

**ORIGINAL APPLICATION ST. NO.863/2021
(Digambar Deshpande Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

Heard Shri P.G.Tambde learned Advocate holding for Shri S.S.Jadhavar, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant argues that there is no delay for filing O.A. before the Tribunal as applicant has been representing to the former Chief Minister, present Chief Minister etc. upto October, 2020. Now, he has submitted that in case delay is counted from the date matter is pending with the Home Department, Government of Maharashtra, delay may be condoned.

3. Learned P.O. consents to that. Accordingly, delay of 1 year and 7 months is condoned in the interest of justice as the delay is not deliberate or intentional.

4. O.A. be registered and numbered after removal of office objection, if any.

5. Issue notices to the respondents, returnable on 15-11-2021.

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O.A.ST.NO.863/2021

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 15-11-2021.

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

MEMBER (A)

**ORIGINAL APPLICATION NO.433/2020
(Ajay Lahot Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

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

2. The matter was not on board for a long time after 15th December, 2020 though the respondent no.1 to 3 have filed affidavit in reply. The applicant has not filed affidavit in rejoinder since then and had been granted time for the same on 11-08-2021 and 02-09-2021. Learned Advocate for the applicant is again seeking time for filing affidavit in rejoinder. Time is granted.

3. S.O. to 13.10.2021.

MEMBER (A)

**M.A.NO.76/2021 IN O.A.ST.NO.196/2021
(Shivaji Chintamani Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

Heard Shri V.B.Wagh, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 and 2 in M.A. It is taken on record. Copy thereof has been served on the other side.

3. Learned Advocate for the applicant has pleaded that the absorption of the applicant on the post of Gate Keeper by an order dated 12-04-2012 is unjust as there was no promotional avenue available. He states that the delay caused is not intentional or deliberate but due to lack of knowledge on the part of the applicant. He also cites financial loss caused to the applicant by way of wrong pay fixation. He has cited paper book page 57 and 58 showing that there is wrong pay fixation and prayed for condonation of delay.

4. Learned P.O. on the other hand has opposed the condonation of delay. However, she tends to agree that the applicant has already been absorbed on the post of Gate Keeper long ago. That issue does not deserve to be

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M.A.NO.76/2021 IN O.A.ST.NO.196/2021

reopened by condoning delay in filing the O.A. However, if after absorption of the applicant on the post of Gate Keeper, any discrepancy in pay fixation at subsequent stage is brought out explicitly then that may be considered.

5. Accordingly, learned Advocate for the applicant is ready to submit calculation sheet depicting error in fixation of pay after absorption of the applicant in the cadre of Gate Keeper in the year 2012.

6. S.O. to 13-10-2021.

MEMBER (A)

YUK ORAL ORDERS 05.10.2021

**ORIGINAL APPLICATION NO.59/2018
(Umesh Parate Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

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

2. Arguments of both sides are heard at some length. Case be treated as part heard.
3. S.O. to 13.10.2021.

MEMBER (A)

**ORIGINAL APPLICATION NO.116/2018
(Sanjay Deokate Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

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

2. Photocopies of original documents as required vide order dated 01-10-2019 presented by the learned P.O. and a set of it is shared with the learned Advocate for the applicant.

3. S.O. to 13.10.2021 for final hearing.

MEMBER (A)

M.A.NO.286/2020 IN O.A.ST.NO.1059/2020
(Prabhakar Kawathekar Vs. State of Maharashtra & Ors.)

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

DATE : 05.10.2021

ORAL ORDER :

Heard Shri S.V.Suryavanshi, learned Advocate holding for Shri G.J.Kore, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 29-11-2021.

MEMBER (A)

YUK ORAL ORDERS 05.10.2021

M.A.NO.287/2020 IN O.A.ST.NO.1061/2020
(Bhalchandra Dharurkar Vs. State of Maharashtra & Ors.)

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

DATE : 05.10.2021

ORAL ORDER :

Heard Shri S.V.Suryavanshi, learned Advocate holding for Shri G.J.Kore, learned Advocate for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted as a last chance.

3. S.O. to 29-11-2021.

MEMBER (A)

YUK ORAL ORDERS 05.10.2021

M.A.NO.288/2020 IN O.A.ST.NO.1063/2020
(Pratap Sontakke Vs. State of Maharashtra & Ors.)

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

DATE : 05.10.2021

ORAL ORDER :

Heard Shri S.V.Suryavanshi, learned Advocate holding for Shri G.J.Kore, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 29-11-2021.

MEMBER (A)

YUK ORAL ORDERS 05.10.2021

M.A.NO.289/2020 IN O.A.ST.NO.1065/2020
(Pandharinath Dhorge Vs. State of Maharashtra & Ors.)

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

DATE : 05.10.2021

ORAL ORDER :

Heard Shri S.V.Suryavanshi, learned Advocate holding for Shri G.J.Kore, learned Advocate for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 29-11-2021.

MEMBER (A)

YUK ORAL ORDERS 05.10.2021

M.A.NO.290/2020 IN O.A.ST.NO.1067/2020
(Vilas Sathe Vs. State of Maharashtra & Ors.)

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

DATE : 05.10.2021

ORAL ORDER :

Heard Shri S.V.Suryavanshi, learned Advocate holding for Shri G.J.Kore, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted as a last chance.

3. S.O. to 29-11-2021.

MEMBER (A)

YUK ORAL ORDERS 26.08.2021

M.A.NO.291/2020 IN O.A.ST.NO.1070/2020
(Jilani Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 05.10.2021

ORAL ORDER :

Heard Shri S.V.Suryavanshi, learned Advocate holding for Shri G.J.Kore, learned Advocate for the applicant, Shri B.S.Deokar, learned Presenting Officer for the respondents and Shri S.D.Dhongde learned Advocate for respondent no.2.

2. At the request of learned Advocate for the applicant, S.O. to 29-11-2021.

MEMBER (A)

YUK ORAL ORDERS 05.10.2021

M.A.NO.292/2020 IN O.A.ST.NO.1072/2020
(Shaikh Rahim Shaikh Chand Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
DATE : 05.10.2021
ORAL ORDER :

Heard Shri S.V.Suryavanshi, learned Advocate holding for Shri G.J.Kore, learned Advocate for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted as a last chance.

3. S.O. to 29-11-2021.

MEMBER (A)

YUK ORAL ORDERS 05.10.2021

M.A.NO.312/2020 IN O.A.ST.NO.1351/2020
(Ajgar Ali Nohiddin Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 05.10.2021

ORAL ORDER :

Heard Shri S.V.Suryavanshi, learned Advocate holding for Shri G.J.Kore, learned Advocate for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted as a last chance.

3. S.O. to 29-11-2021.

MEMBER (A)

YUK ORAL ORDERS 05.10.2021

**M.A. No. 287/2021 in O.A. St. No. 819/2021
(Dr. Sanjay R. Kadam & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

Heard Shri S.B. Bhosale, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants submits that there is deficiency in the pleadings, which go to the route of the matter. Therefore, he seeks leave for correcting the same.
3. Leave as prayed for by the applicant is granted.
4. S.O. to 13.10.2021.

MEMBER (A)

MEMBER (J)

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

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

DATE : 05.10.2021

ORAL ORDER :

Shri Taher Ali Quadri, learned Advocate for the applicant (**Absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 16.11.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 334 OF 2021
(Madhuri B. Panzade Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

Heard Shri M.K. Hundekar, learned Advocate holding for Shri Jagdish K. Bansode, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 and 2.

2. Learned Advocate Shri S.B. Solanke, has filed **VAKIL-PATRA** on behalf of respondent No. 3. Same is taken on record. He seeks time for filing affidavit in reply on behalf of respondent No. 3.

3. At the request of learned Presenting Officer for the respondent Nos. 1 and 2, time is granted for filing affidavit in reply.

4. S.O. to 17.11.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 372 OF 2021
(Sanjay N. Deshpande Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

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

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents.
3. Learned Advocate for the applicant apposes and seeks interim relief.
4. Record shows that by the order dated 28.07.2021, the prayer of interim relief is refused by this Tribunal.
5. In view of the same, time is granted as a last chance for filing affidavit in reply to the respondents.
6. S.O. to 18.11.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 339 OF 2021
(Arun S. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

Shri A.B. Chalak, learned Advocate for the applicant (**Absent**). Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

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

3. S.O. to 22.11.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 395 OF 2021
(Bhau N. Chaudhari Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate holding for Shri A.M. Gholap, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

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

3. S.O. to 23.11.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 397 OF 2021
(Abhijeet M. Bhise & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 05.10.2021

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicants, S.O. to 23.11.2021 for filing service affidavit.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 561 OF 2021
(Toliram P. Rathod Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

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

2. Issue notice to the respondents, returnable on 23.11.2021.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal

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O.A. No. 561/2021

(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 23.11.2021.

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

9. The present matter is placed on separate board.

MEMBER (A)

MEMBER (J)

**M.A. No. 273/2021 in O.A. St. No. 987/2021
(Prakash N. Phulluke Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

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

2. Issue notice to the respondents in M.A., returnable on 23.11.2021.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal

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M.A. 273/2021 in
O.A. St. 987/2021

(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 23.11.2021.

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

9. The present matter is placed on separate board.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 600 OF 2021
(Subhash G. Dhutire Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. The present Original Application is filed by the applicant seeking promotion to the post of Junior Engineer with consequential deemed date of promotion and further promotion to the post of Sectional Engineer with all consequential benefits and also seeking direction to decide the various representations made by him.

3. Presently the applicant is working on the post of Civil Engineering Assistant. Initially the applicant entered in the service on the post of Civil Engineering Assistant in the month of June, 2008. He passed the qualifying examination for the promotional post of Junior Engineer on 09.03.2015. The seniority list as on 01.01.2015 was published as per G.R. dated 02.01.2016 (Annexure A-13). In that, name of the applicant was wrongly shown at Sr. No. 2151. The applicant made representation raising objection to the said final seniority

list. Consequently, the Government issued Corrigendum dated 20.11.2018 (Annexure A-15) to the seniority published on 02.01.2016. As per the said Corrigendum, the applicant has been placed at Sr. No. 1875-A in the said seniority list and the deemed date of Civil Engineering Assistant was given w.e.f. 01.09.2008. His proposal dated 20.12.2018 (Annexure A-16) of promotion was submitted by the respondent No. 5 to the respondent No. 4 and consequently, the respondent No. 4 further recommended his name as per communication dated 05.01.2019 (part of Annexure A-16 collectively). Thereafter, the applicant made 8 representations listed in prayer clause 11 (E). The applicant has not heard from the respondents in respect of those representations made by him seeking promotion. In view of the same, learned Advocate for the applicant seeks interim relief by way of direction to the respondents to decide the representations made by the applicant.

4. Learned Presenting Officer opposed the submissions made on behalf of the applicant and sought time for filing affidavit in reply.

5. Considering the facts as discussed above, it is evident that initially some injustice was caused to the

applicant and he was placed in seniority list below and the same is corrected by Corrigendum dated 20.11.2018. The said Corrigendum is of the year 2018 and since then, the applicant has not been considered for promotion despite various representations made by him and despite recommendation made by the respondent Nos. 5 and 4 accordingly.

6. In the circumstances, at this stage, in our considered opinion, it would be just and proper to grant interim relief directing the respondents to consider and decide the applicant's various representations as mentioned in paragraph No. 11 (E). Hence, the interim relief as per prayer clause 12 is hereby granted. The respondent Nos. 1 and 2 is directed to consider and decide those representations of the applicant within a period of four weeks from the date of this order and communicate the decision thereof to the applicant in writing immediately.

7. Issue notice to the respondents, returnable on 25.11.2021.

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

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

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

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

12. S.O. to 25.11.2021.

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

14. The present matter is placed on separate board.

MEMBER (A)

MEMBER (J)

**C.P. No. 16/2021 in O.A. No. 211/2018
(Dilip K. Mankeshwar Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate holding for Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Presenting Officer for the respondents seeks time about the compliance of the order. Time granted.

3. S.O. to 18.10.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 303 OF 2020
(Sanjay D. Dongaonkar Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

Heard Shri P.N. Sonpethkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer submits that the affidavit in reply was filed before amendment in the present O.A. and therefore, he seeks time for filing affidavit in reply to the amended O.A. Time granted.

3. S.O. to 26.10.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 562 OF 2020
(Amol N. Bari Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Considering the facts and circumstances of the case, it is evidence that the affidavit in reply on behalf of respondent No. 2 i.e. M.P.S.C. is necessary.
3. In view of the same, at the request of learned Chief Presenting Officer, short time is granted for filing affidavit in reply of respondent No. 2.
4. S.O. to 27.10.2021.

MEMBER (A)

MEMBER (J)

**C.P. No. 11/2021 in O.A. No. 558/2021
(Vithal T. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

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

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent No. 3.

3. Learned Advocate for the applicant objected therefor and stated that the respondent No. 3 is not paying heed to the contempt notice issued by the Tribunal.

4. Record shows that notice was issued only against the respondent No. 3 in this matter in view of reply dated 06.04.2021 (Annexure A-5) given by the respondent No. 3 to the learned Advocate for the applicant. In fact, the applicant came with a case that the order dated 20.11.2019 passed in O.A. No. 551/2019 is not complied with by the respondents. By the said order, the respondent No. 2 was directed to

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O.A. 558/2021

consider the representation of the applicant dated 12.06.2019 sympathetically as per rules on merit at the time of General Transfers of the year 2020. However, record shows that the respondent No. 3 replied the said notice dated 03.03.2021 served by the learned Advocate for the applicant. The said notice dated 03.03.2021 (Annexure A-4) was addressed to the respondent No. 2. No separate reply is received from the respondent No. 2 to the said notice of the applicant.

5. In the circumstances, it transpires that the original directions were issued to the respondent No. 2. It is not known, as of now who is working on the post of the respondent No. 2. In view of the same, it is just and proper to issue notice to the officer by name, who is presently holding the post of respondent No. 2.

6. Issue notice to the respondent No. 2, returnable on 15.11.2021.

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

8. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly

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O.A. 558/2021

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.

9. 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.

10. 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.

11. S.O. to 15.11.2021.

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

13. The present matter is placed on separate board.

MEMBER (A)

MEMBER (J)

**M.A.NO.56 OF 2021 IN M.A.ST.NO.346 OF 2020
IN
ORIGINAL APPLICATION NO.563 OF 2014
(Tushar B. Rajput Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

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

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

3. S.O. to 27.10.2021

MEMBER (A)

MEMBER (J)

ORAL ORDERS 5.10.2021-SAS

**M.A.NO.190 OF 2021 IN O.A.NO.271 OF 2020
(Siddharth M. Kadam Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

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

2. By this application, the applicant is seeking amendment in the Original Application by bringing on record the subsequent development which took place during pendency of the Original Application.

3. The Original Application is filed seeking direction against the respondent to issue appointment order to the applicant for the post of Assistant Engineer (Civil), Group – B, Grade-II, Gazetted pursuant to the advertisement No.67/2017 and as per the recommendation letter dated 29.06.2019.

4. It is the contention of the applicant that the name of the applicant was recommended for the said post by the M.P.S.C. to the respondent. The respondent alleged to have sent communication dated 15.07.2019 (Annex. 'A-4' in the Original Application) to the recommended candidates for the production of original documents and its verification.

//2/

M.A.No.190/2021 In O.A.No.271/2020

5. The applicant, however, did not receive the said communication by E-mail. The applicant also did not receive it through postal authority. The applicant came to know about the same in the month of December, 2019. Accordingly, he made representations dated 30.12.2019 and 03.01.2020 seeking selection for the said post. However, the respondent did not respond to the said representations. The applicant, therefore, previously filed Original Application No.129/2020 before this Tribunal. This Tribunal by order dated 06.03.2020 disposed of the said petition giving direction to the respondent to decide the representations of the applicant dated 30.12.2019 and 03.01.2020 within the period of one month. The respondent, however, did not decide the said representations. The applicant, therefore, filed present Original application.

6. It is further contention of the applicant that, during pendency of this Original Application, the respondent decided his said two representations dated 30.12.2019 and 03.01.2020 by order dated 09.10.2020.

7. In view of this development, the applicant has filed Misc. Application No.190/2021 for seeking amendment in the Original Application.

//3/

M.A.No.190/2021 In O.A.No.271/2020

8. Learned Advocate for the applicant submits that the applicant by the proposed amendment seeking to bring on record the subsequent development.

9. Upon perusal of proposed amendment, it appears that the proposed amendment is not going to change the original nature of the proceedings and it is necessary to determine the real controversy between the parties. In the circumstances, question of formal notice to the respondent is dispensed with. In the result, we proceed to pass the following order.

ORDER

- (a) The Misc. Application No.190/2021 is allowed.
- (b) The applicant to carry out amendment forthwith and serve the amended copy of the Original Application to the other side.
- (c) No order as to costs.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.271 OF 2020
(Siddharth M. Kadam Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

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

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

3. S.O. to 28.10.2021.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 5.10.2021-SAS

**M.A.NO.325 OF 2021 IN O.A.NO.196 OF 2021
(Sandip P. More Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 14.10.2021.
3. Interim relief granted earlier in O.A. to continue till then.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 5.10.2021-SAS

**ORIGINAL APPLICATION NO.488 OF 2018
(Dattu B. Kolpe Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

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

2. Record shows that affidavit-in-reply on behalf of respondent no.1 is already filed.

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

4. The matter is pertaining to appointment to the post of Tax Assistant. It is admitted and fixed for final hearing on 18.11.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.28 OF 2020
(Anil P. Salve Vs. State of Maharashtra & Ors.)**

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

DATE : 05.10.2021

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 18.11.2021 for final hearing.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 5.10.2021-SAS

**O.A. NOS. 810/2017, 705/2018, 120/2019,
303/2019, 492/2019, 766/2019, 773/2019,
794/2019, 809/2019, 66/2020, 195/2020,
234/2020, 253/2020 , 254/2020 & 301/2020**

**(Shaligram M. Sonawane & Ors. Vs. State of
Maharashtra & Ors.)**

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 05.10.2021

ORAL ORDER :

Heard S/Shri S.D. Dhongde, Avinash S. Deshmukh, K.B. Jadhav, V.D. Gunale with D.T. Devane, & K.G. Salunke, learned Advocates for the applicants in respective O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these O.As.

2. The present case be treated as part heard.
3. S.O. to 26.11.2021.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 5.10.2021-SAS

**ORIGINAL APPLICATION NO. 335 OF 2020
(Arjun N. Pache Vs. State of Maharashtra & Ors.)**

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

DATE : 5.10.2021

ORAL ORDER :

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

2. Learned Advocate for the applicant has filed rejoinder affidavit and the same is taken on record and copy thereof has been served on the learned Presenting Officer for the respondents.

3. S.O. to 15.11.2021.

MEMBER (J)

ORAL ORDERS 5.10.2021-HDD

**ORIGINAL APPLICATION NO. 20 OF 2021
(Ramraje S. Chandane Vs. State of Maharashtra & Ors.)**

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

DATE : 5.10.2021

ORAL ORDER :

Heard Ms. Tejal Mankar, learned Advocate holding for Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 28.10.2021.

MEMBER (J)

ORAL ORDERS 5.10.2021-HDD

ORIGINAL APPLICATION NO. 566 OF 2020
(Nathu N. Khadtare & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 5.10.2021

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply. Time granted as a last chance.

3. S.O. to 16.11.2021.

MEMBER (J)

ORAL ORDERS 5.10.2021-HDD

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

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

DATE : 5.10.2021

ORAL ORDER :

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 5 and the same is taken on record and copy thereof has been served on the learned Advocate for the applicants.

3. At the request of learned Presenting Officer, S.O. to 16.11.2021 for filing affidavit in reply on behalf of other respondents.

MEMBER (J)

ORAL ORDERS 5.10.2021-HDD

**ORIGINAL APPLICATION NO. 388 OF 2021
(Navnath L. Dhande Vs. State of Maharashtra & Ors.)**

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

DATE : 5.10.2021

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply. Time granted.

3. S.O. to 18.11.2021.

MEMBER (J)

ORAL ORDERS 5.10.2021-HDD

ORIGINAL APPLICATION NO. 416 OF 2021
(Dr. Ajit R. Kothari & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 5.10.2021

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate holding for Shri N.L. Choudhari, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply. Time granted.

3. S.O. to 28.10.2021.

MEMBER (J)

ORAL ORDERS 5.10.2021-HDD

**O.A.NO. 764/2018 WITH M.A.NO. 180/2021
(Prashant B. Kachawa Vs. State of Maharashtra & Ors.)**

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

DATE : 5.10.2021

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The present Original Application is filed challenging the order dated 21.8.2018 issued by respondent No. 2, whereby the deputation of the applicant was cancelled and the applicant was relieved and was kept without posting. By order dated 8.10.2018 passed by this Tribunal *ad interim stay* to the impugned order dated 21.8.2018 was granted. The said interim order is continued from time to time. During the pendency of the present O.A. the applicant filed M.A. No. 180/2021 seeking amendment to the O.A. in view of subsequent developments stating that in spite of interim order of stay the applicant by order dated 30.6.2021 has been transferred. The said M.A. No. 180/2021 is pending for filing affidavit in reply by the respondents.

**:: - 2 - :: O.A.NO. 764/2018 WITH
M.A.NO. 180/2021**

3. Today, the learned Advocate for the applicant filed a copy of Government Order dated 30.7.2021 issued by respondent No. 1 and the same is taken on record and marked as document 'X' for the purpose of identification.

4. The name of the applicant in the aforesaid Government Order is at Sr. No. 23. The applicant thereby is posted on the post of Sub-Divisional Water Conservation Officer, Soil and Water Conservation, Sub-Division, Parbhani, where the applicant is working at present.

5. In view of the aforesaid situation, the grievance of the applicant raised in the O.A. and M.A. said to have been redressed. In the result, O.A., as well as, M.A. both are disposed of as the grievance of the applicant being redressed. There shall be no order as to costs.

MEMBER (J)

**ORIGINAL APPLICATION NO. 459 OF 2020
(Priti J. Patale Vs. State of Maharashtra & Ors.)**

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

DATE : 5.10.2021

ORAL ORDER :

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

2. Today, in the beginning the learned Presenting Officer has filed a copy of communication dated 5.10.2021 addressed by Civil Surgeon, Nashik to the respondent No. 2 i.e. the Deputy Director, Health Services, Nashik Circle, Nashik, whereby it is stated that the applicant has not reported on duty at District Civil Hospital, Nashik and has placed some applications in Inward/Outward section. The copy of communication dated 5.10.2021 is taken on record and marked as document 'X' for the purpose of identification.

3. In view of aforesaid submissions made on behalf of the respondents, the applicant to take note of the communication dated 5.10.2021 and respond the same by filing short affidavit.

:: - 2 - :: O.A. NO. 459 OF 2020

4. The learned Advocate for the applicant submits that the applicant would not file affidavit.

5. S.O. to 11.10.2021 for hearing the arguments on behalf of the respondents.

MEMBER (J)

ORAL ORDERS 5.10.2021-HDD

ORIGINAL APPLICATION NO. 560 OF 2021
(Motiram D. Dakhare Vs. State of Maharashtra & Ors.)

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

DATE : 5.10.2021

ORAL ORDER :

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

2. S.O. to 6.10.2021.

MEMBER (J)

ORAL ORDERS 5.10.2021-HDD

**ORIGINAL APPLICATION NO. 148 OF 2020
(Gorakhnath J. Bhalerao Vs. State of Maharashtra & Ors.)**

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

DATE : 5.10.2021

ORAL ORDER :

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

2. Heard arguments advanced by the learned Advocate for the applicant. The present case be treated as part heard.

3. S.O. to 12.10.2021

MEMBER (J)

ORAL ORDERS 5.10.2021-HDD

**ORIGINAL APPLICATION NO. 301 OF 2021
(D.P. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 5.10.2021

ORAL ORDER :

Heard Shri G.J. Pahilwan, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply. Time granted.

3. S.O. to 15.11.2021.

MEMBER (J)

ORAL ORDERS 5.10.2021-HDD

**M.A. 311/21 IN M.A.ST.1330/21IN O.A. 189/20
(Mamta S. Vispute Vs. State of Maharashtra & Ors.)**

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

DATE : 5.10.2021

ORAL ORDER :

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

2. Closed for orders.

MEMBER (J)

ORAL ORDERS 5.10.2021-HDD

ORIGINAL APPLICATION NO. 289 OF 2021
(Madhukar L. Pradhan Vs. State of Maharashtra & Ors.)

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

DATE : 5.10.2021

ORAL ORDER :

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 4 and the same is taken on record and copy thereof has been served on the learned Advocate for the applicant. Learned P.O. seeks time for filing affidavit in reply on behalf of respondent Nos. 1 to 3.

3. As regards provisional pension, learned Advocate for the applicant submits that after last date of hearing the applicant has been paid provisional pension for the month of August & September, 2021.

4. By order dated 15.9.2021 the direction is already issued to the learned Presenting Officer to ensure that the provisional pension is paid to the applicant, if there are no legitimate hurdles.

:: - 2 - :: O.A. NO. 289 OF 2021

5. At the request of learned Presenting Officer, S.O. to 25.10.2021 for filing affidavit in reply on behalf of respondent Nos. 1 to 3.

MEMBER (J)

ORAL ORDERS 5.10.2021-HDD

M.A.NO. 326/2021 IN O.A.NO. 581/2021
(Dr. Aaliya Kausar Aziz Vs. State of Maharashtra & Ors.)

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

DATE : 5.10.2021

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant in the present M.A. (respondent No. 6 in O.A.), Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 2 to 5 in the present M.A. (respondent Nos. 1 to 4 in O.A.) and Shri J.M. Murkute, learned Advocate for respondent No. 1 (applicant in O.A.).

2. The present M.A. is made for vacating interim order dated 27.9.2021 (Annexure 'A-1') passed by this Tribunal in O.A. No. 581/2021.

3. Shri A.S. Deshmukh, learned Advocate for the applicant in M.A. submits that the order of interim relief is passed in absence of certain material documents.

4. Shri J.M. Murkute, learned Advocate for respondent No. 1 in M.A. (applicant in O.A.) seeks short time to file response to the M.A. contending that serious contentions are raised alleging suppression of material facts.

**:: - 2 - :: M.A.NO. 326/2021 IN
O.A.NO. 581/2021**

5. Perusal of the pleadings of O.A. and M.A. and documents on record would show that the respondent No. 4 in M.A. (respondent No. 3 in O.A.) i.e. the District Civil Surgeon, District Hospital and Health Centre, Aurangabad in his communication dated 30.8.2021 (Annexure 'A-3', page-31 of M.A.) addressed to the Deputy Director of Health Services, Aurangabad, has pleaded his inability to get joined the applicant. Now it is stated that this letter is not produced by the applicant in O.A. The applicant has produced on record letter dated 23.9.2021 (Annexure 'A-1', page-13 & 14 of paper book of O.A.) addressed by the District Civil Surgeon, District Hospital, Aurangabad to the Deputy Director of Health Services, Aurangabad i.e. respondent No. 3 seeking guidance about joining of the applicant. In the said letter reference is also made to the transfer order of respondent No. 6. (in O.A.) Viz. Dr. Aliya Kausar Aziz Ahmed Khan.

6. In these circumstances, *prima facie*, it appears that there were transfer orders of applicant, as well as, respondent No. 6 namely dated 9.8.2021 and 17.9.2021. However, only one posting of Dr. Santosh

**:: - 3 - :: M.A.NO. 326/2021 IN
O.A.NO. 581/2021**

Bhagwanrao Naikwade at Sr. No. 265 in order dated 17.9.2021 (Annexure 'A-6', page 49 of paper book of O.A.) is shown, who is transferred from Civil Hospital, Aurangabad to Rural Hospital, Shirur, District Pune and that thereby there is only one vacant post in Civil Hospital, Aurangabad. In view of this, in my considered opinion, before considering this M.A. for vacating the interim relief, an opportunity will have to be given to the respondent No. 1 (applicant in O.A.) and respondent Nos. 2 to 5 in M.A. (respondent Nos. 1 to 4 in O.A.) to file affidavit in reply in this M.A.

7. S.O. to 12.10.2021.

MEMBER (J)

ORAL ORDERS 5.10.2021-HDD

Date : 5.10.2021

O.A. 596/2020

**(Dyaneshwar M. Pandit V/s State of Maharashtra
& Ors.)**

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

1. Shri A.D. Sugdare, learned Advocate for the applicant and Shri M.S. Mahajan, learned C.P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on 30.10.2021. The case be listed for admission hearing on 30.10.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR