

ORIGINAL APPLICATION NO. 962 OF 2024
(Vajjnath B. Mundhe Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri Amol R. Gaikwad, learned counsel for the applicant and Shri_V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Issue notice to the respondents, returnable on 09.10.2024.

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 09.10.2024.

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

MEMBER (A)

MEMBER (J)

**M.A. NO.200/2020 WITH M.A. NO. 506/2018 IN
O.A. ST. 1951/2018
(Sajied Khan Ajiz Khan Pathan Vs. State of Maharashtra & Ors.)**

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)
DATE : 04.09.2024

ORAL ORDER :

Shri R.N. Bharaswadkar, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. Original Application is of the year 2018. During pendency of the Original Application the applicant has filed present Misc. Application bearing No. 200/2020 seeking stay to the effect, operation and execution of the communication dated 01.01.2019.

3. Since none appears for the applicant today, the present Misc. Application be heard along with O.A. on 13.11.2024.

MEMBER (A)
ARJ ORAL ORDER 04.09.2024

MEMBER (J)

M.A. NO. 96/2022 IN O.A. st. 96/2022
(Panjabrao D.Bhosale & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND

Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri Vikram Sarode, learned counsel holding for Shri V.S. Kadam, learned counsel for the applicants and Shri_S.S. Dambe, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 4.10.2024 for admission hearing.

MEMBER (A)

ARJ ORAL ORDER 04.09.2024

MEMBER (J)

M.A. NO. 314/2022 IN O.A. 793/1992
(Devidas A. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND

Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri Sandip C. Swami, learned counsel for the applicant (**absent**). Shri_V.G. Pingle, learned Presenting Officer for the respondent authorities, is present.

2. The present Original Application is of the year 1992. By order dated 21.6.2002 this Tribunal has dismissed the said O.A. in default. The present Misc. Application is filed seeking restoration of O.A. no. 793/1992 to its original position after delay of 20 years.

3. As none appears for the applicant today, S.O. to 03.10.2024 for passing appropriate order.

MEMBER (A)

ARJ ORAL ORDER 04.09.2024

MEMBER (J)

M.A. NO. 165/2021 IN O.A. 36/2013
(Anil B. tirthkar Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND

Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

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

2. The Original Application is of the year 2013. By order dated 16.12.2016 this Tribunal had dismissed the said O.A. in default. The present Misc. Application is filed for recalling the said order dated 16.12.2016 and for restoration of O.A. to its original position after delay of 1232 days.

3. Since none application for the applicant today, S.O. to 22.10.2024 for passing appropriate order.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 352/2022
(Rajaram S. Sevalikar Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND

Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Heard Shri K.B. Jadhav, learned counsel for the applicant Shri_V.R. Bhumkar, learned Presenting Officer for the respondent authorities for some time.

2. It appears that the applicant himself along with his rejoinder affidavit filed communication dated 14.07.2022 (Annexure RJ-3). On perusal of the said communication, it appears that, the applicant is also subjected to 02 departmental enquiries, wherein the applicant has been served with memorandum. The respondent authorities have not filed any sur-rejoinder. We accordingly direct the learned Presenting Officer to take specific instructions in this regard.

3. S.O. to 18.09.2024.

MEMBER (A)

ARJ ORAL ORDER 04.09.2024

MEMBER (J)

ORIGINAL APPLICATION NO. 633/2012
(Sachin S. Unawane & ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND

Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Heard Shri H.A. Joshi, learned counsel for the applicants Shri_S.S. Dambe, learned Presenting Officer for the respondent authorities for some time.

2. Learned counsel for the applicants has made it clear that the matter, which is pending before the Hon'ble Supreme Court, is in connection with the similarly situated employees and not in connection with the present applicants. Learned counsel further clarified that in connection with the said similarly situated employees, this Tribunal has allowed the Original Application and the said order was confirmed by the Hon'ble Bombay High Court, Bench at Aurangabad. Being aggrieved by the said order, the State has preferred Special Leave Petition before the Hon'ble Supreme Court and though initially the Hon'ble Supreme Court granted interim relief, however, subsequently it was modified.

3. The present O.A. is pending since 2012. Learned counsel for the applicants is ready and willing to work-out this matter.

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O.A. NO. 633/2012

4. In the circumstances, list the matter for hearing on 14.10.2024 since the matter is quite old one.

MEMBER (A)

ARJ ORAL ORDER 04.09.2024

MEMBER (J)

ORIGINAL APPLICATION NO. 736/2012
(Devidas R. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND

Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

None appears for the applicant. Shri_S.S. Dambe, learned Presenting Officer for the respondent authorities, is present.

2. It appears from the previous order dated 16.10.2023 that when this matter was taken up for hearing lastly the learned counsel for the applicant was present. It further appears that thereafter this matter was not listed on Board for hearing.

3. In view of above, S.O. to 21.10.2024. In case if the applicant or his counsel remains absent on the next date, then the matter will be taken up for hearing in their absence.

MEMBER (A)

ARJ ORAL ORDER 04.09.2024

MEMBER (J)

ORIGINAL APPLICATION NO. 128/2023
(Gajanan H. Shinde Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND

Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Heard Shri A.A. Phad, learned counsel for the applicant Shri_V.R. Bhumkar, learned Presenting Officer for the respondent authorities at length.

2. In compliance with the earlier order dated 23.8.2024, learned Presenting Officer submits xerox copy of the service book of the applicant.

3. The matter is reserved for orders.

MEMBER (A)

ARJ ORAL ORDER 04.09.2024

MEMBER (J)

**O.A. NOS. 633/2019, 850/2019, 115/2020,
583/2020, 192/2021, 221/2021, 252/2021,
500/2021 AND 525/2022**

**CORAM : Justice Shri V.K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)
DATE : 04.09.2024**

ORAL ORDER :

Due to paucity of time, the present matters cannot be taken up for hearing today. The Board stands discharged.

2. The matters, in which the interim relief is granted, be placed on board on 07.10.2024 and the said interim relief be continued till then.

MEMBER (A)

ARJ ORAL ORDER 04.09.2024

MEMBER (J)

M.A. NO. 219/2022 IN O.A. NO. 810/2022
(Divisional Commissioner, Nashik & Ors. Vs. Ganesh Baburao
Agale)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND

Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Heard Shri V.G. Pingle, learned Presenting Officer for the applicants in the present M.A./respondent authorities in O.A. and Shri V.B. Wagh, learned counsel for the respondent in the present M.A./applicant in O.A. for some time.

2. By order dated 21.12.2021 passed in O.A. No. 810/2021 this Tribunal in paragraph no. 04 has issued certain directives to the respondents. It appears from the submissions made by the learned counsel for the original applicant and learned Presenting Officer that during pendency of this application and after passing of the order by the Tribunal dated 21.12.2021, the departmental proceedings were concluded and the punishment came to be inflicted on the applicant of stoppage of his 02 annual increments without affecting the future increments. The paragraph no. 04 of the order dated 21.12.2021 is reproduced herein below:-

“4. In view of the above facts, in the interest of justice, respondents should complete the departmental proceedings as early as possible, pending the same applicant shall be permitted to appear in the next departmental examination. However, result of which shall be declared depending on the outcome of the departmental proceedings. The applicant is expected to co-operate in the departmental enquiry and any contributory delay will adversely affect the applicant.”

3. In view of the aforesaid directives issued by this Tribunal, the applicant was allowed to appear in the 3rd departmental examination. However, the department has withheld the result of the said examination due to directives issued by the Tribunal as aforesaid. Learned Presenting Officer has filed the present Misc. Application seeking modification in connection with the same.

4. We do not understand as to for what reason the present Misc. Application has been filed by the State authorities seeking modification in the order passed by this Tribunal on 21.12.2021. Particular clause of the said order is reproduced hereinabove is clear and if the departmental proceedings are concluded, at present it is for respondent nos. 01 and 02 to pass the appropriate order.

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M.A. NO. 219/2022 IN
O.A. NO. 810/2022

5. If the applicant is aggrieved by the said order, he may carry out amendment in the O.A., if so required. However, present M.A. filed on behalf of the respondent authorities for modification in the order dated 21.12.2021 is totally unwarranted and uncalled for.

6. Accordingly, the Misc. Application No. 219/2022 is disposed of. There shall be no order as to costs.

7. We direct the learned Presenting Officer to communicate this order to respondent nos. 01 and 02 for passing appropriate orders in view of the order dated 21.12.2021.

8. The Original Application to come up on Board for hearing on 10.10.2024.

MEMBER (A)

ARJ ORAL ORDER 04.09.2024

MEMBER (J)

M.A. NO. 328/2024 IN O.A. NO. 308/2024
(Swamidas V. Chobe Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND

Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for the applicant Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that the present Misc. application filed by the applicant seeking interim relief be heard along with O.A., if hearing of the O.A. is expedited.

3. It appears from the submissions made by the learned counsel for the applicant that the applicant was subjected to 02 departmental enquiries and in both the enquiries he was separately inflicted with the punishment. Though this Tribunal has directed orally to tag O.A. No. 184/2018 in which the applicant yet to file application for amendment to challenge the order imposing the punishment inflicted on him, the same is not tagged with the present matter.

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M.A. NO. 328/2024 IN
O.A. NO. 308/2024

3. In the circumstances, the Office is directed to tag O.A. NO. 184/2018 along with the present O.A. and be placed for hearing on 22.10.2024.

MEMBER (A)

ARJ ORAL ORDER 04.09.2024

MEMBER (J)

M.A. NO. 582/2023 IN O.A. NO. 756/2023
(The State of Maharashtra & Ors. Vs. Satish Kailas Jagtap)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND

Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri S.S. Dambe, learned Presenting Officer for the applicants in the present M.A./respondent authorities in O.A., is present.

None present for the respondent in M.A./applicant in O.A.

2. The State authorities have filed the present Misc. Application for vacating the interim relief. Learned Presenting Officer submits that before passing the interim order dated 21.08.2023, by order dated 17.08.2023 the services of the applicant came to be terminated.

3. Learned Presenting Officer is directed to take specific instructions as to whether the said order of termination was communicated to the original applicant and, if it is so, on what date.

4. S.O. to 19.09.2024.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 388/2024
(Avinash Shriram Munde Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND

Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Heard Shri R.A. Joshi, learned counsel for the applicant Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities for some time.

2. Learned Chief Presenting Officer seeks time to file additional affidavit to demonstrate as to whether the candidate from Divyang category is adjusted in NT-D (General) category. Time granted.

3. S.O. to 20.09.2024.

MEMBER (A)

ARJ ORAL ORDER 04.09.2024

MEMBER (J)

ORIGINAL APPLICATION NO. 1098/2022
(Dr. Kishor Suklal Agale Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND

Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Heard Shri S.A. Raut, learned counsel holding for Shri N.L. Choudhari, learned counsel for the applicant Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Learned counsel on instructions seeks leave to withdraw the present Original Application. Leave as prayed for is granted.

3. The present Original Application stands disposed of as withdrawn. There shall be no order as to costs.

MEMBER (A)

ARJ ORAL ORDER 04.09.2024

MEMBER (J)

M.A. NO. 220/2022 IN O.A. NO. 381/2022
(Divisional Commissioner, Nashik & Ors. Vs. Munjushree Sanjay Deokar)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND

Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Heard Shri V.G. Pingle, learned Presenting Officer for the applicants in the present M.A./respondent authorities in O.A. and Shri V.B. Wagh, learned counsel for the respondent in the present M.A./applicant in O.A. for some time.

2. By order dated 28.04.2022 passed in O.A. No. 381/2022 this Tribunal in paragraph no. 04 has issued certain directives to the respondents. It appears from the submissions made by the learned counsel for the original applicant and learned Presenting Officer that during pendency of this application and after passing of the order by the Tribunal dated 28.04.2022, the departmental proceedings were concluded and the punishment came to be inflicted on the applicant of stoppage of his 02 annual increments without affecting the future increments. The paragraph no. 04 of the order dated 28.04.2022 is reproduced herein below:-

“4. In view of the above facts, in the interest of justice, respondents should complete the departmental proceedings as early as possible, pending the same applicant shall be permitted to appear in the next departmental examination. However, result of which shall be declared depending on the outcome of the departmental proceedings. The applicant is expected to co-operate in the departmental enquiry and any contributory delay will adversely affect the applicant.”

3. In view of the aforesaid directives issued by this Tribunal, the applicant was allowed to appear in the 3rd departmental examination. However, the department has withheld the result of the said examination due to directives issued by the Tribunal as aforesaid. Learned Presenting Officer has filed the present Misc. Application seeking modification in connection with the same.

4. We do not understand as to for what reason the present Misc. Application has been filed by the State authorities seeking modification in the order passed by this Tribunal on 28.04.2022. Particular clause of the said order is reproduced hereinabove is clear and if the departmental proceedings are concluded, at present it is for respondent nos. 01 and 02 to pass the appropriate order.

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M.A. NO. 220/2022 IN
O.A. NO. 381/2022

5. If the applicant is aggrieved by the said order, he may carry out amendment in the O.A., if so required. However, present M.A. filed on behalf of the respondent authorities for modification in the order dated 28.04.2022 is totally unwarranted and uncalled for.

6. Accordingly, the Misc. Application No. 220/2022 is disposed of. There shall be no order as to costs.

7. We direct the learned Presenting Officer to communicate this order to respondent nos. 01 and 02 for passing appropriate orders in view of the order dated 28.04.2022.

8. The Original Application to come up on Board for hearing on 10.10.2024.

MEMBER (A)

ARJ ORAL ORDER 04.09.2024

MEMBER (J)

ORIGINAL APPLICATION NO.1004/2024
(Vaijinath A. Kute Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Heard Shri Amol B. Chalak, learned counsel for the applicant and Shri M.B.Bharaswadkar, learned Presenting Officer for the respondent authorities.

2. Learned Counsel for the applicant submits that the applicant came to be appointed as Police Constable from sports quota in the year 2018 and since then he is working as Police Constable at Ahmednagar. Learned Counsel submits that, in the meanwhile, the authority concerned who has issued the sports verification certificate has cancelled the same by order dated 14-07-2022. Being aggrieved by the same, applicant had preferred first appeal before Joint Director of Sports & Youth Services, Pune, however, the same was dismissed. Therefore, the applicant has preferred second appeal before the Commissioner of Sports and Youth Services, Pune and the said second appeal is still pending.

3. Learned Counsel for the applicant submits that even though the second appeal is pending, the appointing authority has issued the show cause

=2= O.A.NO.1004/2024

notice to the applicant as to why he should not be removed from service. Learned Counsel submits that the applicant has strong hope that his second appeal will be allowed, and therefore, according to him the show cause notice issued by the authority during the pendency of the said appeal is premature.

4. We find much substance in the submissions made by the learned Counsel for the applicant. Further, the applicant is working as Police Constable since 2018 and after a gap of about 4 years, his sports verification certificate is revoked/cancelled by the issuing authority. We are, thus, inclined to grant interim relief in favour of the applicant as follows:

“No coercive action be taken against the applicant in pursuance to the impugned undated show cause notice issued by respondent no.6, received to the applicant on 23-08-2024 directing him to show cause as to why he shall not be removed from the service as a Police Constable by exercising the powers under Rule 3(1)(ii) of the Bombay Police (Punishment and Appeals) Rules, 1956 till next date of hearing.”

5. In the meanwhile, issue notice to respondents, returnable on 08-10-2024.

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

7. 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.

8. 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.

9. 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.

10. S.O. to 08-10-2024.

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

ORIGINAL APPLICATION NO.1015/2024
(Mahadeo T. Nagargoje Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Heard Shri Akshay S. Jagtap, learned counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities.

2. Applicant was appointed as Lab Technician in the office of Deputy Director of Health Services on 22-02-1995 as a nominee of Freedom Fighter. Subsequently, applicant's services were confirmed and presently he is working as a permanent employee. Applicant was initially appointed on the basis of Freedom Fighter's nomination in terms of Circular dated 04-03-1991.

3. Respondent no.1 has issued a G.R. dated 28-08-2024 by which decision is taken to cancel the Circular dated 04-03-1991. By G.R. dated 28-08-2024, Government has also issued directions to the concerned authorities to terminate services of Freedom Fighters' nominees, who have not been appointed as per the prescribed procedure and the

=2= O.A.NO.1015/2024

prescribed mode of appointment. Relevant part of the G.R. dated 28-08-2024 is reproduced as below:

“(i) As the G.R. dated 04.03.1991 has become outdated, it is cancelled.

(ii) Those nominees of Freedom Fighters who are not selected & appointed through the prescribed procedure (directly appointed) in service, services of such employees shall be put to an end and the appointing authority should take the action.

(iii) The implementation of the said G.R. should be done immediately.”

4. The applicant apprehends that he may be terminated from service based on the G.R. dated 28.08.2024. We find that the applicant’s concern is well-founded and, therefore, we are inclined to grant interim relief. Accordingly, the following order is passed.

ORDER

[i] Issue notice to respondents, returnable on 25.09.2024. **Till then the respondents shall not take any coercive action against the applicant in light of impugned Government Resolution bearing No. नामनि-२०२४/प्र.क.७२/स्वासेक-९ dated 28.08.2024.**

=3= O.A.NO.1015/2024

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

[iii] 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.

[iv] 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.

[v] 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.

[vi] S.O. to 25-09-2024.

[vii] Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

M.A.NO.403/2024 IN O.A.NO.965/2024
(Deepak S. Nandedkar & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Heard Shri S.B.Solanke, learned counsel for the applicants and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned Counsel for the applicants submitted that by way of present O.A. applicants are seeking appointment. They are having same cause of action and seeking similar relief. In view thereof and for the reasons stated by the applicants, M.A. for sue jointly is allowed. Applicants are permitted to sue the respondents jointly. M.A. stands disposed of accordingly. No costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.965/2024
(Deepak S. Nandedkar & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Heard Shri S.B.Solanke, learned counsel for the applicants and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 03-10-2024.

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 03-10-2024.

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

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.851/2009
(Sunita S. Sabu @ Sunita S. Pophale Vs. State of
Maharashtra & Ors.)**

**CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)**

DATE : 04.09.2024

ORAL ORDER :

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

2. At the request of learned Counsel for the applicant, S.O. to 18.10.2024.

MEMBER (A)

YUK ORAL ORDER 04.09.2024

MEMBER (J)

ORIGINAL APPLICATION NO.32/2018
(Shahadeo S. Bangar Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri M.R.Kulkarni, learned Counsel holding for
Shri J.S.Deshmukh, learned counsel for the
applicant and Shri S.S.Dambe, learned Presenting
Officer for the respondent authorities, are present.

2. At the request of learned Counsel for the
applicant, S.O. to 21.10.2024.

MEMBER (A)

YUK ORAL ORDER 04.09.2024

MEMBER (J)

M.A.NO.601/2019 IN O.A.ST.NO.2211/2019
(Maharashtra Rajya Rekhachitra Shakha Karmachari
Sanghatna through its President Zaki Ahmed Jafri Vs.
State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

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

2. At the request of learned Counsel for the applicant, S.O. to 19.09.2024.

MEMBER (A)

MEMBER (J)

YUK ORAL ORDER 04.09.2024

ORIGINAL APPLICATION NO.482/2021
(Kishor U. Chaudhari Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri Amol B. Chalak, learned Counsel holding for Shri Harshal P. Randhir, learned counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

Smt. Sunita D. Shelke, learned Counsel for respondent nos.4 and 5 is **absent**.

2. At the request of learned Counsel for the applicant, S.O. to 22.10.2024.

MEMBER (A)

YUK ORAL ORDER 04.09.2024

MEMBER (J)

ORIGINAL APPLICATION NO.262/2024
(Vinod A. Wagh & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri Majit S. Shaikh, learned counsel for the applicants and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits affidavit in reply on behalf of respondent no.1. It is taken on record. Copy thereof is given to the learned Counsel for the applicants. Learned Counsel for applicants seeks time to go through the same and file rejoinder if necessary.

3. S.O. to 20.09.2024.

MEMBER (A)

MEMBER (J)

C.P.NO.33/2024 IN O.A.NO.677/2022
(Ambrish K. Bhusane Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri K.G.Salunke, learned counsel for the applicant is **absent**. Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities is present.

2. Learned P.O. submits affidavit in reply on behalf of respondent no.2 along with spare copy for other side. It is taken on record.

3. S.O. to 03.10.2024 for filing rejoinder, if any.

MEMBER (A)

MEMBER (J)

YUK ORAL ORDER 04.09.2024

ORIGINAL APPLICATION NO.787/2023
(Sunil K. Gangurde & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Smt. Suchita Dhongade, learned counsel for the applicant is and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits affidavit in reply on behalf of respondent no.1 along with spare copy for other side. It is taken on record.

3. S.O. to 23.10.2024 for filing rejoinder, if any.

MEMBER (A)

MEMBER (J)

YUK ORAL ORDER 04.09.2024

ORIGINAL APPLICATION NO.529/2021
(Kishor N. Salve Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned counsel for the applicant and Shri S.S.Dambe, learned Presenting Officer for the respondent authorities.

2. Learned P.O. submits that during the pendency of the O.A. applicant has been reinstated in service and accordingly the applicant himself has forwarded communication dated 28-08-2024 addressed to the Registrar of this Tribunal, which is taken on record and marked as document "X" for identification. Learned Counsel for the applicant has also not disputed the same.

3. In view of above, nothing survives for further consideration in the O.A. Hence, the O.A. stands disposed of. No costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.621/2024
(Santosh A. Kamble Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri Navin S. Shah, learned counsel for the applicant and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned C.P.O. submits affidavit in reply on behalf of respondent no.2 along with spare copy for other side. It is taken on record.

3. S.O. to 04.10.2024 for filing rejoinder, if any.

MEMBER (A)

MEMBER (J)

YUK ORAL ORDER 04.09.2024

ORIGINAL APPLICATION NO.622/2024
(Umakant V. Jagtap Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

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

2. Learned P.O. submits affidavit in reply on behalf of respondent no.2 along with spare copy for other side. It is taken on record.

3. S.O. to 04.10.2024 for filing rejoinder, if any.

MEMBER (A)

MEMBER (J)

YUK ORAL ORDER 04.09.2024

T.A.NO.29/2024 (W.P.NO.9485/2024)
(Nandkishor Paydhan & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri S.S.Thombre, learned counsel for the applicants and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. By consent of both sides, S.O. to 05.09.2024.

MEMBER (A)

MEMBER (J)

YUK ORAL ORDER 04.09.2024

M.A.NO.426/2024 IN O.A.NO.1018/2024
(Balaji S. Pimaldare & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri S.S.Thombre, learned counsel for the applicants and Shri V.G.Pingle, learned Presenting Officer for the respondent authorities, are present.

2. By consent of both sides, S.O. to 05.09.2024.

MEMBER (A)

YUK ORAL ORDER 04.09.2024

MEMBER (J)

ORIGINAL APPLICATION NO.991/2024
(Ramesh M. Dahiphale & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri S.S.Thombre, learned counsel for the applicant and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. By consent of parties, S.O. to 25-09-2024 as the matter is already fixed on the said date for filing reply of the respondents.

MEMBER (A)

MEMBER (J)

YUK ORAL ORDER 04.09.2024

T.A.NO.30/2024 (W.P.NO.9476/2024)
(Sanjay D. Narwade & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned Counsel holding for Shri Chetan T. Jadhav, learned counsel for the applicants and Shri V.G.Pingle, learned Presenting Officer for the respondent authorities, are present.

2. By consent of both sides, S.O. to 05.09.2024.

MEMBER (A)

YUK ORAL ORDER 04.09.2024

MEMBER (J)

T.A.NO.31/2024 (W.P.NO.9486/2024)
(Anant B. Solunke Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned Counsel holding for Shri Chetan T. Jadhav, learned counsel for the applicant and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. By consent of both sides, S.O. to 05.09.2024.

MEMBER (A)

YUK ORAL ORDER 04.09.2024

MEMBER (J)

ORIGINAL APPLICATION NO.890/2024
(Sandip S. Thakre Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND

Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri M.R.Kulkarni, learned counsel for the applicant and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Issue notice to the respondents, returnable on 07-10-2024.

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 07-10-2024.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.891/2024
(Milind M. Navgire Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri M.R.Kulkarni, learned counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Issue notice to the respondents, returnable on 07-10-2024.

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 07-10-2024.

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

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION ST. NO.1330/2024
(Shishir S. Ganjale & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri V. K. Jadhav, Member (J)
AND
Shri Vinay Kargaonkar, Member (A)**

DATE : 04.09.2024

ORAL ORDER :

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

2. Learned Counsel for applicants submits that, in view of earlier order passed by the Tribunal, he will delete names of applicants, 12 in number, whose sue jointly application was not considered and he seeks such leave. Leave granted. Names of those applicants be deleted forthwith.

3. S.O. to 12.09.2024 for hearing.

MEMBER (A)

MEMBER (J)

M.A.NO. 395/2024 IN O.A.NO. 827/2024
(Yashwant N. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 04.09.2024

ORAL ORDER :

Heard Shri P.B. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents in M.A., returnable on 23.10.2024.
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.

//2// M.A. 395/2024 in
O.A. 827/2024

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 23.10.2024.

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

MEMBER (J)

SAS ORAL ORDER 04.09.2024

**M.A.NO. 400/2024 IN O.A.NO. 859/2024
(Shaikh Abrar Abdul Khaudoos Gani Vs. State of
Maharashtra & Ors.)**

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

DATE : 04.09.2024

ORAL ORDER :

Heard Smt. A.S. Therokar, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents in M.A., returnable on 24.10.2024.

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.

//2// M.A. 400/2024 in
O.A. 859/2024

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 24.10.2024.

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

MEMBER (J)

SAS ORAL ORDER 04.09.2024

M.A.NO. 410/2024 IN O.A.NO. 988/2024
(Santosh G. Yewale & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 04.09.2024

ORAL ORDER :

Heard Shri S.D. Joshi, learned counsel holding for Shri A.B. Rajkar, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. The applicants are serving in the one and same department and they are seeking the same relief of absorption on the same cause of action.

3. In view of same and for the reasons stated in the application, to avoid the multiplicity, the Misc. Application is allowed and the applicants are permitted to sue/prosecute jointly the accompanying Original Application subject to payment of court fee stamps, if not paid.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 988 OF 2024
(Santosh G. Yewale & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 04.09.2024

ORAL ORDER :

Shri S.D. Joshi, learned counsel holding for Shri A.B. Rajkar, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., S.O. to 05.09.2024 in **urgent admission category**.

MEMBER (J)

ORIGINAL APPLICATION NO. 947 OF 2024
(Saikiran R. Bansuri Vs. State of Maharashtra & Ors.)

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

DATE : 04.09.2024

ORAL ORDER :

Heard Shri M.S. Mahajan, learned counsel for the applicant and Smt. V.P. Choudhari, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 25.10.2024.
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.

//2//

O.A. 947/2024

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 25.10.2024.

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

MEMBER (J)

SAS ORAL ORDER 04.09.2024

ORIGINAL APPLICATION NO. 1013 OF 2024
(Vaishali S. Bhalavi Vs. State of Maharashtra & Ors.)

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

DATE : 04.09.2024

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that the applicant is working as a Range Forest Officer and she was due for transfer. By order dated 30.08.2024 (Annexure 'A-1'), the applicant came to be transferred from the post of Range Forest Officer, Social Forestry, Parner to the post of Range Forest Officer, Special Tiger Protection Force -01, Totladoha, Pench Tiger Project on vacant post. Learned counsel for the applicant has pointed out that in terms of the G.R. dated 09.04.2018 the applicant has exercised the options and given choice for nine places and tenth option is to extend her tenure at present post. Learned counsel for the applicant submits that those options exercised by the applicant were not considered at all and the applicant came to be transferred at the different place. Learned counsel for the applicant submits that though the applicant

//2//

O.A. 1013/2024

was informed to hand over the charge, however as per the instructions from the applicant, learned counsel submits that till date she has not handed over the charge and presently working on the said post.

3. Learned counsel for the applicant has also pointed out that out of the options exercised by the applicant, the option Nos. 6 and 8 i.e. South Deori (Territorial) Forest Division, Gondia and Panvel (Territorial) Forest Division, Alibag are still vacant.

4. Learned Presenting Officer on the basis of instructions particularly the communication dated 04.09.2024 submits that there are three posts of Range Forest Officer at Special Tiger Protection Force, Pench Tiger Project, Nagpur and out of those three posts, two posts are vacant for near about two years. It has been communicated by the respondent No.1 that since the same is the special project, the vacancy of two posts of Range Forest Officer is not appropriate and as per the guidelines issued in this regard, the Range Forest Officer who is below the age of 40 years is required to be posted at the said post.

5. Learned Presenting Officer submits that the applicant is at present 39 years of age and as such, she fulfils the said condition. Thus considering the same, the applicant came to be transferred by the impugned order of transfer. Learned P.O. submits that in terms of the said order dated 02.09.2024, the applicant must have handed over the charge as directed.

6. It appears that though the applicant has exercised the options in respect of nine places, however, it is not clear as to why the applicant was not considered for the said options. However, even assuming that the applicant is less than 40 years of age and fulfils the condition, however, it is also not clear from the impugned order of transfer that whether the applicant is the only person who is less than 40 years of age. It further appears from the communication dated 04.09.2024 that two posts of Range Forest Officer are vacant at Special Tiger Protection Force, Pench Tiger Project, Nagpur for near about two years. It has not been made clear in the said communication as to what is the need to transfer the applicant on the said post immediately when the said post is vacant for near about two

//4//

O.A. 1013/2024

years especially when the applicant has almost completed 39 years of age. Thus considering the entire aspect of the case, I am inclined to grant the interim relief in terms of prayer clause 'F'. Hence, the following order:-

ORDER

(i) Issue notice to the respondents, returnable on 18.09.2024. **Till then the interim relief in terms of prayer clause 'F' is hereby granted, which is as under:-**

“F. Pending the admission, hearing and final disposal of this Original Application the effect, operation and implementation of the impugned order dated 30/08/2024 (Annex. A-1) issued by the Resp. No.1 may kindly be stayed and the Respondents may kindly be further directed to permit the applicant to discharge duties attached to the post of Range Forest Officer, Social Forestry, Parner in Ahmednagar District.”

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

(iii) Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing

//5// O.A. 1013/2024

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.

(iv) 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.

(v) 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.

(vi) S.O. to 18.09.2024.

(vii) Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 830 OF 2018
(Shailendra H. Mali Vs. State of Maharashtra & Ors.)

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

DATE : 04.09.2024

ORAL ORDER :

Shri S.B. Patil, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri M.V. Bhamre, learned counsel for respondent No.5, are present.

2. This is a part heard matter.

3. At the request of learned P.O., S.O. to 12.09.2024 as a last chance for further hearing.

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 : 04.09.2024

ORAL ORDER :

Shri M.J. Sharma, learned counsel holding for Shri M.R. Deshmukh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks leave to file affidavit in reply on behalf of respondent Nos. 1 and 4. Leave granted. The reply is accepted and copy thereof is given to learned counsel appearing for the applicant today itself.

3. List the matter for filing affidavit in rejoinder, if any on 16.10.2024. **Depart heard.**

MEMBER (J)

ORIGINAL APPLICATION NO. 428 OF 2023
(Sanjiv P. Bodkhe Vs. State of Maharashtra & Ors.)

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

DATE : 04.09.2024

ORAL ORDER :

Shri Sanjiv P. Bodkhe, party in person, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent Nos. 2 and 3, are present.

2. This is a part heard matter.

3. By consent of all the parties, S.O. to 05.09.2024 for further hearing.

MEMBER (J)

M.A. No. 377/2024 in O.A. No. 147/2021
(Ratnaprabha T. Hingade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Heard Shri P.B. Rakhunde, learned counsel for the applicant and Smt. Vanita Choudhary, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that the applicant is employed as a Sweeper in the office of respondent No. 5. It is further submitted that the applicant was terminated from service on 30.03.2024. However, following the intervention of this Tribunal, she was reinstated by order dated 30.04.2024 in M.A. No. 158/2024. The applicant promptly re-joined her duties after the Tribunal's order. However, she has not yet been paid the salary for the months of April and May, 2024. By the present Misc. Application, the applicant is praying for release of salary for the months of April and May, 2024.

3. Learned Presenting Officer prays for some time to take instructions from the respondents. One week time is granted as prayed for by learned Presenting Officer.

4. S.O. to 13.09.2024.

MEMBER (A)

ORIGINAL APPLICATION NO. 718 OF 2024
(Rahul Avinash Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri Suvidh S. Kulkarni, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities, Shri K.B. Bhise, learned counsel for respondent No. 4 and holding for Shri G.J. Karne, learned counsel for respondent Nos. 5 to 7, are present.

2. Learned counsel for respondent No. 4 submits affidavit in reply. Same is taken on record and copy thereof is given to other side.
3. List the matter for hearing on 20.09.2024.

MEMBER (A)

ORAL ORDER 04.09.2024

T.A. No. 20/2024 (W.P. No. 3192/2024)
(Mathurabai M. Choure Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri S.B. Bhosale, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that he has served the notices on all the respondents including respondent No. 1 and the service affidavit is already filed on record.

3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of all the respondents. Time granted.

4. S.O. to 20.09.2024.

MEMBER (A)

ORAL ORDER 04.09.2024

ORIGINAL APPLICATION NO. 894 OF 2024
(Shashikant N. Deulgaonkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri B.G. Sagade Patil, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that all the respondents have been duly served and the service affidavit will be filed in the office during the course of the day. Learned counsel also requested for correcting the paging of O.A. One week time is granted to correct the paging of O.A.

3. Learned counsel Shri Akash U. Peche, submits that he has instructions to appear on behalf of respondent No. 4 and thus seeks time to file affidavit in reply. Time granted.

4. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent Nos. 1 to 3. Time granted.

5. S.O. to 01.10.2024.

MEMBER (A)

ORIGINAL APPLICATION NO. 330 OF 2023
(Sanjay P. Satale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Smt. Vanita Choudhary, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits rejoinder affidavit to the affidavit in reply filed by respondent Nos. 1 & 2. Same is taken on record and copy thereof is given to learned Presenting Officer.

3. S.O. to 01.10.2024 for hearing.

MEMBER (A)

ORAL ORDER 04.09.2024

ORIGINAL APPLICATION NO. 183 OF 2024
(Navnath S. Badage Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 10.10.2024 for filing rejoinder affidavit, if any.

MEMBER (A)

ORAL ORDER 04.09.2024

ORIGINAL APPLICATION NO. 683 OF 2024
(Daulat V. Tate Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 3 & 4. Same is taken on record and copy thereof is given to learned counsel for the applicant.

3. S.O. to 10.10.2024 for filing rejoinder affidavit, if any.

MEMBER (A)

ORAL ORDER 04.09.2024

**M.A. No. 60/2024 in O.A. St. No. 1849/2023
(Kashinath K. Deore Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri G.R. Bhumkar, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

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

3. List the matter for hearing on 03.10.2024.

MEMBER (A)

ORAL ORDER 04.09.2024

ORIGINAL APPLICATION NO. 829 OF 2024
(Pramod S. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri Jiwan Patil, learned counsel for the applicant and Shri D.M. Hange, 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.

3. S.O. to 19.09.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

ORAL ORDER 04.09.2024

**O.A. No. 830/2024 with Caveat No. 42/2024
(Pallavi M. Temkar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri Vinay Kargaonkar, Member (A)

DATE : 04.09.2024

ORAL ORDER :

Shri Jiwan Patil, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present. Shri Y.V. Kakade, learned counsel for respondent No. 3 (Caveator), is **absent**.

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

3. S.O. to 19.09.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

ORAL ORDER 04.09.2024