

M.A. No. 570/2023 in O.A. St. No. 2370/2023
(Shrawan G. Chabukswar Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Shri P.S. Kochar, learned counsel holding for Shri S.R. Kolhare, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 10.06.2024.

MEMBER (J)

KPB ORAL ORDER 05.04.2024

ORIGINAL APPLICATION ST. NO. 1978 OF 2023
(Bhaskar K. Dabhade Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Shri P.S. Kochar, learned counsel holding for Shri Sanjay Kolhare, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 10.06.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 05.04.2024

ORIGINAL APPLICATION NO. 330 OF 2022
(Datta B. Nannaware & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Shri O.V. Waghmare, learned counsel holding for Shri G.J. Kore, learned counsel for the applicants and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, time is granted for filing rejoinder affidavit.

3. S.O. to 14.06.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 1136 OF 2022
(Ramdas N. Sangle Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

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

2. Even though the last chance is granted, no affidavit in reply has been filed.

3. In view of above, list the matter for admission hearing on 02.05.2024 with liberty to the other side to file affidavit in reply, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 1137 OF 2022
(Ravindra G. Barde Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Even though the last chance is granted, no affidavit in reply has been filed.

3. In view of above, list the matter for admission hearing on 02.05.2024 with liberty to the other side to file affidavit in reply, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 1069 OF 2022
(Sachin Ramesh Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

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

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

MEMBER (J)

M.A. No. 133/2024 in O.A. St. No. 742/2024
(Mushtaqli Vahedali Sayyad Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Heard Shri Avinash Khedkar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents in M.A., returnable on 19.06.2024.

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 19.06.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 396 OF 2024
(Munja M. Muley Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Heard Shri Ashish Rajkar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 19.06.2024.

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 19.06.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 597 OF 2023
(Ashish N. Hiware Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

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

2. Learned counsel for the applicant has filed short affidavit of the applicant. Same is taken on record and copy thereof is given to learned Presenting Officer.

3. Learned Presenting Officer is directed to take specific instructions in respect of the averments made in the short affidavit.

4. It is a part heard matter. S.O. to 23.04.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 751 OF 2023
(Sakharam M. Ghodke Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Heard Shri V.P. Savant, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. In compliance with the order dated 04.03.2024, learned Presenting Officer has received record and proceedings pertaining to the enquiry of the applicant. However, learned P.O. submits that said record and proceedings consisting of only part of evidence and enquiry report is not submitted along with it.

3. In view of above, learned Presenting Officer is directed to keep respondent No. 4 present in person on the next date of hearing along with complete record and proceedings.

4. It is a part heard matter. S.O. to 18.04.2024 for further hearing.

MEMBER (J)

M.A. No. 304/2022 in O.A. No. 1020/2023
(Ravikiran A. Ahire & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Shri Mohit Deshmukh, learned counsel for the applicants (**Absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicants, S.O. to 10.06.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 05.04.2024

M.A. No. 420/2022 in O.A. St. No. 1554/2022
(Eknath M. Bansode Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Shri P.D. Pawar Pathrekar / Prashant Deshmukh, learned counsel for the applicant (**Absent**). Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 11.06.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 05.04.2024

ORIGINAL APPLICATION NO. 993 OF 2019
(Dileep R. Joshi Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Smt. Sanjivani A. Ghate-Deshmukh, learned counsel for the applicant Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent Nos. 2 & 3, are present.

2. S.O. to 11.06.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 994 OF 2019
(Dileep K. Thorat Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Smt. Sanjivani A. Ghate-Deshmukh, learned counsel for the applicant and, D.M. Hange, learned Presenting Officer for the respondent authorities and Shri Shashikant Chalikwar, learned counsel holding for Shri Ajinkya S. Reddy, learned counsel for respondent Nos. 2 & 3, are present.

2. At the request of Shri Shashikant Chalikwar, learned counsel holding for Shri Ajinkya Reddy, learned counsel for respondent No. 2 and 3, S.O. to 11.06.2024 for hearing. Though learned counsel for the applicant has strongly resisted the said request, however in the interest of justice adjournment is granted.

MEMBER (J)

O.A. Nos. 670, 671, 672 and 673 all of 2021
(Gokul D. Patil & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicants in all these O.As. and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. At the request of learned Presenting Officer, S.O. to 25.04.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 05.04.2024

ORIGINAL APPLICATION NO. 1048 OF 2022
(Ajaykumar B. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Shri P.G. Suryawanshi, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 17.04.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 05.04.2024

ORIGINAL APPLICATION NO. 131 OF 2023
(Chhaya P. Sulakhe Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent No. 6 for some time.

2. It appears that huge amount of Rs. 20,93,900/- has been proposed to be recovered from the applicant on the ground that she has been paid the excess amount and the same appears to have been done after her retirement. It further appears that under this pretext, even though this Tribunal has stayed the recovery of the said order by order dated 09.02.2023, retiral benefits have not been paid to the applicant, though the applicant came to be retired on 31.12.2020.

3. In view of above, admit.

4. Interim relief by order dated 09.02.2023 stands continued till disposal of the present Original

//2//

O.A. No. 131/2023

Application and the respondents are directed to grant all the pensionary benefits including regular pension to the applicant as expeditiously as possible and preferably within a period of three months from the date of this order.

5. S.O. to 01.07.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 05.04.2024

ORIGINAL APPLICATION NO. 273 OF 2023
(Savita U. Gaikwad @ Sangita S. Wagh Vs. State of
Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Heard Shri V.G. Salgare, learned counsel for the applicant and Smr. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. Part heard.

3. By consent of parties, S.O. to 25.04.2024 for further hearing.

MEMBER (J)

SAS ORAL ORDER 05.04.2024

**ORIGINAL APPLICATION NO. 480 OF 2023
(Gyanraj P. Kakde Vs. State of Maharashtra & Ors.)**

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

DATE : 05.04.2024

ORAL ORDER :

Shri D.P. Kakde, party in person, is **absent**.
Shri D.M. Hange, learned Presenting Officer for the
respondent authorities, is present.

2. The party in person is absent.
3. S.O. to 01.07.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 481 OF 2023
(Gyanraj P. Kakde Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Shri D.P. Kakde, party in person, is **absent**.
Smt. R.S. Deshmukh, learned Presenting Officer for
the respondent authorities, is present.

2. The applicant in person is absent.
3. S.O. to 01.07.2024 for hearing.

MEMBER (J)

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

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

DATE : 05.04.2024

ORAL ORDER :

Shri M.J. Sharma, learned counsel holding for Shri Mohit R. Deshmukh, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 11.06.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 05.04.2024

ORIGINAL APPLICATION NO. 898 OF 2023
(Madhukar L. Dodade Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Shri K.G. Salunke, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

Shri Ajinkya Reddy, learned counsel for respondent No.2, is **absent**.

2. S.O. to 02.05.2024 as a last chance to respondent No.2 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 947 OF 2023
(Kiran S. Rathod & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Shri Ajay S. Deshpande, learned counsel for the applicants and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 10.06.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 05.04.2024

ORIGINAL APPLICATION NO. 335 OF 2024
(Geeta M. Bagawade Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

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

2. I have heard the learned counsel for the applicant and learned C.P.O. for some time.

3. It appears that there is no clarity as such as to whether the applicant being posted at Cyber Police Station, Ch. Sambhajinagar prior to passing of an impugned order, whether the said post being attached to Cyber Police Station is executive or non-executive post.

4. Learned counsel for the applicant so also learned C.P.O. seek time to file short affidavit in this respect. Time granted.

5. S.O. to 15.04.2024 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 139 OF 2017
(Shaikh Liyakat Shaikh Dildar Vs. State of Maharashtra &
Ors.)**

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

DATE : 05.04.2024

ORAL ORDER :

Shri V.P. Golewar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 02.05.2024 for final hearing.

MEMBER (J)

SAS ORAL ORDER 05.04.2024

**ORIGINAL APPLICATION NO. 398 OF 2018
(Dnyaneshwar K. Sanap Vs. State of Maharashtra & Ors.)**

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

DATE : 05.04.2024

ORAL ORDER :

Smt. S.A. Ghate-Deshukh, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 11.06.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 05.04.2024

ORIGINAL APPLICATION NO. 422 OF 2019
(Syed Khaja Syed Meeran Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Smt. Suchita A. Dhongde, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 12.06.2024 for final hearing.

MEMBER (J)

SAS ORAL ORDER 05.04.2024

**ORIGINAL APPLICATION NO. 1049 OF 2019
(Pralhad L. Bhalerao Vs. State of Maharashtra & Ors.)**

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

DATE : 05.04.2024

ORAL ORDER :

Shri Anand D. Kawre, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel Smt. Suchita Dhongde appears for learned counsel Shri M.S. Mahajan and submits that learned counsel Shri M.S. Mahajan has instructions to appear on behalf of respondent Nos. 4 & 5 and thus seeks time. Time granted.

3. S.O. to 14.06.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 82 OF 2020
(Sharad M. Panchange Vs. State of Maharashtra & Ors.)**

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

DATE : 05.04.2024

ORAL ORDER :

Shri A.D. Gadekar, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 18.04.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 128 OF 2020
(Pandit V. Sonawane Vs. State of Maharashtra & Ors.)**

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

DATE : 05.04.2024

ORAL ORDER :

Shri Manoj M. Kadtu, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 08.07.2024 for final hearing.

MEMBER (J)

SAS ORAL ORDER 05.04.2024

**ORIGINAL APPLICATION NO. 567 OF 2020
(Rajendra V. Marale Vs. State of Maharashtra & Ors.)**

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

DATE : 05.04.2024

ORAL ORDER :

Shri P.M. Nagargoje, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 14.06.2024 for final hearing.

MEMBER (J)

SAS ORAL ORDER 05.04.2024

ORIGINAL APPLICATION NO. 115 OF 2021
(Kadubai S. Gaikwad Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Shri R.K. Khandelwal, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits additional affidavit in reply on behalf of respondent Nos. 1 to 4. The same is taken on record and copy thereof is given to other side.

3. S.O. to 10.06.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 248 OF 2021
(Sunil S. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 05.04.2024

ORAL ORDER :

Shri V.G. Salgare, learned counsel for the applicant, Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities and Shri Vishal Rathod, learned counsel holding for Shri S.B. Patil, learned counsel for respondent Nos. 2 to 4, are present.

2. S.O. to 13.06.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 313 OF 2021
(Pandurang M. Kamble Vs. State of Maharashtra & Ors.)**

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

DATE : 05.04.2024

ORAL ORDER :

Shri P.B. Rakhunde, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., S.O. to 13.06.2024 as a last chance for final hearing.

MEMBER (J)

SAS ORAL ORDER 05.04.2024

**ORIGINAL APPLICATION NO. 353 OF 2021
(Sunil J. Kamble Vs. State of Maharashtra & Ors.)**

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

DATE : 05.04.2024

ORAL ORDER :

Shri S.S. Tandale, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 26.04.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 620 OF 2021
(Dilip N. Dhonde Vs. State of Maharashtra & Ors.)**

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

DATE : 05.04.2024

ORAL ORDER :

Shri S.R. Shirsat, learned counsel for the applicant, is **absent**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 05.07.2024 for final hearing.

MEMBER (J)

SAS ORAL ORDER 05.04.2024

ORIGINAL APPLICATION NO. 66 OF 2022
(Nathu N. Khartade Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

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

2. S.O. to 01.07.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 834 OF 2019
(Ravikant R. Hadoltikar Vs. State of Maharashtra & Ors.)**

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

DATE : 05.04.2024

ORAL ORDER :

Smt. S.A. Ghate, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri Vishal Rathod, learned counsel holding for Shri S.B. Patil, learned counsel for respondent No.2, are present.

2. Learned Presenting Officer submits that the respondent No.1 i.e. State of Maharashtra is formal party and as such, the reply is not necessary.

3. Learned counsel for the applicant on instructions submits that the applicant is not willing to file any rejoinder.

4. Pleadings are completed. List the matter of admission hearing on 11.06.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 952 OF 2023
(Sanghmitra P. Hajare through next friend Premjit P.
Hajare Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 2 & 3. The same is taken on record and copy thereof is already given to other side.

3. Learned Presenting Officer on instructions submits that the respondent No.1 is adopting the affidavit in reply filed on behalf of respondent Nos. 2 & 3.

4. List the matter for filing affidavit in rejoinder, if any and for admission hearing on 13.06.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 253 OF 2024
(Sarjerao Atmaram Sanap Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Shri Shri A.D. Raut, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 15.04.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 05.04.2024

M.A.NO.138/2024 IN O.A.ST.NO.810/2024
(Rushikesh B. Shinde & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Heard Shri Dhananjay S. Patil, learned Counsel for the applicants and Shri V.G.Pingle, learned Presenting Officer for the respondent authorities.

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

3. For the reasons stated in the application and since the cause and the prayers are identical, to avoid the multiplicity of litigation leave to sue jointly is granted, subject to payment of court fee stamps, if not paid.

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

MEMBER (A)
YUK ORAL ORDER 05.04.2024

VICE CHAIRMAN

O.A.ST.NO.810/2024

(Rushikesh B. Shinde & Anr. Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Heard Shri Dhananjay S. Patil, learned Counsel for the applicants and Shri V.G.Pingle, learned Presenting Officer for the respondent authorities.

2. After registration of O.A., issue notice to respondents, returnable on 19.06.2024.
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 19.06.2024.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

M.A.NO.141/2024 IN O.A.ST. NO.846/2024
(Abhijeet A. Mhaske & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Counsel for the applicant and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

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

3. For the reasons stated in the application and since the cause and the prayers are identical to avoid the multiplicity of litigation leave to sue jointly is granted, subject to payment of court fee stamps, if not paid.

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

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDER 05.04.2024

O.A.ST. NO.846/2024

(Abhijeet A. Mhaske & Ors. Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Counsel for the applicant and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. After registration of O.A., issue notice to respondents, returnable on 10.04.2024.
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 10.04.2024.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.404/2024
(Sayed Kausar Mohatmin Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Heard Shri Pradip L. Andhale, learned Counsel for the applicant and Shri V.G.Pingle, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 20.06.2024.

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 20.06.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.405/2024
(Sachin B. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Counsel for the applicant and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. **Learned CPO has filed relieving order dated 16-03-2024 pertaining to the present applicant.** It is taken on record. Issue notice to respondents, returnable on 22.04.2024.

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 22.04.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO.393/2024
(Dr. Sayas H. Kendre Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Heard Shri J.S.Deshmukh, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities.

2. Office has raised objection as about limitation. According to the objection when the relief is sought for considering the services rendered by the applicant from 2003, the matter is out of limitation. Learned Counsel, however, pointed out that formal order terminating the probation and giving the date of seniority to the applicant is passed on 20-02-2023. Considering the facts as aforesaid, the objection as about limitation cannot be sustained. Hence, O.A. be registered and numbered in accordance with rules.

3. Thereafter, issue notice to respondents, returnable on 20.06.2024.

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

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

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

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

8. S.O. to 20.06.2024.

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

MEMBER (A)

YUK ORAL ORDER 05.04.2024

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO.394/2024
(Dr. Sujata R. Kute Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Heard Shri J.S.Deshmukh, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities.

2. Office has raised objection as about limitation. According to the objection when the relief is sought for considering the services rendered by the applicant from 2006, the matter is out of limitation. Learned Counsel, however, pointed out that formal order terminating the probation and giving the date of seniority to the applicant is passed on 20-02-2023. Thereafter, applicant made representation ventilating her grievance to the departmental appellate authority on 20-03-2023. Since the appellate authority did not decide the matter within given period, the applicant has approached this Tribunal. Having regard to the facts as aforesaid, the objection as about limitation cannot be sustained. Hence, O.A. be registered and numbered in accordance with rules.

3. Thereafter, issue notice to respondents, returnable on 20.06.2024.
4. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
8. S.O. to 20.06.2024.
9. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

M.A.ST.NO.757/2024 IN O.A.ST.NO.758/2024
(Anil Patil & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Shri Nilesh N. Bhagat, learned Counsel holding for Shri D.S.Kotkar, learned Counsel for the applicant and Shri M.B.Bharaswadkar, learned Presenting Officer for the respondent authorities, are present.

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

3. For the reasons stated in the application and since the cause and the prayers are identical to avoid the multiplicity of litigation leave to sue jointly is granted, subject to payment of court fee stamps, if not paid.

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

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDER 05.04.2024

O.A.ST.NO.758/2024

(Anil Patil & Ors. Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Shri Nilesh N. Bhagat, learned Counsel holding for Shri D.S.Kotkar, learned Counsel for the applicants and Shri M.B.Bharaswadkar, learned Presenting Officer for the respondent authorities, are present.

2. Though the office has raised objection as about the territorial jurisdiction so far as applicant nos.3 and 4 are concerned, the said objection cannot be sustained for the reason that seniority list which has been challenged is the State level seniority list and the relief is sought in respect of correction in the said seniority list and consequential benefits.

3. After registration of O.A., issue notice to respondents, returnable on 20.06.2024.

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

5. 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.

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

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

8. S.O. to 20.06.2024.

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

MEMBER (A)

YUK ORAL ORDER 05.04.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.216/2024

(Dr. Sphoorti P. Bende Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Shri Sudhir K. Chavan, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Time is sought by the learned P.O. for respondents to file affidavit in reply. It is brought to our notice that result of the interview has not been declared in so far as the present applicant is concerned. MPSC is hereby directed to submit the result of the applicant before this Tribunal in sealed cover along with its affidavit in reply on 03-05-2024.

3. S.O. to 03-05-2024.

MEMBER (A)

YUK ORAL ORDER 05.04.2024

VICE CHAIRMAN

C.P.NO.09/2021 IN O.A.NO.70/2018
(Dadabhau T. Parte Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Ms. Preeti Wankhade, learned Counsel for the applicant and Mr. V.G.Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Counsel for the applicant sought leave to substitute name of respondent no.3. Leave as prayed for is granted. Necessary amendment be carried out forthwith.

3. After amendment is carried out, issue notice to respondent no.3, returnable on 20.06.2024.

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

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

=2= C.P.09/2021 IN O.A.70/2018

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
8. S.O. to 20.06.2024.
9. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)
YUK ORAL ORDER 05.04.2024

VICE CHAIRMAN

M.A.ST.NO.550/2024 IN O.A.ST.NO.1000/2024
(Ramakant J. Sonkamble Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Shri S.P.Dhoble, learned Counsel holding for Shri P.G.Rodge, learned Counsel for the applicant and Shri M.B.Bharaswadkar, learned Presenting Officer for the respondent authorities, are present.

2. By filing the present M.A., applicant has prayed for direction against MPSC to declare the result of interview for which the applicant had appeared by virtue of order of the Tribunal. Learned Counsel submits that the applicant belongs to SC category, for which 7 posts are reserved and appointments are likely to be issued and the process has already begun.

3. In the O.A. eligibility of the applicant is to be decided for the advertised posts. In the circumstances, MPSC is directed to declare the result of the present applicant, which will be of course subject to outcome of the present O.A. M.A. stands disposed of accordingly. No costs.

4. O.A. to come up on 22-04-2024.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.11/2019, 30/2019 &
81/2019,
(Bapurao A. Dongar & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 05.04.2024

ORAL ORDER :

Heard Shri S.B.Solanke, learned Counsel for
the applicants and Shri V.G.Pingle, learned
Presenting Officer for the respondent authorities.

2. S.O. to 10-04-2024 for further consideration.

MEMBER (A)
YUK ORAL ORDER 05.04.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.401/2021
(Ramreddy R. Aitwar Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned Counsel for the applicant and Shri V.G.Pingle, learned Presenting Officer for the respondent authorities.

2. Arguments are heard. The matter stands reserved for order.

MEMBER (A)
YUK ORAL ORDER 05.04.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.815/2021
(Ganesh M. Marathe Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Heard Shri J.V.Patil, learned Counsel for the applicant and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. At the request of learned Chief Presenting Officer, S.O. to 19-04-2024.

MEMBER (A)
YUK ORAL ORDER 05.04.2024

VICE CHAIRMAN

C.P..NO. 29/2024 IN O.A.NO. 995/2022
(Shaikh Imroj Shaikh Riyaz Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

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

2. Issue simple notice to respondent No. 2, returnable on 19.06.2024.

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 19.06.2024.

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

MEMBER (A)

VICE CHAIRMAN

C.P..NO. 17/2024 IN O.A.NO. 650/2022
(Umabai Madhav Mane & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

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

2. Issue simple notice to respondent No. 2, returnable on 18.06.2024.

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

4. Applicant 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. Applicant are directed to file affidavit of compliance and notice.

7. S.O. to 18.06.2024.

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

MEMBER (A)

VICE CHAIRMAN

C.P..NO. 23/2024 IN O.A.NO. 759/2021
(Anand Vishwanath Bade Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Shri A.V. Thombre, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for respondent authorities, are present.

2. S.O. to 23.04.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 05.04.2024-HDD

C.P.NO. 06/2024 IN O.A.NO. 21/2022
(Ravita Baliram Rathod Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Shri Amol B. Chalak, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar certain documents showing that the order passed by this Tribunal, which is subject matter of this contempt petition, has been complied with by the respondents. The documents are taken on record. Learned counsel for the applicant submits that he will ascertain the fact from the applicant and will make the submissions on the next date.

3. S.O. to 23.04.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 05.04.2024-HDD

M.A.NO. 205/2021 IN O.A.ST.NO. 2467/2019
(Vijaykumar Bansilal Rathi Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Ms. Kirti Deshpande, learned counsel holding for Shri M.M. Bhokariker, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for respondent authorities, are present.

2. It appears from the proceedings that the affidavit in reply has not been filed by the respondents to the application for condonation of delay.

3. In view of the above, list the matter for hearing on 29.04.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 05.04.2024-HDD

C.P.NO. 05/2024 IN O.A.NO. 739/2023
(Prashant Narayan Kedar Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Shri S.P. Dhobale, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted till 23.04.2024.

3. S.O. to 23.04.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 05.04.2024-HDD

ORIGINAL APPLICATION NO. 120 OF 2024
(Machindra Maruti Mane Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Shri H.P. Jadhav, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for respondent authorities, are present.

2. At the request of learned counsel for the applicant S.O. to 25.04.2024. High on board.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 05.04.2024-HDD

M.A.NO. 498/2023 IN O.A.ST.NO. 1939/2023
(Anil Panditrao Ghodke Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Heard Shri Anil Panditrao Ghodke, applicant in person and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for respondent authorities.

2. Party in person has tendered rejoinder affidavit and the same is taken on record.

3. This is an application filed by the applicant for condonation of delay of about 6 years and 9 months, which has occasioned in filing the accompanying Original Application. It is the contention of the applicant that the departmental enquiry proceedings are initiated against him for unauthorized absence and he has not been paid the wages or any other benefits of intervening period though he was entitled for that. Certain other orders also have been challenged by the applicant. It is his contention that he was ventilating his grievance with the departmental authority up to the Hon'ble Minister however, no substantive order came to be passed. As such, he is constrained to approach this Tribunal.

:: - 2 - :: **M.A. 498/23 IN**
O.A.ST.1939/23

4. Learned Presenting Officer has submitted that the delay is of a longer period and the reasons which are assigned cannot be held to be adequate. He, therefore, prayed for rejecting the application.

5. We have duly considered the submissions made on behalf of the applicant, as well as, respondent authorities. We have gone through the contents of the M.A., as well as, O.A. After having perused the aforesaid documents, it appears to us that the applicant needs to be given an opportunity to prosecute the matter on merits. The reasons which are stated for occurrence of delay cannot be out rightly rejected. In the circumstances, we are inclined to allow the Misc. Application. Hence, the following order is passed: -

ORDER

- (i) The Misc. Application is allowed.
- (ii) The delay caused in filing the accompanying O.A. is condoned.
- (iii) The Original Application be registered in accordance with law.
- (iv) There shall be no order as to costs.

ORIGINAL APPLICATION ST.NO. 1939 OF 2023
(Anil Panditrao Ghodke Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Heard Shri Anil Panditrao Ghodke, applicant in person and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for respondent authorities.

2. After registration of O.A., issue notice to the respondents, returnable on 18.06.2024.

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

4. Applicant 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. Applicant are directed to file affidavit of compliance and notice.

7. S.O. to 18.06.2024.

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

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 71/2023 IN O.A.NO. 370/2019
(Smt. Yasmin Hashmi Vasim Hashmi Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Shri Ashish B. Rajkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondent authorities, are present.

2. S.O. to 20.06.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 05.04.2024-HDD

ORIGINAL APPLICATION NO. 807 OF 2022
(Mohd. Razakhan Mohd Abdul Sattarkhan Vs. State of
Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Heard Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondent authorities.

2. Learned counsel appearing for the applicant seeks leave of this Tribunal to delete the names of respondent Nos. 3 & 4 from the array of the respondents stating that these respondents have now got retired from service on attaining the age of superannuation. In view of the submissions, the following order is passed: -

ORDER

- (i) The names of respondent Nos. 3 & 4 be deleted from the array of the respondents.
- (ii) The necessary amendment be carried out forthwith.
- (iii) The matter to come up for hearing on 02.05.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 759 OF 2023
(Nilesh Madhavrao Aradle & Ors. Vs. State of Maharashtra & Ors.)

ORIGINAL APPLICATION NO. 685 OF 2023
(Bhagatsing Uttam Singal Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Shri Amol B. Chalak, learned counsel for the applicants, Shri V.R. Bhumkar, learned Presenting Officer for respondent authorities in both the OAs and Shri Y.P. Deshmukh, learned counsel holding for Shri R.A. Joshi, learned counsel for respondent Nos. 5 & 17 in O.A. No. 685/2023, are present.

2. At the request of learned counsel for respondent Nos. 5 & 17 in O.A. No. 685/2023, S.O. to 10.04.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 05.04.2024-HDD

ORIGINAL APPLICATION NO. 1018 OF 2023
(Fajulkhan Sher Khan Pathan Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Heard Shri Zia-ul-Mustafa, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for respondent authorities.

2. Learned counsel for the applicant has tendered during the course of the arguments advertisement dated 26.02.2019 published by the District Collector, Sangali and the same is taken on record.

3. The matter is reserved for orders.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 05.04.2024-HDD

ORIGINAL APPLICATION NO. 180 OF 2024
(Goraksha Baban Palve Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Shri O.D. Mane, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondent authorities, are present.

2. Learned Presenting Officer submits that the affidavit in reply on behalf of respondent No. 4 will be filed during the course of the day and has sought time for filing affidavit in reply on behalf of other respondents. Time granted.

3. S.O. to 03.05.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 05.04.2024-HDD

ORIGINAL APPLICATION NO. 594 OF 2023
(Sandhya Sitaram Shinde Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Shri Shashikant Chalikwar, learned counsel holding for Shri Ajinkya Reddy, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for respondent authorities and Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for respondent No. 5, are present.

2. Learned counsel for the applicant has tendered across the bar rejoinder affidavit and the same is taken on record and copy thereof has been served on the other side.

3. List the matter for further consideration on 30.04.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 05.04.2024-HDD

ORIGINAL APPLICATION NO. 854 OF 2023
(Shaikh Danish Abdul Rafat Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Shri Rameez M. Shaikh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondent authorities, are present.

2. S.O. to 06.05.2024. High on board.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 05.04.2024-HDD

ORIGINAL APPLICATION NO. 818 OF 2021
(Dr. Ashwini Ashokrao Patil Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Shri Ashish B. Rajkar, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicant, Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for respondent authorities S.G. Kulkarni, learned counsel for respondent No. 8 and Shri Amol T. Jagtap, learned counsel for respondent No. 9, are present. None appears for other respondents.

2. S.O. to 16.04.2024. Interim relief granted earlier to continue till then. High on board.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 05.04.2024-HDD

ORIGINAL APPLICATION NO. 64 OF 2022
(Bhimrao Khobraji Gaikwad Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondent authorities, are present.

2. S.O. to 29.04.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 05.04.2024-HDD

ORIGINAL APPLICATION NO. 16 OF 2022

(Vd. Piyush Krantikumar Gandhi & Ors. Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for respondent authorities and Shri M.R. Kulkarni, learned counsel for respondent Nos. 4 to 7, are present.

2. S.O. to 16.04.2024. Interim relief granted earlier to continue till then. High on board.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 05.04.2024-HDD

ORIGINAL APPLICATION NO. 393 OF 2022
(Deepak Vitthalrao Chatap Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

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

2. Learned counsel appearing for the applicant submits that the applicant is not intending to file any rejoinder affidavit.

3. In view of above, list the matter for hearing on 26.06.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 05.04.2024-HDD

ORIGINAL APPLICATION NO. 193 OF 2023
(Vinayak Uttamrao Banchod Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

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

2. Learned Presenting Officer seeks time for filing affidavit in reply. Today was the last chance granted for filing affidavit in reply. The request, therefore, stands rejected.

3. List the matter for hearing on 24.06.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 05.04.2024-HDD

**ORIGINAL APPLICATION NO. 28/2022 WITH 01/2022
WITH 02/2022
(Girish Bibave & Ors. Vs. State of Maharashtra & Ors.)**

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Shri S.S. Jadhavar, learned counsel for the applicant in O.A. No. 28/2022, Shri K.G. Salunke, learned counsel for the applicants in O.A. Nos. 01 & 02 both of 2022 and Shri V.G. Pingle, learned Presenting Officer for respondent authorities, are present.

2. S.O. to 22.04.2024. Interim relief granted earlier in O.A. Nos. 01 & 02 both of 2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 05.04.2024-HDD

M.A. No. 118/2023 in O.A. St. No. 396/2023
(Ankush B. Bodade Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. There is a delay of 03 years, 04 months and 15 days caused in filing the accompanying Original Application.

3. Learned counsel for the applicant submits that the applicant's father, who was the Government servant, found missing in the year 2010 and by judgment and order dated 26.10.2018, the Civil Court has pronounced his civil death. Though the applicant as being a son has timely submitted application before the respondent authorities for compassionate appointment, however by order dated 07.10.2019 issued by respondent No. 3 his request has been turned down solely on the ground that he is the 3rd child of his father and as such, not entitled for compassionate appointment.

//2//

MA 118/2023 in
OA St 396/2023

4. Learned counsel for the applicant submits that due to outbreak of COVID-19 pandemic and the declaration of lockdown subsequent thereto and extension of it from time to time, the Hon'ble Supreme Court in *Suo Motu Writ Petition (C) No. 3 of 2020* has considered the said situation and directed that the period from 15.03.2020 till 28.02.2022 shall stand excluded for the purpose of limitation as may be prescribed under any general or special laws in respect of all judicial or quasi-judicial proceedings. Learned counsel submits that the case of the applicant is squarely covered by the directions given by the Hon'ble Supreme Court in the aforesaid *Suo Motu Writ Petition* and as such the delay, which is not intentional or deliberate one, deserves to be condoned.

5. Learned Presenting Officer strongly resisted the application on the ground that there is an inordinate delay caused in filing the accompanying O.A., for which the applicant has not tendered satisfactory explanation and as such, the application seeking condonation of delay is liable to be rejected.

//3//

MA 118/2023 in
OA St 396/2023

6. It appears that the civil death of father of the applicant came to be declared by the Civil Court by judgment and order dated 26.10.2018. It further appears that the respondent No. 3 by order dated 07.10.2019 turned down the request of the applicant seeking compassionate appointment on the ground that the applicant is the 3rd child of his deceased father. It is thus clear that thereafter within a period of prescribed limitation the applicant could have approached this Tribunal. Due to the outbreak of COVID-19 pandemic and the declaration of lockdown subsequent thereto and extension of it from time to time, his case is squarely covered by the observations and the directions given by the Hon'ble Supreme Court in Suo Motu Writ petition (C) No. 3 of 2020, wherein the Hon'ble Supreme Court has directed that certain period from 15.03.2020 till 28.02.2022 shall stand excluded for the purpose of limitation as may be prescribed under any general or special laws in respect of all judicial or quasi-judicial proceedings. In view of the same, I am inclined to condone the delay caused in filing the accompanying O.A. subject to payment of certain costs by the applicant. Hence, the following order :-

//4//

MA 118/2023 in
OA St 396/2023

ORDER

- (i) The Misc. Application No. 118/2023 is hereby allowed.
- (ii) The delay of 03 years, 04 months and 15 days caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned, subject to payment of costs of Rs. 500/- (Five Hundred Only) to be paid by the applicant. The amount of costs shall be paid to the M.A.T. Bar Association within a period of one month from the date of this order.
- (iii) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.
- (iv) The M.A. accordingly disposed of.

MEMBER (J)

O.A. St. No. 396/2023

(Ankush B. Bodade Vs. State of Maharashtra & Ors.)

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

DATE : 05.04.2024

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. After registration, issue notices to the respondents, returnable on 20.06.2024.

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 20.06.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 678 OF 2023
(Dilip Ramrao Shinde Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Heard Shri Ashish B. Rajkar, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for respondent authorities.

2. In the present matter the only prayer is made by the applicant is to direct appellate authority to decide the statutory appeal preferred by the present applicant against the punishment imposed on him by the disciplinary authority. The disciplinary authority has passed the order of imposing sentence on 03.01.2023 and the applicant preferred the appeal to the departmental authority on 12.01.2023. Since the appellate authority did not decide the said appeal within the stipulated period, the applicant has preferred the present Original Application seeking directions against the said authority i.e. respondent No. 2 to decide the said appeal by stipulating the period therefor.

3. Learned Chief Presenting Officer submitted for passing necessary order.

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O.A. NO. 678/2023

4. The prayer made by the applicant is just and reasonable. It deserves to be allowed. Hence, the following order:-

ORDER

- (i) Respondent No. 2 shall decide the appeal filed by the applicant within the period of 8 weeks from the date of this order.
- (ii) The Original Application stands allowed in the aforesaid term. There shall be no order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 05.04.2024-HDD

M.A.NO. 463/2022 IN O.A.ST.NO. 1779/2022
(Chakardhar P. Wadje Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 05.04.2024

ORAL ORDER :

Ms. Rutuja Kulkarni, learned counsel holding for Smt. Suchita A. Dhongde, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondent authorities, are present.

2. Despite last chance the respondents have failed to file affidavit in reply. List the matter for hearing without affidavit in reply on 14.06.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 05.04.2024-HDD