

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

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

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

Date: -04/08/2023

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Regular Admission Matters						
5	OA403/23	Dhule	Adv.S.D. Joshi (Nitin R Kapadnis) <u>Adv.N.N. Desale/Chetan Bhadane for R.No.2</u>	Transfer	For Order For Hearing Reply Filed by R-1 & R-2	
Order Matters						
6	MA131/22 In OAS1528/22	P'bhani	Adv.V.B. Wagh (Sitaram V Inkare)	M.A. For Condonation of Delay	For Hearing	12.9.2023
Due Admission Matters						
7	OA424/23	N'bar	Adv.Rakesh N Jain (Lahu M Chavan)	Transfer	Part Heard Reply Filed by R-2 & R-3	8.8.2023
8	OA138/23	P'bhani	Adv.O.D. Mane/ Adv.A.O. Mane (Vikas R Kharat)	Transfer	For Rehearing Reply Filed by R-1 to R-4	10.8.2023
9	OA993/19	A'nagar	Adv.Vivek Pingle (Dileep R Joshi) <u>Adv.S.B. Mene for R.Nos.2 & 3</u>	Benefits of G.R.	For Hearing Reply Filed by R-1 to R-3	22.9.2023
10	OA994/19	A'nagar	Adv.Vivek G Pingle (Dileep K Thorat) <u>Adv.Ajikya S Reddy for R.Nos. 2 & 3</u>	Benefits of G.R.	For Hearing Reply Filed by R-1 to R-3	22.9.2023
11	595/21	A'bad	Adv. Ajay .S.Deshpande (Indirakant. N. Bhalerao)	Time Bound Promotion	Reply filed by R-1 to3	Reserve for order
12	OA11/22	Nanded	Adv.Girish N Kulkarni(Mardikar) (Sahebrao D Wankhade)	REfixation/ Revise Pension	For Hearing Reply Filed by R-1 & R-2	21.9.2023
13	OA503/22	A'bad	Adv.K.B. Jadhav (Kailas R Walekar)	Cancellation of Benefits	For Hearing Reply Filed by R-1 to R-6	7.9.2023
14	OA510/22	A'bad	Adv.Ajay S Deshpande (Prabhakar S Jagtap)	Time Bound Promotion/ ACPS	Reply filed by R-1 to3	31.8.2023

15	OA610/22	A'nagar	Adv.A.S. Shelke (Bhanudas A Kalhapure & Ors.)	Time Bound Promotion/ ACPS		22.9.2023
16	OA734/22	Beed	Adv.O.D. Mane/ Adv.A.O. Mane (Shrimant M Murkute)	Duty Period	Reply Filed by R-1 & R-2	22.9.2023
17	OA815/22	A'bad	Adv.Suresh P Salgar (Ashok D Nagrale)	Compassionate Appointment (Lad Page samiti)	For Hearing Reply Filed by R-1 to R-3	18.9.2023
18	OA1089/22	Latur	Adv.H.P. Jadhav (Madhavi M Kulkarni & Ors.)	Compassionate Appointment	For Hearing Reply Filed by R-1, R-3 & R-4	18.9.2023
19	OA19/23 with	A'nagar	Adv.S.D. Joshi (Dr. Ajit P Thorbole)	Suspension	For Hearing Short Affidavit Reply Filed R-1 & R-3 Reply Filed by R-2	24.8.2023
20	OA20/23	A'nagar	Adv.S.D. Joshi (Nanasaheb S Agale)	Suspension	For Hearing Short Affidavit Reply Filed R-1 & R-3 Reply Filed by R- 2	24.8.2023
Final Hearing Matters						
21	OA255/19	A'bad	Adv.V.G. Salgare (Subhash D Thale)	Recovery	Reply Filed by R-1 to R-4	22.9.2023
22	OA405/19	A'bad	Adv.V.G. Salgare (Shishupal S Raut)	Refund of Recovered Amount	Reply Filed R- 2	22.9.2023
23	OA1012/19	Latur	Adv.A.D. Sugdare (Satish N Badade)	Pay Scale/ Recovery	Reply Filed by R-1 to R-3	22.9.2023
24	OA308/19	Hingoli	Adv.G.J. Pahilwan/ Adv.K.G. Salunke (Laxman B Parandkar)	Pension & Pensionary Benefits	Short Affidavit in Reply to the Amended O.A. Filed by R-1 to R-4	25.9.2023
25	OA07/21	A'nagar	Adv.V.B. Wagh (Arun W Thakur)	Arrears of Pay	Reply Filed by Respondent	25.9.2023
26	OA373/21	O'bad	Adv.S.S. Jadhavar (Ramesh N Wagh) <u>Adv.M.S. Mahajan for</u> <u>R.Nos. 2 & 3</u>	Continuity in Service	Reply filed by R-1 to R-3	25.9.2023

Date: -04/08/2023

S.B. For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	OA526/21	Nanded	Adv.Sandeep G Kulkarni (Vilas M Joshi) <u>Adv.S.B. Mene for R.Nos.2 & 3</u>	Pay Scale/ Recovery	For Filing Affidavit in Reply For R-1 to R-3 & R-5 Await Service for R-4	22.9.2023
2	OA665/21	A'bad	Adv V B Wagh (Shankar S Kale)	Suspension	By Way of Last Chance For Filing Affidavit in Reply	4.9.2023
3	OA696/22	A'nagar	Adv Avishkar S Shelke (Sarjearo V Thombre & Ors.)	Time Bound Promotion/ ACPS/ Benefit of Revised Progression Scheme	As a Last Chance For Filing Affidavit in Reply	4.9.2023
4	OA1060/22	Jalgaon	Adv P P Dhorde (Vivek M Deshmukh)	Recovery	For Filing Affidavit in Reply	15.9.2023
5	OA57/23	A'nagar	Adv A S Deshpande (Shaikh Mohd Aslam Rahimshamiya)	Pension & Pensionary Benefits	For Reply	11.9.2023
6	OA60/23	Nanded	Adv P V Ambade (Vithal R Motarwar & Ors.)	Directions/ Arrears	For Reply	14.9.2023
7	OA141/23	Latur	Adv V G Pingle (Smt. Rukhmin S Mendhake)	Time Bound Promotion	For Reply	22.9.2023
8	OA194/23	Beed	Adv S B Solanke (Shaikh Arshad Mukhtar)	Compassionate Appointment [Lade-Page]	For Reply	4.9.2023
9	OA200/23	A'nagar	Adv S D Joshi (Rajendra G Mane)	Absorption	For Filing Affidavit in Reply	15.9.2023
10	OA258/23	A'bad	Adv P R Wankhade (Subhash N Raut)	Recovery/ Refund of Recovered Amount	For Reply	7.9.2023
11	OA376/23	A'nagar	Adv J J Patil (Tushar V Gaikwad)	Transfer	For Filing Affidavit in Reply	21.8.2023

12	OA377/23	A'nagar	Adv J J Patil (Abasaheb S Gore)	Transfer	For Filing Affidavit in Reply	21.8.2023
13	OA378/23	A'nagar	Adv J J Patil (Amol V Gaikwad)	Transfer	For Filing Affidavit in Reply	
14	OA392/23	Latur	Adv R K Ashtekar Adv R K Ashtekar Has Filed Leave Note Form 03.08.2023 to 04.08.2023 (Vishnu K Kore)	Transfer	For Reply	8.8.2023
15	OA446/23	A'bad	Adv K B Jadhav (Virbahadur K Gurung)	Duty Period/ Pay & Allowances	For Reply	18.8.2023
16	OA468/23	A'nagar	Adv J S Deshmukh (Dr. Prashant S Shelar)	Transfer	For Reply	29.8.2023
17	OA512/23	Jalgaon	Adv C V Dharurkar (Jaykumar R Koli)	Transfer	For Filing Affidavit in Reply	29.8.2023
18	OA529/23	Jalna	Adv J S Deshmukh (Dr. Shaikh Irfan Usman)	Transfer	For Filing Affidavit in Reply	29.8.2023
19	OA540/23	A'bad	Adv M R Dehmukh (Dr. Gitesh D Chawada)	Transfer	For Reply	29.8.2023
20	OA541/23	A'bad	Adv M R Deshmukh (Dr. Sanjay K Muley)	Transfer	For Reply	29.8.2023
21	OA568/23	Jalna	Adv V G Pingle (Dr. Shyamkant D Gawande)	Transfer	For Reply	29.8.2023
22	OA598/23	Latur	Adv S B Bhosale (Dr. Jitendra G Jaiswal)	Directions/ Posting	Await Service	13.9.2023
23	OA599/23	Hingoli	Adv S B Bhosale (Dr. Devendra R Jaybhaye)	Directions/ Posting	Await Service	13.9.2023
24	OA619/23	Latur	Adv S D Joshi (Bhagwan S Kendre)	Transfer	For Reply	11.8.2023
25	OA621/23	Hingoli	Adv V B Wagh (Chhandak G Lokhande) Adv R N Bharaswadkar For R-3	Transfer	For Reply	9.8.2023

26	OA644/23	P'rbn	Adv Pralhad B Bachate (Asha B Garud)	Suspension	For Reply	24.8.2023
Order Matters						
27	MA164/22 In OAS2280/19	Jalgaon	Adv P B Patil (Govardhan H Chavan)	M.A For Condonation of Delay	Reply Filed By R-5 & For Filing Affidavit in Reply	14.9.2023
28	MA167/22 In OAS2553/22	O'bad	Adv R V Naiknavare/ H P Jadhav (Agatrao N Kolekar)	M.A For Condonation of Delay	Short Affidavit Reply Filed By R-3 & For Filing Affidavit in Reply R- 1, R-2, & R-4	14.9.2023
29	MA330/22 In OAS1196/22	A'nagar	Adv Madhav Ghode (Vaibhav V Shirsath)	M.A For Condonation of Delay	For Filing Affidavit in Reply	15.9.2023
30	MA534/22 In OA1035/22	Dhule	Adv Vaishali Suryawanshi (Sunil M Saindane)	M.A For Stay/ I.R	By Way of Last Chance For Filing Affidavit in Reply Ref Order Dtd. 28.04.2023	18.9.2023
31	MA27/23 In OAS1510/22	Dhule	Adv Nima R Suryawanshi (Bhagyesh S Marathe)	M.A For Condonation of Delay	For Reply	18.9.2023

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Before: - Court On Leave

Date: -04/08/2023

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Urgent Admission Matters						
Order Matters						
10	MA561/19 In OAS2250/19	A'bad	Adv.Ajay S Deshpande (Ratish R Manurkar)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R-3	3.10.2023
11	MA68/20 In OAS2452/19	Dhule	Adv.S.S. Thombre/ Adv.R.D. Khadap (Swati P Patil)	M.A. For Condoantion of Delay	For Hearing Reply Filed by R-2	4.10.2023
12	MA40/21 In OAS30/21	N'bar	Adv.D.A. Mane (Ashok M Prakashkar) <u>Adv.S.P. Pandit for R.Nos.1, 4, 5 & 6</u>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1, R-2 & R-4 to R- 6	5.10.2023
13	MA219/22 In OA810/21 with	A'nagar	Adv.CPO MAT A'bad (The Divisional Commissioner Nashik & Ors.) <u>Adv.V.B. Wagh in OA810/21</u> (Ganesh B Agale)	M.A. For Modification	For Hearing	21.9.2023
14	MA220/22 In OA381/21	A'nagar	Adv.CPO MAT A'bad (The Divisional Commissioner Nashik & Ors.) <u>Adv.V.B. Wagh in OA381/21</u> (Manjushree S Deokar)	M.A. For Modification	For Hearing	21.9.2023
15	MA239/23 In MA359/22 In OA729/222	Jalna	Adv.V.B. Wagh in MA239/23 in OA729/22 (Dnyaneshwar B Jadhav & Ors.) Adv.Amol B Chalak For Intervenor in MA359/22 (Pavansing M Chungda & Ors.)	M.A.239/23 For Direction M.A.359/22 For Intervention	For Filing Affidavit in Reply For R-1 & R-2	21.8.2023
16	MA257/23 In MA563/22 In OA730/22	Beed	Adv.V.G. Pingle In MA257/23 in OA730/22 (Gajanan P Chaudhari & Ors.) <u>Adv.R.A. Joshi For Intervenor in MA563/22</u> (Bhausahab R Bhosale & Ors.)	M.A.257/23 For Direction M.A.563/22 For Intervention	For Filing Affidavit in Reply For R-1 & R-2	21.8.2023

High On Board Matters						
17	OA355/19	Nanded	Adv.D.R. Irale Patil (Nangesh N Unche & Ors.) <u>Adv.Ajav Deshpande for</u> <u>R.Nos.3 to 5</u>	Seniority	<u>Part Heard</u> Reply Filed by R-1 to R-5	6.9.2023
18	MA310/23 In OA702/18 With Caveat 64 to 70/18 With	A'bad	Adv.Vishwas B Wagh (Dashrath G Bhure & Ors)	M.A. For Direction	<u>OA is Part Heard</u> Reply filed By R-1 in OA702/18	3.10.2023
19	OA341/19 With	Latur	Adv.S.G. Kawade Adv.A. M. Nagarkar (Komal R Rathod & Ors)	Promotion	<u>Part Heard</u> For Hearing Reply filed By R-2	
20	OA589/18	Nanded	Adv.S. S. Patankar (Govind G Khatgaye)	Reversion	<u>Part Heard</u> Reply filed By R-3	
Due Admission Matters						
21	CP03/22 In OA80/21	Nanded	Adv.Shamsunder B Patil (Bhimrao N Kokate)	Contempt Petition	For Hearing Reply filed by R-2	20.9.2023
22	OA28/18	P'bhani	Adv.Ganesh J Kore (Shashank B Kamble) <u>Adv.Mahendra Kochar for</u> <u>R.Nos.3 to 5</u>	Appointment	For Hearing Reply Filed by R-1 & R-2	9.10.2023
23	OA67/18	P'bhani	Adv.K.G. Salunke (Dr.Mohd. Feroz Iqbal)	Not to Terminate the Services	For Hearing Reply Filed by R-2 & R-3	10.08.2023
24	OA360/19	A'bad	Adv.Ajay Deshpande (Dr.Atul A Deshmukh)	Termination	For Hearing	10.8.2023
25	OA631/19 With	Beed	Adv.Rahul D Khadap (Dilip V Kadam)	Termination (Nominee of Freedom Fighter)	For Hearing	10.10.2023
26	OA677/19 With	A'bad	Adv.S.S. Thombre (Trimbak S Chavan)	Termination (Nominee of Freedom Fighter)	For Hearing Reply Filed by R-1 to R-4	
27	OA714/19	Beed	Adv.Rahul D Khadap (Prakash R Arsul)	Termination (Nominee of Freedom Fighter)	For Hearing Reply Filed by R-2 & R-3	

28	OA757/19	P'bhani	Adv.J.S. Deshmukh (Dr. Munna Afreen Abdul Gaffar)	Exemption From G.R./ Pay Protection	For Hearing Reply Filed by R-1 to R-4	11.10.2023
29	OA758/19	Nanded	Adv.J.S. Deshmukh (Dr. Satish V Totawar)	Exemption From G.R./ Pay Protection	For Hearing Reply Filed by R-1 to R-4	11.10.2023
30	OA759/19	Nanded	Adv.J.S. Deshmukh (Dr.Gopikrishna P Patil)	Exemption From G.R./ Pay Protection	For Hearing Reply Filed by R-1 to R-4	11.10.2023
31	OA760/19	Jalna	Adv.Swapnil A Deshmukh (Vishnu B Jaybhaye)	Major Punishment	For Hearing Reply Filed by R-2 & R-3	12.10.2023
32	OA24/21	Beed	Adv.S.B. Patil (Dr.Vaishali S Garjewar)	Challengin Conditions of G.R.	For Hearing Reply Filed by R-1 to R-6	12.10.2023
33	OA122/21	P'bhani	Adv.M.A. Granthi/ Adv.M.K. Bhosale (Mohan B Rathod)	Promotion	For Hearing Reply Filed by R-2 & R-3	13.10.2023
34	OA126/21	A'nagar	Adv.V.B. Wagh (Dadabhau N Gawali)	Promotion	For Admission	13.10.2023
35	OA448/21	A'nagar	Adv.D.S. Kulkarni/ Adv.A.D. Kulkarni (Sarjerao M Phalke)	Deemed Date of Appointment/ Continuation of Service	For Hearing Reply Filed by R-2	29.8.2023
36	OA371/22	A'nagar	Adv.S.D. Joshi (Babasaheb B Bhosle)	Major Punishment	For Hearing	9.10.2023
37	OA374/22	A'bad	Adv.K.B. Jadhav (Vijay D Dehade)	Major Punishment/ Compulsory Retirement	For Hearing Reply Filed by R-1 & R-3	9.10.2023
38	OA386/22	A'bad	Adv.K.B. Jadhav (Lata D Dehade)	Major Punishment/ Compulsory Retirement	For Hearing Reply Filed by R-1 & R-3	10.10.2023
39	OA1098/22	N'bar	Adv.N.L. Chaudhari (Dr. Kishor S Agale)	Challenging Clause of G.R.	For Hearing	11.10.2023
40	OA1102/22	J'gaon	Adv.R.P. Bhumkar (Mehebut NoorMahammad Rangarej) <u>Adv.Amol B Chalak For R.No.6</u>	Appointment	For Admission Reply Filed by R-2 to R-4 & R-6	1.9.2023

41	OA271/23	A'nagar	Adv.A.S. Deshpande (Anil S Chavan)	Selection Process (MPSC-Debar)	Additional Affidavit Filed by Applicant	1.9.2023
Final Hearing Matter						
42	OA103/17 With	A'bad	Adv.S.D. Joshi (Navanth A Matsagar)	Seniority/ Promotion Carrear Assured Progress Scheme	Reply Filed by R-1 & R-2	26.10.2023
43	OA104/17	A'bad	Adv.S.D. Joshi (Vitthal S Pawal)	Seniority/ Promotion Carrear Assured Progress Scheme	Reply Filed by R-1 & R-2	26.10.2023
44	OA718/17	P'bhani	Adv.Poonam V Bodke Patil (Mohamad Arifoddin Gulam Dastagir Farooqui)	Dismissal from Service	Reply Filed by R-2 & R-3	26.10.2023
45	OA817/17	Latur	Adv.Shamsunder B Patil (Dr. Vilas R Musale)	Termination	Reply filed by R-1 to R-3	27.10.2023
46	OA279/22	Jalna	Adv.Suchita Dhongde (Indurao B Sarode) Adv.Vidva Taksal for R.No.4	Second Department Enquiry	Reply Filed by R-2 & R-4	27.10.2023

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

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

Before: - Court On Leave

Date: -04/08/2023

for reply board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	OA451/20	Latur	Adv.Kuldeep S Patil/ Adv.P.D. Hajare (Shrihari S Solanke)	Wait List	As a Last Chance For Filing Affidavit in Reply For R-1 & For Filing Affidavit in Rejoinder to Reply Filed by R-2 & R-3	21.9.2023
2	TA4/21 WP8018/20 with	Nanded	Adv.Abhay Rathod/ Adv.P.A. Rathod (Pratik V Phutane)	Challenging G. R.	As One More Last Chance For Filing Affidavit in Reply For R-4	26.9.2023
3	TA5/21 WP8019/20 with	Nanded	Adv.Abhay Rathod/ Adv.P.A. Rathod (Raviraj R Manurwar)	Challenging G. R.	As One More Last Chance For Filing Affidavit in Reply For R-4 & For Filing Affidavit in Rejoinder	

4	TA6/21 WP8020/20	Nanded	Adv.Abhay Ratod/ Adv.P.A.Rathod (Sayed Akhtar Sayed Lal)	Challenging G. R.	As One More Last Chance For Filing Affidavit in Reply For R-4 & For Filing Affidavit in Rejoinder	26.9.2023
5	TA13/22 WP8626/22	Dhule	Adv.Vaishali Suryawanshi Birajdar (Sudam S Mahajan) <u>Adv.A.S. Deshmukh for R.No.6</u>	Departmental Enquiry	Final Chance For Filing Affidavit in Reply For R-1 to R-5	27.9.2023
6	OA985/22	Beed	Adv.M.S. Karad (Vitthal H Wanve)	Selection/ Appointment	Await Service	11.9.2023
7	OA1011/22	Beed	Adv.I.D. Maniyar (Vinodkumar N Kamble & Ors.)	Challenging of Circular/ Selection Process	For Filing Affidavit in Rejoinder & For Filing Affidavit in Reply For R-2	29.9.2023
8	OA1077/22	Beed	Adv.M.S. Karad (Ganesh D Nagargoje & Ors.)	The Experience Certificate/ Appointment	Await Service	11.9.2023
9	OA1078/22	Beed	Adv.M.S. Karad (Vikas N Khedkar & Ors.)	The Experience Certificate/ Appointment	Await Service	11.9.2023
10	OA1163/22	Latur	Adv.Ajay S Deshpande (Dr. Salim Gulab Shaikh & Ors.)	Final Seniority List/ Promotion	For Filing Affidavit in Reply	27.9.2023
11	OA21/23	O'bad	Adv.Kishor G Gaikwad\ Adv.G.A. Rathod (Mohan K Kulkarni)	Promotion	For Filing Affidavit in Rejoinder	10.10.2023
12	OA72/23	Jalna J'gaon	Adv.A.S. Deshmukh (Vinod W Rakh & Ors.)	Benefit of Old Pension Scheme	For Filing Affidavit in Reply	23.8.2023
13	OA82/23	Beed	Adv.M.R. Kulkarni (Anis Ayyub Shaikh)	Departmental Enquiry	For Filing Affidavit in Reply	29.9.2023
14	OA109/23	Nanded	Adv.M.P. Tripathi (Maroti V Kadam)	Promotion	For Filing Affidavit in Reply	29.9.2023
15	OA116/23	A'nagar	Adv.S.V. Natu/ Adv.R.A. Joshi (Dnyaneshwar S Andhale)	Challenging G.R.	Await Service	3.10.2023
16	OA217/23	Dhule	Adv.P.S. Gaikwad (Prakash H Bhamare)	Enquiry/ Termination	Await Service	3.10.2023
17	OA429/23	Latur	Adv.Preeti R Wankhade (Nagnath G Sawant)	Promotion	For Reply	22.8.2023

ORIGINAL APPLICATION NO. 72 OF 2023
(Vinod W. Rakh and Ors. Vs. State of Maharashtra & Ors.)

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

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

DATE : 04.08.2023

ORAL ORDER :

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

2. Learned counsel for the applicants submits that in fact the present Original Application can be disposed of in view of the orders passed by the Hon'ble High Court in 2 matters, as well as, orders passed by the Tribunal in other certain matters. Learned counsel submits that though the affidavit in reply is filed by respondent No. 2, the affidavit in reply from respondent No. 1 will be necessary in the present matter as submitted by the learned C.P.O.

3. Learned C.P.O. has therefore sought short accommodation to submit the reply of respondent No. 1. Time granted by way of last chance.

4. S.O. to 23.08.2023.

VICE CHAIRMAN

M.A. No. 274/2023 in O.A. St. No. 827/2023
(Minatai A. Khillare and Ors. Vs. State of Maharashtra & Ors.)

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

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

DATE : **04.08.2023**

ORAL ORDER :

Heard Shri Ajay Deshpande, learned counsel for the applicants, Shri B.S. Deokar, learned Presenting Officer for respondent authorities and Shri D.R. Irale Patil, learned counsel for respondent No. 5.

2. In the present matter vide order passed on 23.06.2023 this Tribunal has accepted the request of applicant Nos. 1, 8 & 9 to sue jointly in the accompanying O.A. Insofar as applicant Nos. 2 to 7 are concerned, the applicants were required to obtain necessary order from the Hon'ble Chairperson of this Tribunal at Mumbai. The Hon'ble Chairperson vide order passed on 13.07.2023 has allowed the M.A. No. 441/2023 seeking transfer of O.A. St. No. 827/2023 from MAT, Mumbai to MAT, Bench at Aurangabad under Section 25 of the Administrative Tribunals Act, 1985. The said request has been accepted and the remaining applicants are permitted to prosecute their matter before this Tribunal. In the circumstances, following order is passed :-

ORDER

- (i) The M.A. No. 274/2023 stands allowed insofar as remaining applicants are concerned.
- (ii) Accompanying O.A. be registered and numbered in accordance with law. The M.A. No. 274/2023 stands disposed of without any order as to costs.

VICE CHAIRMAN

O.A. St. No. 827/2023

(Minatai A. Khillare and Ors. Vs. State of Maharashtra & Ors.)

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

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

DATE : 04.08.2023

ORAL ORDER :

Heard Shri Ajay Deshpande, learned counsel for the applicants, Shri B.S. Deokar, learned Presenting Officer for respondent authorities and Shri D.R. Irale Patil, learned counsel for respondent No. 5.

2. Issue notices to the respondents, returnable on 07.09.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicants are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.
7. S.O. to 07.09.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 429 OF 2023
(Nagnath G. Sawant Vs. State of Maharashtra & Ors.)

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

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

DATE : 04.08.2023

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent authorities.

2. The applicant has filed the present Original Application seeking direction against the respondents to award 29.06.2019 as the deemed date for his promotion to the post or in the cadre of Superintendent, District Prison, Class-I.

3. Learned counsel for the applicant submitted that at the relevant time the applicant was not considered for promotion to the said post, since the departmental proceedings were pending against him. It is further contended that the applicant has now been exonerated from the charges levelled against him in the departmental proceedings. It is further contended that thereafter, the respondents have promoted the applicant in the cadre of Superintendent, District Prison, Class-I on 24.06.2022. It is the case of the applicant that he must be deemed to have been promoted on the date on

//2//

O.A. No. 429/2023

which his juniors were promoted i.e. from 29.06.2019. Learned counsel further submitted that according to information of the applicant, D.P.C. is likely to be held for the further promotion to the post of Superintendent, Central Prison, Class-I. Learned counsel submitted that since the applicant is shown to be promoted to the post of Superintendent, District Prison, Class-I w.e.f. 24.06.2022, his chances are likely to be affected for his promotion to the next promotional post i.e. Superintendent, Central Prison, Class-I. In the circumstances, learned counsel has sought interim relief seeking direction against the respondents to include name of the present applicant in the zone of consideration prepared for ensuing promotions to the cadre of Superintendent, Central Prison, Class-I.

4. Learned C.P.O. has sought time to take instructions in the present matter and has therefore, requested to consider the request even for interim relief thereafter.

5. I have gone through the documents filed on record. It prima-facie, appears that the applicant was not promoted at the relevant time, as the departmental proceedings were pending against him. Record shows that now he has been exonerated from the charges levelled in the Departmental Enquiry and has also been

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O.A. No. 429/2023

promoted to the post of Superintendent, District Prison, Class-I. The applicant has got information that the D.P.C. is likely to be held for promotions in next few days. However, no concrete information is thereof on record. In the circumstances, I deem it appropriate to pass the following order :-

ORDER

- (i) Time granted to the respondents for filing affidavit in reply. In the meanwhile, if the D.P.C. is held and the recommendations are made for promotions, the said recommendations shall be subject to outcome of the present Original Application.
- (ii) S.O. to 22.08.2023.

VICE CHAIRMAN

M.A. 239/2023 IN M.A. 359/2022 IN O.A. 729/2022
(Dnyaneshwar B. Jadhav & Ors. Vs. State of Maharashtra & Ors.)

M.A. 257/2023 IN M.A. 563/2022 IN O.A.730/2022
(Gajanan P. Choudhari & Ors. Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 04.08.2023

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicants in M.A. No. 239/2023 and in O.A. No. 729/2022, Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri Amol Chalak, learned counsel for applicants in M.A. No. 359/2022, are present.

Smt. Archana Therokar, learned counsel holding for Shri V.G. Pingle, learned counsel for applicants in M.A. No. 257/2023 and in O.A. No. 730/2022, Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri R.A. Joshi, learned counsel for applicants in M.A. No. 563/2022, are present.

2. Learned P.O. has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 & 2 in M.A. Nos. 239 & 257 both of 2023. Same are taken on record and copies thereof have been served on the other sides.

3. S.O. to 21.08.2023.

4. The interim relief granted earlier in both the O.As. to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 116 OF 2023
(Dnyaneshwar S. Andhale Vs. State of Maharashtra & Ors.)

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

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

DATE : 04.08.2023

ORAL ORDER :

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

2. Learned C.P.O. has tendered across the bar affidavit in reply on behalf of respondent No. 2. Same is taken on record and copy of the same is given to the other side.

3. Learned C.P.O. has sought time to file affidavit in reply on behalf of respondent Nos. 1, 3 & 4. Time granted.

4. S.O. to 03.10.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 541 OF 2023
(Dr. Sanjay K. Muley Vs. State of Maharashtra & Ors.)

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

DATE : 04.08.2023

ORAL ORDER :

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

2. Learned P.O. has sought time to file affidavit in reply on behalf of respondents. Time granted as prayed for.

3. S.O. to 29.08.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

**M.A. No. 27/2023 in O.A. St. No. 1510/2022
(Bhagyesh S. Marathe Vs. State of Maharashtra & Ors.)**

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

DATE : 04.08.2023

ORAL ORDER :

Smt. Nima R. Suryawanshi, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for respondent authorities, are present.

2. Learned P.O. has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 3 in M.A. Same is taken on record and copy of the same is given to the other side.

3. List the matter for hearing on 18.09.2023.

VICE CHAIRMAN

KPB ORAL ORDER 04.08.2023

ORIGINAL APPLICATION NO. 1060 OF 2022
(Vivek M. Deshmukh Vs. the state of Maharashtra & Ors.)

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

DATE : 04.08.2023

ORAL ORDER

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

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 & 2. The same is taken on record and copy of it is given to other side. Learned P.O. submits that the respondent No.3 is adopting the affidavit in reply filed on behalf of respondent Nos. 1 & 2. List the matter for hearing on 15.09.2023. In the meanwhile if the applicant desires, it would be open for him to file rejoinder.

3. S.O. to 15.09.2023 for hearing.

VICE CHAIRMAN

SAS ORAL ORDER 04.08.2023

M.A.ST. NO. 1440/2023 IN O.A.ST.NO. 1441/2023
(Mohammad Akhtar Jainoddin Shaikh & Ors. Vs. the state of Maharashtra & Ors.)

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

DATE : 04.08.2023

ORAL ORDER

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

2. 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, to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.
3. 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.

VICE CHAIRMAN

SAS ORAL ORDER 04.08.2023

ORIGINAL APPLICATION ST.NO. 1441/2023

(Mohammad Akhtar Jainoddin Shaikh & Ors. Vs. the state of Maharashtra & Ors.)

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

DATE : 04.08.2023

ORAL ORDER

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

2. Subject to objection as has been raised by the office, issue notice to the respondents, returnable on 15.09.2023.

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

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

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

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

7. S.O. to 15.09.2023.

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

VICE CHAIRMAN

M.A.NO. 204 OF 2023 IN O.A.NO. 697 OF 2022
(Mohammad Shahejada Mohammad Sultan Vs. the state of Maharashtra & Ors.)

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

DATE : 04.08.2023

ORAL ORDER

Heard Shri G.N. Kulkarni, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents on M.A. for condonation of delay, returnable on 15.09.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 15.09.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

M.A.NO. 205 OF 2023 IN O.A.NO. 698 OF 2022
(Ahmed Khan Inyat Khan Vs. the state of Maharashtra & Ors.)

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

DATE : 04.08.2023

ORAL ORDER

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

2. Issue notice to the respondents on M.A. for condonation of delay, returnable on 15.09.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 15.09.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 424 OF 2023
(Lahu Manikrao Chavan Vs. the state of Maharashtra & Ors.)

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

DATE : 04.08.2023

ORAL ORDER

Shri R.N. Jain, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has tendered across the bar rejoinder affidavit along with certain documents. The same is taken on record and copy thereof has been served on the learned P.O. Learned P.O. has also sought time to file sur-rejoinder, if so required after going through the affidavit in rejoinder.
3. S.O. to 08.08.2023.

VICE CHAIRMAN

SAS ORAL ORDER 04.08.2023

ORIGINAL APPLICATION NO. 619 OF 2023
(Bhagwan Sheshrao Kendre Vs. the state of Maharashtra & Ors.)

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

DATE : 04.08.2023

ORAL ORDER

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

2. Learned P.O. has sought one week's time to file affidavit in reply. Time granted.
3. S.O. to 11.08.2023.

VICE CHAIRMAN

SAS ORAL ORDER 04.08.2023

O.A.NOS. 19 AND 20 BOTH OF 2023

(Dr. Ajit Prakash Thorbole & Ors. Vs. the state of Maharashtra & Ors.)

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

DATE : 04.08.2023

ORAL ORDER

Shri S.D. Joshi, learned counsel for the applicants in both the matters and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in both the matters, are present.

2. S.O. to 24.08.2023 for hearing. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 04.08.2023

ORIGINAL APPLICATION NO. 621 OF 2023
(Chhandak G. Lokhande Vs. the state of Maharashtra & Ors.)

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

DATE : 04.08.2023

ORAL ORDER

Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri R.N. Bharaswadkar, learned counsel for the respondent No.3, are present.

2. Learned C.P.O. has tendered the affidavit in reply on behalf of respondent Nos. 1 & 2 and Shri R.N. Bharaswadkar, learned counsel appearing for respondent No.3 has tendered the affidavit in reply on behalf of respondent No.3. The affidavits are taken on record and copies of the same are given to learned counsel appearing for the applicant. List the matter for further consideration on 09.08.2023. In the meanwhile it would be open for the applicant to file affidavit in rejoinder, if he so desires.

3. S.O. to 09.08.2023. Status quo granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICTION NO. 644 OF 2023
(Asha B. Garud Vs. the state of Maharashtra & Ors.)

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

DATE : 04.08.2023

ORAL ORDER

Shri Pralhad B. Bachate, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Shri Sachin G. Joshi, learned counsel filed **VAKALATNAMA** on behalf of respondent No.6. It is taken on record.

3. Learned P.O. for the respondent authorities and learned counsel appearing for respondent No.6 sought time to file affidavit in reply. Time granted.

4. S.O. to 24.08.2023.

VICE CHAIRMAN

SAS ORAL ORDER 04.08.2023

O.A.NOS. 376, 377 AND 378 ALL OF 2023
(Tushar V. Gaikwad & Ors. Vs. the state of Maharashtra & Ors.)

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

DATE : 04.08.2023

ORAL ORDER

Shri Onkar Joshi, learned counsel holding for Shri J.J. Patil, learned counsel for the applicants in all the matters and Shri B.S. Deokar & Smt. M.S. Patni, learned Presenting Officers for the respondent authorities in respective matters, are present.

2. Learned P.Os. for the respondents submitted affidavit in reply in all the matters. It is taken on record and copy of it is given to other side. List the matter for further consideration on 21.08.2023. In the meanwhile it would be open for the applicants to file affidavit in rejoinder if they so desire.

3. S.O. to 21.08.2023.

VICE CHAIRMAN

ORIGINAL APPLICTION NO. 200 OF 2023
(Rajendra G. Mane Vs. the state of Maharashtra & Ors.)

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

DATE : 04.08.2023

ORAL ORDER

Shri S.D. Joshi, 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 affidavit in reply on behalf of the respondent Nos. 2, 4 & 5. The same is taken on record and copy of it is given to other side. Learned counsel for the applicant submitted that after going through the reply, if necessary, he will file rejoinder. He has therefore sought time. Time granted.

3. S.O. to 15.09.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 60 OF 2023

(Vithal Ramrao Motarwar & Ors. Vs. the state of Maharashtra & Ors.)

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

DATE : 04.08.2023

ORAL ORDER

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

2. Learned C.P.O. has sought time to file affidavit in reply. Time granted by way of last chance till 14.09.2023.

3. S.O. to 14.09.2023.

VICE CHAIRMAN

SAS ORAL ORDER 04.08.2023

M.A.NO. 330/2022 IN O.A.ST.NO. 1196/2022
(Vaibhav V. Shirsath Vs. the state of Maharashtra & Ors.)

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

DATE : 04.08.2023

ORAL ORDER

Shri Sachin Joshi, learned counsel holding for Shri Madhav Ghode, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., last chance granted to file affidavit in reply.
3. S.O. to 15.09.2023.

VICE CHAIRMAN

SAS ORAL ORDER 04.08.2023

ORIGINAL APPLICATION NO. 439 OF 2019
(Prakash M. Ishware Vs. State of Maharashtra & Ors.)
With
M.A.NO. 17/2020 IN O.A.NO. 1072/2019
(Ajit S. Solanke & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Shri Justice P.R. Bora,**
Vice Chairman
(These matters are placed before the Single
Bench due to non-availability of Division Bench)

DATE : **04.08.2023**

ORAL ORDER:

Shri D.R. Irale Patil, learned Advocate for the applicants in both the O.As., Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, Shri S.B. Mene, learned Advocate for the respondent No.2 in O.A.No. 439/2019, Shri Ajay Deshpande, learned Advocate for the respondent Nos.4 to 7 in O.A.No.439/2019 and for applicants/intervenors in M.A.No. 17/2020 and Shri S.D. Dhongde, learned Advocate for the respondent Nos. 1 & 2 in O.A.No.1072/2019, are present.

2. At the request of learned counsel appearing for the applicant in O.A.No. 439/2019, S.O. to 06.09.2023 for final hearing.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 540 OF 2023
(Dr. Gitesh D. Chawada Vs. State of Maharashtra & Ors.)**

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

DATE : 04.08.2023

ORAL ORDER :

Shri M.R. Deshmukh, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondent Nos. 1 to 4. Time granted.

3. S.O. to 29.8.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDER 04.08.2023-HDD

**ORIGINAL APPLICATION NO. 529 OF 2023
(Dr. Shaikh Irfan Usman Vs. State of Maharashtra & Ors.)**

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

DATE : 04.08.2023

ORAL ORDER :

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

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of the respondents. Time granted.

3. S.O. to 29.8.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDER 04.08.2023-HDD

**ORIGINAL APPLICATION NO. 512 OF 2023
(Jaykumar Ramesh Koli Vs. State of Maharashtra & Ors.)**

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

DATE : 04.08.2023

ORAL ORDER :

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

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 29.8.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDER 04.08.2023-HDD

ORIGINAL APPLICATION NO. 138 OF 2023
(Vikas Ramesh Kharat Vs. State of Maharashtra & Ors.)

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

DATE : 04.08.2023

ORAL ORDER :

Heard Shri O.D. Mane, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. The present matter was previously also heard and was reserved for orders on 02.05.2023. However, the order could not be passed in the present matter due to certain personal difficulties of this Tribunal. In the circumstances, with consent of the parties today the present matter was reheard and is kept on 10.8.2023 for orders.

VICE CHAIRMAN

ORAL ORDER 04.08.2023-HDD

1. **ORIGINAL APPLICATION NO. 360 OF 2019**
(Dr. Atul Ashokrao Deshmukh Vs. State of Maharashtra & Ors.)
2. **ORIGINAL APPLICATION NO. 67 OF 2018**
(Dr. Mohd. Feroz Iqbal Vs. State of Mah. & Ors.)

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

[The present matters are placed before the Single Bench due to non-availability of Division Bench]

DATE : **04.08.2023**

ORAL ORDER :

Heard S/Shri Ajay Deshpande & K.G. Salunke, learned counsel for the respective applicants in respective OAs and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in both these OAs.

2. When the present matters are taken up for consideration today, the learned Chief Presenting Officer has produced the communication dated 4.8.2023 received in both these matters from Maharashtra Public Service Commission. The same is taken on record. The copy of the said communication is given to the learned counsel appearing for the applicants. Learned C.P.O. submits that within a week short affidavit will be filed by the MPSC explaining the present circumstances.

:: - 2 - :: O.A.NOS.360/2019 & 67/2018

3. S.O. to 10.8.2023 for filing affidavit by the respondents. Interim relief granted in O.A. No. 67/2018 to continue till then.

VICE CHAIRMAN

ORAL ORDER 04.08.2023-HDD

**ORIGINAL APPLICATION NO. 271 OF 2023
(Anil Sukhadev Chavan Vs. State of Maharashtra & Ors.)**

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

[The present matter is placed before the
Single Bench due to non-availability of
Division Bench]

DATE : 04.08.2023

ORAL ORDER :

Shri Ajay Deshpande, learned counsel for the
applicant and Shri M.S. Mahajan, learned Chief
Presenting Officer for the respondent authorities.

2. At the request of learned Chief Presenting Officer,
S.O. to 1.9.2023 for filing affidavit in reply on behalf of
the respondents.

VICE CHAIRMAN

ORAL ORDER 04.08.2023-HDD

**ORIGINAL APPLICATION NO. 57/2023
(Shaikh Mohd. Aslam Rahimshamiya Vs. State of
Maharashtra & Ors.)**

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

DATE : 4.8.2023

ORAL ORDER :

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

2. Learned Presenting Officer sought time to file the affidavit in reply. Time granted as prayed for.

3. S.O. to 11.9.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 4.8.2023

ORIGINAL APPLICATION NO. 595/2023
(Indirakant N. Bhalerao Vs. State of Maharashtra & Ors.)

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

DATE : 4.8.2023

ORAL ORDER :

Heard Shri Ajay S. Deshpande, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Arguments are heard. The matter is closed for orders.

VICE CHAIRMAN

ARJ ORAL ORDER 4.8.2023

ORIGINAL APPLICATION NO. 675/2023
(Ramdas H. Paithane Vs. State of Maharashtra & Ors.)

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

DATE : 4.8.2023

ORAL ORDER :

Heard Shri M.J. Sharma, learned counsel holding for Shri Mohit Deshmukh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 15.9.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 15.9.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

**C.P. ST. NO. 1442/2023 IN O.A. NO. 479/2021
(Lotan D. Vishi Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : 4.8.2023

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Objection as has been raised by the office about non-maintainability of prayer clause (B) cannot be sustained.

3. Issue notice to respondents, returnable on 1.9.2023.

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

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

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

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

8. S.O. to 1.9.2023.

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

VICE CHAIRMAN

M.A. NO. 342/2023 IN O.A. ST. 1433/2023
(Santosh C. Sabale & Ors. Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.8.2023**

ORAL ORDER :

Heard Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

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

3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

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

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO. 1433/2023
(Santosh C. Sabale & Ors. Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.8.2023**

ORAL ORDER :

Heard Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 13.9.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicants are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.
7. S.O. to 13.9.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

M.A. NO. 343/2023 IN O.A. ST. 1435/2023
(Navnath V. Sakhare & Ors. Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : 4.8.2023

ORAL ORDER :

Heard Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

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

3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

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

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO. 1435/2023
(Navnath V. Sakhare & Ors. Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.8.2023**

ORAL ORDER :

Heard Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 13.9.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicants are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.
7. S.O. to 13.9.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

M.A. NO. 344/2023 IN O.A. ST. 1458/2023
(Suresh D. Dukare & Ors. Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.8.2023**

ORAL ORDER :

Heard Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

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

3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

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

VICE CHAIRMAN

ARJ ORAL ORDER 4.8.2023

**ORIGINAL APPLICATION ST. NO. 1458/2023
(Suresh D. Dukare & Ors. Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.8.2023**

ORAL ORDER :

Heard Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 13.9.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicants are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.
7. S.O. to 13.9.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 693/2023
(Satish R. Nirde Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.8.2023**

ORAL ORDER :

Heard Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, 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 13.9.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 13.9.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

**M.A. ST. NO. 1492/2023 IN O.A. ST. NO. 1493/2023
(Narendra S. Suryawanshi & Ors. Vs. State of Maharashtra
& Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : 4.8.2023

ORAL ORDER :

Heard Shri R.P. Bhumkar, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. The learned counsel for the applicants seeks leave to delete the name of applicant no. 2 from the array of application. Leave granted as prayed for. Necessary amendment be carried out forthwith.

3. Now since there is only one applicant remaining, sue jointly application does not survive and the same stands disposed of without any order as to costs.

VICE CHAIRMAN

ARJ ORAL ORDER 4.8.2023

ORIGINAL APPLICATION ST. NO. 1493/2023
(Narendra S. Suryawanshi Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.8.2023**

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 18.9.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 18.9.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN