

**Rev. St. 1217/2019 in O.A. No. 63/2015**  
**(The Superintending Engineer and Administrator, Command Area  
Development Authority (CADA) Vs. Saylu P. Nawod & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri S.B. Mene, learned Advocate for the applicant in Review Application, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 2 to 6 and Shri S.D. Joshi, learned Advocate for respondent No. 1 in Review Application (applicant in O.A.).

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 2 to 6 in Review Application.

3. S.O. to 20.10.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1073 OF 2019**

**(Abdul Jabbar Abdul Rahim Shaikh & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

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

3. S.O. to 18.11.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 581 OF 2021  
(Ganesh S. Khetre Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

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

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent No. 2. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 23.11.2021 for filing rejoinder affidavit, if any.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 173 OF 2021  
(Waman B. Gaikwad Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri G.N. Patil, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent No. 5. Same is taken on record and copy thereof has been served on the other side.

3. Learned Advocate for the applicant filed affidavit in rejoinder. Same is taken on record and copy thereof has been served on the other side.

4. S.O. to 17.11.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 202 OF 2021**  
**(Balaji M. Kshirsagar Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 15.11.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 415 OF 2019**  
**(Rajendra S. Jagdale Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

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

2. At the request and by consent of both the sides, S.O. to 22.10.2021 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 640 OF 2019**  
**(Pradeep M. Kaushike Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 23.11.2021.

**MEMBER (J)**

**O.A. Nos. 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881 & 882 all of 2017**  
**(Tulshidas K. Patil and Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri M.K. Deshpande, learned Advocate for the applicants in all these O.As. and S/hri M.S. Mahajan, S.K. Shirse, V.R. Bhumkar, M.P. Gude, D.R. Patil, N.U. Yadav, B.S. Deokar, Smt. Sanjivani K. Deshmukh-Ghate, Smt. M.S. Patni & Smt. Deepali S. Deshpande, learned Chief Presenting Officer and Presenting Officers for the respective respondents in respective O.As.

2. At the request of learned Advocate for the applicants, S.O. to 22.11.2021 for final hearing with liberty to file rejoinder affidavit in all these O.As.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 1082 OF 2019  
(Naresh W. Sakpal Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri L.V. Sangit, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. During the course of arguments, it transpires that in order to verify the contentions raised by the applicant and counter contentions raised by the respondents, the original record in the present matter would be necessary.

3. In view of above, the learned Presenting Officer is directed to produce original record on the next date of hearing.

4. S.O. to 31.10.2021.

**MEMBER (J)**

**C.P.NO.52/2018 IN O.A.NO.563/2016  
(Devidas K. Kardule Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

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

2. At the request of leaned P.O., time is granted for producing on record the compliance report.

3. S.O. to 14.10.2021.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 7.10.2021-SAS

**C.P.NO.48/2019 IN O.A.NO.933/2018**  
**(Gajanan M. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

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

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

3. S.O. to 27.10.2021.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 7.10.2021-SAS

**C.P.NO.34/2019 IN O.A.NO.925/2017  
(Mahadeo B. Khandare Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Smt. Amruta Paranjape-Menezes, learned Advocate for the applicant and Ashish B. Shinde, learned Advocate for the respondent no.3 are **absent**. Heard Shri and Shri D.R. Patil, learned Presenting Officer for the respondent nos.1 & 2 and Shri A.R. Lukhe, learned Advocate holding for Shri and Shri Deepak Rajput, learned Advocate for the respondent no.4.

2. As none present on behalf of the applicant, S.O. to 23.11.2021 for filing affidavit-in-rejoinder by the applicant.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 7.10.2021-SAS

**ORIGINAL APPLICATION NO.284 OF 2021  
(Jitendra S. Sonawane Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri K.G. Salunke, 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 respondent no.2.

3. S.O. to 15.11.2021.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 7.10.2021-SAS

**ORIGINAL APPLICATION NO.300 OF 2021  
(Aabasaheb B. Ghayal Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

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

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

3. S.O. to 15.11.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.307 OF 2021  
(Vaishali K. Korde Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Shri Jayant S. Deshmukh, learned Advocate for the applicant is **absent**. Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of the respondent no.2 is taken on record.

3. The rest of the respondents are adopting the affidavit-in-reply filed by the respondent no.2.

4. S.O. to 24.11.2021 for filing affidavit-in-rejoinder by the applicant, if any.

**MEMBER (A)**

**MEMBER (J)**

**C.P.NO.15 OF 2021 IN M.A.NO.91 OF 2020 IN  
O.A.ST.NO.120 OF 2020**

**(Mahesh D. Shivankar Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

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

2. Learned C.P.O. for the respondents submits that he will file affidavit-in-reply on behalf of respondent no.1 during the course of the day.

3. S.O. to 28.10.2021 for filing affidavit-in-rejoinder by the applicant, if any.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 7.10.2021-SAS



**ORIGINAL APPLICATION NO.872 OF 2018  
(Arun M. Gir Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri A.R. Lukhe, learned Advocate holding for Shri Arvind G. Ambetkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 23.11.2021.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 7.10.2021-SAS

**ORIGINAL APPLICATION NO.571 OF 2021  
(Namdeo B. Dhakhe Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri R.O. Awsarmol, learned Advocate holding for Shri K.B. Jadhav, 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 08.10.2021.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 7.10.2021-SAS

**C.P.NO.23/2020 IN O.A.NO.769/2018  
(Pralhad C. Shelke Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

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

2. By consent of both the sides, S.O. to 26.10.2021.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 7.10.2021-SAS

**ORIGINAL APPLICATION NO.189 OF 2018  
(Dhiraj A. Salve Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri R.O. Awsarmol, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent nos.1 to 3 and Shri V.B. Wagh, learned Advocate for the respondent nos.4 to 8.

2. Pleadings are complete. The matter is pertaining to seniority. It is admitted and fixed for final hearing on 18.11.2021.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 7.10.2021-SAS

**ORIGINAL APPLICATION NO.22 OF 2020  
(Santosh G. Rane Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Shri P.B. Rakhunde, learned Advocate for the applicant is **absent**. Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Pleadings are complete. The matter is pertaining to dismissal from service. It is admitted and fixed for final hearing on 23.11.2021.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 7.10.2021-SAS

**ORIGINAL APPLICATION NO.342 OF 2021  
(Kalpana T. Shelke & Ors. Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

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

2. Learned C.P.O. submits that as regards the observations made in earlier order, he will file additional affidavit-in-reply on behalf of respondent no.3 during the course of day.

3. S.O. to 13.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.435 OF 2021  
(Santosh N. Thakur Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri Deepak D. Choudhari, learned Advocate for the applicant and Smt. Deepali S. Deshpande, 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 22.11.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO.175/2020 IN O.A.ST.NO.462/2020  
(Umesh B. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri A.B. Rajkar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. The present case is closed for order.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 7.10.2021-SAS



**ORIGINAL APPLICATION NO.209 OF 2004  
(Shaikh Abdul Khaja Miyan Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

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

2. The matter is of the year 2004 and it is to be heard expeditiously.

3. In the facts and circumstances of the case, it is directed that from the adjourned date, the matter will proceed on day to day basis.

4. Learned C.P.O. for the respondents submits that the matter is very old and he has to collect the necessary documents and seeks one week's time. Time is granted.

5. The matter being old one, liberty is granted to the parties to place on record necessary additional pleadings by the next date.

6. S.O. to 13.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.440 OF 2018  
(Shivaji D. Sirsat Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent Nos.1 to 4. Shri Chandrakant S. Jagtap (respondent no.5) appearing personally is **absent**.

2. The Original Application is filed for seeking appointment to the post of Driver, Group -C category pursuant to his selection from (S.C.) Project Affected Category having secured 167 marks and second highest in merit list.

3. The applicant has also challenged the selection of respondent no.5 to the said post of Driver from S.C. - PAP contending that his certificate of PAP is erroneous. The applicant has also sought for interim relief of seeking directions against the respondent nos.3 & 4 to verify the genuineness of certificate of respondent no.5 and if the said certificate is found erroneous, to direct the respondent no.2 to take further necessary steps in respect of cancelling appointment of respondent no.5 and to appoint the applicant as per merit list.

//2//

O.A.440/2018

4. In the fact and circumstances of the case, in our opinion, being the matter pertained to appointment and it is old one, in our opinion, it would be just and proper to direct the respondent nos.3 & 4 to verify the certificate of the respondent no.5 claiming to be S.C.- PAP category on the basis of the original record maintained by the said respondents within the period of three months and submit the report to the office of respondent no.2 for further necessary action and a copy of it before this Tribunal. The respondent nos.3 to 4 to implement this order by giving prior due notice to the respondent no.5. It is ordered accordingly.

5. S.O. to 08.01.2022.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 7.10.2021-SAS

**ORIGINAL APPLICATION NO.537 OF 2019  
(Narendra R. Thakur Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Ms. Pradnya Talekar, learned for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The present matter is already part heard.
3. Learned Advocate for the applicant has filed notes of arguments. It is taken on record
4. S.O. to 21.10.2021 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.1102 OF 2019  
(Rajendra L. Patil & Ors. Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos.1 to 3, Shri Vivek Pingle, learned Advocate for the respondent nos.4 to 6 and Shri Sujeet D. Joshi, learned Advocate for the respondent nos.8 & 9. None present on behalf of the respondent no.7, though duly served.

2. During the course of arguments learned Advocate for the applicant has produced the G.R. dated 17.09.2021 stating that during pendency of this Original Application, one Shri Dhananjay Sukhadev Nikam from the cadre of Additional Collector who is at Malegaon is appointed to the post of D.I.G., (registration) Mumbai. It is taken on record and marked as document 'X' for the purpose of identification.

3. We have heard the arguments advanced by the learned Advocate for the applicant on the last occasion at length.

//2//

O.A.1102/2019

4. Today, learned Advocate for the respondent nos.4 to 6 produced the written notes of arguments. It is also taken on record.

5. Learned Advocate for the respondent nos.8 & 9 submitted across the bar that the respondent no.9 i.e. Shri Prakash Patil is retired on attaining the age of superannuation on 30.09.2021.

6. Learned Advocate for the applicant submitted that the applicant no.1 i.e. Rajendra Laxman Patil is retired on attaining the age of superannuation on 30.06.2021. He submitted that the said applicant no.1 got promotion to the post of Deputy Inspector General (Registration), Mumbai on 28.06.2021. He places the said order on record. It is marked as document 'X-1' for the purpose of identification. He further submitted that the applicant nos.2 & 3 are still working on the posts of Joint District Registrar & Collector of Stamps, Class-I.

7. Learned C.P.O. submits that the applicant no.1 was already promoted and the applicant nos.2 & 3 are in the zone of consideration and are likely to be promoted in one or two weeks.

8. We have heard the final arguments advanced by all the parties at length.

//3//

O.A.1102/2019

9. The present matter is closed for order.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 7.10.2021-SAS

**ORIGINAL APPLICATION NO.663 OF 2017  
(Subhash M. Pakhale Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

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

2. By consent of both the sides, S.O. to 28.10.2021 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 7.10.2021-SAS



**ORIGINAL APPLICATION NO.713 OF 2017  
(Venkat D. Mundhe Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri Kiran 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 25.10.2021 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 7.10.2021-SAS

**ORIGINAL APPLICATION NO.96 OF 2018  
(Arun K.Tike Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri Kiran G. Salunke, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned P.O. for the respondents submits that he has received the original record today.

3. By consent of both the sides, S.O. to 25.10.2021 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.787 OF 2019  
(Laxman P. Huse Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

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

2. By consent of both the sides, S.O. to 28.10.2021 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 7.10.2021-SAS

**ORIGINAL APPLICATION NO.941 OF 2019**

**(Dr. Shukracharya G. Dudhal Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Ms. Pradnya Talekar, learned for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that during the course of day she will file notes of arguments.

3. By consent of both the sides, S.O. to 21.10.2021 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 7.10.2021-SAS

**ORIGINAL APPLICATION NO.358 OF 2020  
(Vidya R. Bornare Vs. State of Maharashtra & Ors.)**

**WITH**

**ORIGINAL APPLICATION NO.359 OF 2020  
(Gopinath S. Patil & Ors. Vs. State of Maharashtra & Ors.)**

**WITH**

**ORIGINAL APPLICATION NO.362 OF 2020  
(Sarita R. Rebhankar & Ors. Vs. State of Maharashtra & Ors.)**

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

**AND**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicants in all the O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all the O.As.

2. These matters are wrongly shown in the caption of final hearing matters. These matters be shown in the caption of due admission matters.

3. By consent of both the sides, S.O. to 14.10.2021 for hearing at the stage of admission itself.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.439/2020  
(Bhimrao Bangar Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant files affidavit in rejoinder. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 16-11-2021 for filing sur-rejoinder, if necessary.

**MEMBER (A)**

YUK ORAL ORDERS 07.10.2021

**ORIGINAL APPLICATION NO.551/2020  
(Kiran Pathare Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri M.B.Kolpe, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant prays for time for filing affidavit in rejoinder. Time is granted.

3. S.O. to 22-10-2021.

**MEMBER (A)**

YUK ORAL ORDERS 07.10.2021

**M.A.NO.318/2020 IN O.A.ST.NO.1373/2020  
(Anil Lokhande Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri Ashish B. Rajkar, 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 respondent nos.1 to 4. Time is granted. Affidavit in reply on behalf of respondent no.5 is already on record.

3. S.O. to 16-11-2021.

**MEMBER (A)**

YUK ORAL ORDERS 07.10.2021



**M.A.NO.66/2021 IN O.A.ST.NO.124/2021  
(Mahesh Premalwad Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

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

2. Learned P.O. assures to file affidavit in reply on behalf of all the respondents on today itself during the course of the day. He also undertakes to serve copy of the reply on the other side.

3. S.O. to 22-10-2021.

**MEMBER (A)**

YUK ORAL ORDERS 07.10.2021

**M.A.NO.195/2021 IN O.A.ST.NO.727/2021  
(Pathan Ahmed Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

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

2. Issue notices to the respondents in M.A., returnable on 17-11-2021.

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 (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

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M.A.NO.195/2021 IN O.A.ST.NO.727/2021

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 17-11-2021.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

YUK ORAL ORDERS 07.10.2021

**ORIGINAL APPLICATION NO.719/2016**  
**(Pandurang Chandanshiv Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri V.B.Wagh, learned Advocate for the applicant, Shri M.S.Patni, learned Presenting Officer for the respondent nos.1 to 3. Shri V.M.Chate learned Advocate for respondent nos.4 & 5 is absent.

2. Applicant has given application dated 23<sup>rd</sup> August, 2021 addressed to the learned Advocate representing him, which, in turn, has been submitted by learned Advocate of applicant during the hearing of O.A.No.98/2019, in the background that while O.A.No.719/2016 was pending, another O.A.No.98/2019 has been filed to which learned Advocate for the applicant states that the same is for getting benefits of pay revision as per 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Pay Commissions. O.A.No.719/2016 was for interest payment on post retiral benefits for the period of delay of actual disbursement of entire amount.

3. In O.A.No.719/2016, applicant had claimed post-retiral benefits as admissible without pay revision and accepted the same and initiated another O.A. for pay revision which will eventually result into revision of post-retiral benefits. This point came to the notice of the Tribunal from the affidavit in reply of the respondent no.3

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O.A.NO.719/2016

i.e. Zilla Parishad during the perusal of the record of O.A.No.98/2019. Therefore, the two matters were brought together to understand whether parallel proceedings have been run one under O.A.No.719/2016 and another under O.A.No.98/2019.

4. In the meantime, this application dated 23-08-2021 is submitted for withdrawal of O.A.No.719/2016 stating that:

“eh vtZnkj lnjph ;kphdk ua-719@2016 eWV vkSjaxkckn ;sFks nk[ky dsysyh gksrh R;kUo;s eyk isa'ku o brj loZ Qk;ns feGkys vkgsr- rjh ;k ;kfpds}kjs eyk ekx.khrhy jDde feGkyh vkgs- gs izdj.k eyk iq<s pkyok;ps ukgh- rjh izdj.k fudkyh dk<kos-”

5. At this stage, before taking decision on the application for withdrawal of O.A.No.719/2016 it is necessary to consider the fact whether the applicant has received all the amount due to him as is being stated by him. Learned Advocate for the applicant has agreed to file statement showing benefits claimed by O.A.No.719/2016, amount actually received, date of receipt of the same to show that statement made by the applicant is correct and there is full compliance of the order of Hon'ble Hgh Court in Writ Petition No.9164/2018.

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O.A.NO.719/2016

6. However, learned Advocate has clarified that he is yet to get instructions from the applicant whether some amount is waived by him or not. If any amount is waived that will be mentioned in the statement to be filed on the next date.

7. Therefore, O.A.No.719/2016 and O.A.No.98/2019 will be heard together before decision on the application for withdrawal of O.A.No.719/2016 is taken.

8. S.O. to 20-10-2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO.939/2016  
(Rajendra Salvi Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri Prafull D. Bodade learned Advocate holding for Shri J.B.Choudhary, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents.

2. Learned P.O. submitted a copy of letter accompanying another letter addressed to learned CPO by one Shri Uttam Sonkamble, Joint Director, Accounts and Treasuries, Aurangabad dated 06-10-2021 stating that proposal of granting deemed date to the applicant has been submitted to the General Administration Department of the State Government for final approval and therefore time may be granted.

3. S.O. to 22-11-2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO.279/2017  
(Rekha Bonalwar Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.10.2021**

**ORAL ORDER :**

Heard Shri V.D.Patnoorkar, learned Advocate for the applicant, Shri S.K.Shirse, learned Presenting Officer for the respondent nos.1 to 3 and Shri A.D.Aghav learned Advocate for respondent nos.4 and 5.

2. Respondent nos.1 to 3 had submitted reply to the O.A. on 29-01-2018. Reply to the amended O.A. is also filed by the learned P.O. on 27-09-2019.

3. During the hearing, today learned P.O. has raised a point that prayer clause 9-E and 9-F are added to the O.A. by way of amendment has the effect of challenging validity of Government Circular dated 31-10-2005 as well as Government Circular dated 02-02-2009 stating that the two are contrary to the provisions of Rules 30, 33, and 57 of the Maharashtra Civil Services (Pension) Rules, 1982. Therefore, this matter may be placed before the Division Bench.

4. Learned P.O. states that he will seek instructions whether to file additional affidavit covering points of amendment in O.A.



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O.A.NO.279/2017

5. Learned Advocate for the respondent nos.4 and 5 states that affidavit in reply to the amended O.A. is not necessary. He maintains that affidavit in reply is already filed in O.A. and that may suffice.

6. Registrar is directed to place this case before the Division Bench on 17-11-2021.

**MEMBER (A)**

YUK ORAL ORDERS 07.10.2021

**ORIGINAL APPLICATION NO. 688 OF 2019**  
**(Sujit Eknath Gorde Vs. State of Maharashtra & Ors.)**

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

**DATE : 7.10.2021**

**ORAL ORDER :**

Shri A.B. Jagtap, learned Advocate for the applicant (**absent**). Shri S.K. Shirese, learned Presenting Officer for the respondents, present.

2. The present case was kept today for final hearing. Since nobody appears for the applicant, S.O. to 17.11.2021.

**MEMBER (A)**

ORAL ORDERS 7.10.2021-HDD

**ORIGINAL APPLICATION NO. 550 OF 2019**  
**(Kashinath G. Ghumre Vs. State of Maharashtra & Ors.)**

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

**DATE : 7.10.2021**

**ORAL ORDER :**

Heard Shri Kakasahaeb B. Jadhav, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Both the parties have argued the case at length. They are going to submit brief notes of arguments on the next date.

3. The present case be treated as part heard.

4. S.O. to 18.10.2021.

**MEMBER (A)**

ORAL ORDERS 7.10.2021-HDD

**Date : 07.10.2021**

**ORIGINAL APPLICATION NO.615/2021**

**(Dr. Godavari Vaidya V/s State of Maharashtra & Ors.)**

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

1. Shri V.G.Pingle Id. Advocate for the applicant and Shri I.S.Thorat Id. PO for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 16.11.2021. The case be listed for admission hearing on 16.11.2021.
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 Respondents 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**

07.10.2021/yuk registrar notice/