taken up for consideration, learned Counsel for the applicant has placed on record a short affidavit. Same is taken on record. Copy is supplied to the other side. Learned P.O. has also submitted on document whereby some correction has been carried out in the order passed on 17-04-2023. Said document is also taken on record. Copy supplied to other side.

3. After having heard the matter and after having dictated the judgment to some extent, it is noticed that only issue which requires to be considered is whether All India Karate DO Federation was at the relevant time affiliated to Indian Olympic Association. Learned Counsel submits that the affiliation and recognition are synonymous words

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having same meaning. We, however, have certain doubts whether those words are synonymous. Learned Counsel submits that he will bring certain documents on record to prove that in 2010 All India Karate DO Federation was affiliated to Indian Olympic Association.

4. S.O. to 08-01-2024.

**MEMBER (A)**

YUK ORAL ORDER 04.01.2024

**VICE CHAIRMAN**

**O.A.NOs.162, 163, 164, 173, 174, 175, 176 and 221  
all of 2019**

**(Mahadev R. Powar & Ors. Vs. State of Maharashtra & Ors.)**

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

**AND**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Heard Ms. Anagha Pandit, learned Counsel holding for Shri S.B.Talekar learned counsel for the applicants and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Arguments are heard and concluded. Reserved for order.

**MEMBER (A)**

YUK ORAL ORDER 04.01.2024

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO.595/2023**  
**(Bharat Eknath Jadhav & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**  
**ORAL ORDER :**

Shri Vaibhav U. Pawar, learned Counsel for the applicant, Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri R.A.Joshi, learned Counsel for respondent nos.6 & 7, are present.

2. Learned Counsel for the applicant has filed affidavit in rejoinder to the reply filed by respondent nos.1 to 3. It is taken on record. Copy thereof be supplied to the other side.

3. S.O. to 23-02-2024 for hearing.

**MEMBER (A)**  
YUK ORAL ORDER 04.01.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.395/2023**  
**(Nandkishor S. Giri & Anr. Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**  
**ORAL ORDER :**

Shri Vaibhav U. Pawar, learned Counsel for the applicants and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned Counsel for the applicant has filed affidavit in rejoinder. It is taken on record. Copy thereof be supplied to the other side.

3. S.O. to 23-02-2024.

**MEMBER (A)**  
YUK ORAL ORDER 04.01.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.544/2022**  
**(Jagdish N. Yengupatla Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**  
**ORAL ORDER :**

Shri Sanjay N. Pagare, learned counsel for the applicant, Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri Onkar Joshi, learned Counsel holding for Shri Jiwan J. Patil, learned Counsel for respondent no.4, are present.

2. Learned Counsel for the applicant has filed separate affidavits in rejoinder to the replies filed by respondent nos.2 & 3 and respondent no.4. Those are taken on record. Copy thereof be supplied to the other side.

3. S.O. to 29-02-2024.

**MEMBER (A)**  
YUK ORAL ORDER 04.01.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.03/2022**  
**(Sunil Sandu Ingle Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**  
**ORAL ORDER :**

Shri C.V.Dharurkar, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 24-01-2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**  
YUK ORAL ORDER 04.01.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.799/2021**  
**(Shirish R. Yadav Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.01.2024**  
**ORAL ORDER :**

Shri Onkar Joshi, learned Counsel holding for  
Shri Jiwan J. Patil, learned Counsel for the applicant  
and Shri M.S.Mahajan, learned Chief Presenting  
Officer for the respondent authorities, are present.

2. S.O. to 25-01-2024. Interim relief granted  
earlier to continue till then.

**MEMBER (A)**  
YUK ORAL ORDER 04.01.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 1113 OF 2023**  
**(Santosh N. Shendge & Ors. Vs. State of Mah. & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

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. Learned Chief Presenting Officer has tendered the affidavit in reply on behalf of respondent no. 1. Same is taken on record. Learned counsel has tendered rejoinder affidavit of the applicant. That is also taken on record. Copies are exchanged between the learned counsel for the applicant and learned C.P.O.

3. List the matter for hearing on 9.1.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 297 OF 2013**  
**(Prakash Bhagwanrao Joshi Vs. State of Mah. & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

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

2. The applicant has preferred the present Original Application seeking the following reliefs :-

*“A) This Hon’ble Court may pleased to by issuing appropriate order or direction in the like nature, for promotion the applicant on the post of Daftar Karkoon and for that purpose issue necessary order.*

*B) This Hon’ble Court may pleased to direct the respondents to give promotion to the applicant on the post of Daftar Karkoon since the deemed date 21.02.1981 of the applicant experience, along with ancillary benefit i.e. salary enhancement and all other benefits for which the applicant is entitled for.*

*C) In the alternate, pending hearing and final disposal of this Original Application direct the respondents to promote the applicant on the post of Dafter Karkoon.*

*D) Any other suitable and equitable relief may kindly be granted in favour of the applicant.”*

3. It is not in dispute that the applicant was working as Canal Inspector. The Recruitment Rules of 1962 provide that for promotion to the post of Daptar Karkoon, the feeder cadre is Section Karkoon and Muster Karkoon. In the circumstances, as has been rightly contended by the respondent no. 2 in the affidavit in reply, the applicant was not entitled for claiming such promotion. We, therefore, see no case in favour of the applicant.

4. Learned counsel submitted that during the pendency of the present Original Application the applicant retired on attaining the age of superannuation on 31.8.2013. Learned counsel further submitted that at the appropriate time a favourable proposal was forwarded to the Government, however, it is not considered. Learned counsel submits that the applicant is now praying for the only relief to direct the respondents to decide that proposal and is not claiming any other relief in



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**O.A. NO. 297 OF 2013**

the present O.A. In view of the submissions made, without going into the merits of the relief claimed in the said representation, the following order is passed :-

**ORDER**

- (i) The Government shall decide the proposal, if already not decided, dated 19.3.2012 forwarded by the Superintending Engineer, Vigilance Cell Committee, Irrigation Department, Aurangabad Division to the Secretary, Water Resources Department of the State on its own merit and in accordance with the Rules within 8 weeks from the date of this order.
- (ii) The Original Application stands disposed of in the aforesaid term. No order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 44 OF 2013**  
**(Dr. Rashmi P. Dhale Vs. State of Mah. & Ors.)**

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

**DATE : 04.01.2024**

**ORAL ORDER :**

Heard Shri Abhaasaheb D. Shinde, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

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

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 04.01.2024