

**ORIGINAL APPLICATION NO.287/2020**  
**(Shahu S. Jaswantsing Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.06.2021**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant submits that today he has received copy of reply affidavit of respondent no.1 to 3 and the applicant wants to file affidavit in rejoinder.

3. S.O. 08-07-2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.122/2021**  
**(Mohan Rathod Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.06.2021**

**ORAL ORDER :**

Heard Shri M.A.Granthi, learned Advocate for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondents.

2. Learned P.O. for respondent no.1 to 3 requests time to file affidavit in reply.
3. S.O. 08-07-2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.146/2021**  
**(Chandrashekhar Kulthe Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.06.2021**

**ORAL ORDER :**

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

2. Affidavit in reply filed on behalf of the respondents is taken on record. Copy thereof has been served on the other side.

3. S.O. to 01.07.2021 for filing affidavit in rejoinder.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 250/2021**  
**(Riyajkhan Ajijkhan Faruki Vs. State of Maharashtra & Ors.)**

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

**DATE : 4.6.2021**

**ORAL ORDER :**

Heard Shri Taher Ali Quadri, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 18.6.2021.

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.

::-2-::

**O.A. NO. 250/2021**

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

7. S.O. to 18.6.2021.

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

**MEMBER (A)**

**MEMBER (J)**

**M.A. ST. 521/2021 IN O.A. ST. 522/2021**  
**(Megharani P. Tarkase & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 4.6.2021**

**ORAL ORDER :**

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

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. The present M.A. is filed by the applicants for permission to sue jointly the accompanying O.A.

4. However, it is to be noted that the office has raised objection that, the applicant Nos. 2, 6 & 7 does not come within the jurisdiction of this Hon'ble Tribunal.

5. In the circumstances, 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. However, the point regarding jurisdiction in respect of applicant nos. 2, 6 & 7 is kept open.

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)**

**O.A. ST. 522/2021**

**(Megharani P. Tarkase & Ors. Vs. State of Maharashtra & Ors.)**

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

**AND**

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

**DATE : 4.6.2021**

**ORAL ORDER :**

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

2. Issue notices to the respondents, returnable on 1.7.2021.

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. 522/2021**

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 1.7.2021.

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

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 22/2021**  
**(Muktyarsing R. Theng Vs. State of Maharashtra & Ors.)**

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

**DATE : 4.6.2021**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant seeks interim relief in the present case contending that now the respondents have started Departmental Enquiry against the applicant and the hearing of the enquiry is fixed on 8.6.2021. Learned Advocate for the applicant has also placed on record copy of notice dated 29.4.2021 received by the applicant from the Enquiry Officer, which shows that the Enquiry Officer is appointed as per letter dated 30.12.2020. The Enquiry Officer received the documents in the enquiry case as on 3.3.2021. Thereafter the D.E. is fixed for hearing on 8.6.2021.

3. Learned C.P.O. for the respondents seeks 2 weeks' time for filing affidavit in reply and he opposes for grant of interim relief in favour of the applicant contending that earlier by the order dated 16.2.2021 this Tribunal refused to grant interim relief in the present case.

4. It is true that as per the order dated 16.2.2021 this Tribunal refused to grant interim relief in favour of the applicant at that stage of matter. From the record, it seems that there is further development and the Enquiry Officer is now appointed and the hearing is fixed on 8.6.2021. Due to change in the circumstances, in our opinion, at this stage it would be just and proper to hold over the hearing of the Departmental Enquiry till filing of affidavit in reply by the respondents. Accordingly, it is ordered.

5. S.O. to 18.6.2021 for filing affidavit in reply by the respondents.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 368/2020**  
**(Rakesh N. Sonawane Vs. State of Maharashtra & Ors.)**

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

**DATE : 4.6.2021**

**ORAL ORDER :**

Heard Shri Vivek G. Pingle, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that this O.A. was filed seeking the grievance about the promotion of the applicant. Now the applicant is being promoted and his name is there in the select list and in view of the same the applicant seeks unconditional withdrawal of this O.A.

3. Learned Advocate for the applicant further submits that contents in the withdrawal pursis filed by the applicant that the authority has asked the applicant to withdraw this O.A. for getting promotion order is being withdrawn. In view of the same when the applicant is seeking the withdrawal of present O.A. unconditionally, we have no hesitation to allow the applicant to withdraw the present O.A. unconditionally.

::-2-::

**O.A. NO. 368/2020**

4. Accordingly, O.A. No. 368/2020 is disposed of as withdrawn unconditionally. There shall be no order as to costs.

**MEMBER (A)**

**MEMBER (J)**