

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

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

**DB is Not Available**

**Date: -07/09/2023**

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
<b>Urgent Admission Matters</b>						
1	MA390/23 In OAS1562/23	Nanded	Adv.R.D. Khadap (Balaji V Malchature)	M.A. For Condonation of Delay		25.10.2023
2	OA602/23	Nanded	Adv.C.R. Thorat (Datta S Kadam)	Major Punishment		06.10.2023
3	MAS1777/23 In OAS1778/23	A'nagar	Adv.Mahesh S Taur (Anna P Rathod & Ors.)	M.A. For Sue Jointly	<b>With Office Objection</b> Amendment be not carried out forthwith	
4	MAS1874/23 In Rev St875/23 In OA222/22	A'bad	Adv.P.P. More (Khushalsinh R Pardeshi)	M.A. For Condonation of Delay	<b>With Office Objection</b>	
<b>High On Board Matters</b>						
5	OA168/22	Beed (Pune)	Adv.J.J. Patil (Shirish R Yadav) <b><u>Adv.S.S. Chapalgaonkar for R.No.3</u></b>	Charge Sheet/ Departmental Enquiry	<b><u>For Expedited Hearing</u></b> Reply Filed by R-1 to R-3	27.09.2023
6	OA773/22	A'bad	Adv.V.B. Wagh (Mangala V Pawar)	M.A. For I.R.	<b><u>High On Board</u></b> For Hearing Reply Filed by R-1 & R-2	25.09.2023
<b>Due Admission Matters</b>						
7	CP06/23 In OA467/21	A'nagar	Adv.J.S. Deshmukh (Dr. Mohan P Shinde)	Contempt Petition	For Hearing	27.09.2023
8	OA790/19	Jalna	Adv.V.G. Mete (Gajanan K Kakade)	Appointment	For Admission Reply Filed by R-1 to R-3	20.10.2023

9	OA37/20	Hingoli	Adv.S.S. Dambe (Pandurang N Mendake)	Advertisement	For Hearing Reply Filed by R-4 & R-5	20.10.2023
10	OA472/21	A'bad	Adv.B.R. Kedar (Dr.Rahul R Salve)	Termination/ Continuation	For Admission	25.10.2023
11	OA598/21	J'gaon	Adv.S.D. Dhongde (Bramhdev M Latpate)	Departmental Exam	For Hearing Reply Filed by R-1 to R-5	25.10.2023
12	OA426/22	Nanded	Adv.B.G. Deshmukh (Urmila S Phule @ Urmila P Narwade)	Selection Process/ Merit List	For Hearing Reply Filed by R-1 & R-2	27.10.2023
13	OA442/22	A'bad	Adv.Kakasaheb B Jadhav (Shankar M Rathod)	Reversion	For Hearing Reply Filed by R-1 to R-3	27.10.2023
14	OA586/22	N'bar	Adv.A.S. Shelke (Suvarna P Pawar)	Promotion	For Hearing Reply Filed by R-1 & R-2	26.09.2023
15	OA282/23	A'bad	Adv.P.M. Nagargoje (Vijay D Puri)	Compulsory Retirement	<b><u>For Further Consideration</u></b>	27.10.2023
<b>Final Hearing Matters</b>						
16	OA117/17	Jalna	Adv.S.D. Dhongde (Changdev N Dhawale)	Promotion	Reply Filed by R-2	19.10.2023
17	OA205/18	Nanded	Adv.V.B. Wagh (Santosh K Trimanwar)	Reversion	Reply Filed by R-1 & R-2	25.10.2023
18	OA615/18	Beed	Adv.Talekar & Associates (Desai Timma Gaikwad)	To Count the Past Service/ Regularisation	Reply Filed by R-1 to R-4	25.10.2023
19	OA666/18	Jalna	Adv.Vivek Pingle (Laxmi S Gadge)	Promotion	Reply Filed by R-1 & R-2	27.10.2023

## DB is Not Available

Date: -07/09/2023

for reply board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Nexte date
<b>Due Admission Matters</b>						
1	CP4/20 In OA333/17 with	Jalna	Adv.J.S. Deshmukh (Shital A Soni) <b><u>Adv.M.S. Jagtap-Ware for R.No.5</u></b>	Contempt Petition	As One More Last Chance For Filing Affidavit in Rejoinder in All Theses Cases	25.10.2023
2	CP5/20 In OA336/17 with	Jalna	Adv.J.S. Deshmukh (Dr.Yogesh V Solanke) <b><u>Adv.Mahesh S Taur for R.No.5</u></b>			25.10.2023
3	CP6/20 In OA332/17	Jalna	Adv.J.S. Deshmukh (Dr.Anil S Biradar) <b><u>Adv.V.P. Narwade for R.No.5</u></b>			25.10.2023
4	CP27/23 In OA681/19	A'bad	Adv.M.B. Bharaswadkar (Damodhar G Thengde)	Contempt Petition	For Filing Affidavit in Reply	25.10.2023
5	CP31/23 In OA603/21	A'bad	Adv.A.V.Thombre (Sumit G Dongre & Ors.)	Contempt Petition	Await Service	26.10.2023
6	CP32/23 In OA379/18, Etc	Latur	Adv.Preeti R Wankhade (Dr. Kanchan T Bhorge & 7 Ors.)	Contempt Petition	For Filing Affidavit in Reply	26.10.2023
7	OA577/21	Jalna	Adv.R.N. Chavan (Ramdas E Misal) <b><u>Adv.Vinod M Vibhute for R.No.4</u></b>	Major Punishment	For Filing Affidavit in Rejoinder	20.10.2023
8	OA588/21	Latur	Adv.C.V. Dharurkar (Holambe N Dagdu & Ors.) <b><u>Adv. Chandrkant A Jadhav for R.No.5</u></b>	Advertisement/ Recruitment	For Filing Affidavit in Rejoinder	20.10.2023
9	OA109/22	P'bhani	Adv.Sharwari M Deshpande (Vinod H Kulkarni)	Benefit of Permanancy	Await Service	25.10.2023

10	OA303/22	Nanded	Adv.Manoj U Shelke (Santosh G Lungare)	Voluntary Retirement	For Filing Affidavit in Rejoinder	25.10.2023
11	OA354/22	A'nagar	Adv.V.B. Wagh (Riyaj Mehmud Deshmukh)	Promotion	For Filing Additional Affidavit in Reply to the Amended O.A.	26.10.2023
12	OA458/22	Nanded	Adv.J.S. Deshmukh (Dr.Suresh R Pawar) <b><u>Adv.Yogita S Thorat for R.No.4</u></b>	Extention of Age Benefit	As a Last Chance For Filing Affidavit in Reply	30.10.2023
13	OA487/22 with	Dhule	Adv.V.B. Wagh (Rajesh J Gangurde)	Promotion/ Reversion	Final Chance For Filing Affidavit in Reply	25.09.2023
14	OA488/22	Dhule	Adv.V.B. Wagh (Sanjay V Tadvi)	Promotion/ Reversion	One More Last Chance For Filing Affidavit in Rejoinder	25.09.2023
15	OA659/22	Beed	Adv.Kiran G Salunke (Navnath C Ugalmugale)	Seniority/ Promotion	As a Last Chance For Filing Affidavit in Rejoinder	26.10.2023
16	OA690/22	A'bad	Adv.P.V. BodkePatil (Sachin J Gadekar)	Interview	As a Last Chance For Filing Affidavit in Rejoinder	27.10.2023
17	OA954/22	Hingoli	Adv.S.S. Thombre (Sahebrao S Rathod)	Promotion	Await Service of Notice	26.10.2023
18	OA1159/22	Latur	Adv.S.L. Bhapkar (Ravindra G Lagdive)	Select List	By Way of Last Chance For Filing Affidavit in Reply	31.10.2023
19	OA17/23	Jalna	Adv.Jiwan J Patil (Sandeep S Kshire)	Eligibility/ Appointment	For Filing Affidavit in Rejoinder	27.09.2023
20	OA28/23	Latur	Adv.Talekar & Associates (Vijay R Sarole) <b><u>Adv.K.F. Shingare for R.No.3</u></b>	Show Cause Notice/ Termination	Reply Filed by R-1 & R-4	03.10.2023
21	OA58/23	A'nagar	Adv.K.J. Suryawanshi (Dr.Rajendra V Shinde)	Extension of Age	Await Service	25.09.2023
22	OA68/23	Jalna	Adv.K.J. Suryawanshi (Dr. Rohini S Deshmukh)	Examination	Await Service of Notices	25.09.2023
23	OA128/23	Latur	Adv.A.A. Phad (Gajanan H Shinde)	Promotion	For Filing Affidavit in Reply	25.09.2023
24	OA354/23	A'bad	Adv.Amol R Gaikwad (Bhanudas D Shrirao)	Departmental Enquiry	For Filing Affidavit in Reply	27.10.2023
25	OA628/23	J'gaon	Adv.J.S. Deshmukh (Dr. Rajesh S Jain)	Service Benefit	For Filing Affidavit in Reply	30.10.2023

26	OA637/23	Beed	Adv. O.D. Mane/ Adv.A.O. Mane (Sheshrao L Wagatkar)	Minor Punishment (Dismissal)	For Filing Affidavit in Reply	06.10.2023
27	OA680/23	Nanded	Adv.Preeti R Wankhade (Dr. Vandana B Dudhamal)	Appointment	Await Service	30.10.2023
28	OA685/23	A'bad	Adv. Amol B Chalak (Bharatsing U Singal & Ors.)	Selection Process	For Reply	27.09.2023
29	OA727/23	A'bad	Adv.Ajay S Deshpande (Minatai A Khillare & Ors.) <b>Adv.D.R. Irale Patil For R.No.5</b> Adv.D.R. Irale Patil has Leave Note From 05.09.2023 to 08.09.2023	Challenging G.R.	For Reply	06.10.2023
30	OA731/23	Hingoli	Adv.V.B. Wagh/ Adv.V.P. Adkine/ Adv.A.S. Therokar (Dr. Balaji T Chilkewar)	Continuation of Service	Await Service	03.10.2023
31	OA752/23	A'bad	Adv.Poonam V Bodke Patil (Dr. Amol N Kulkarni)	Eligibility/ Interview	Await Service	03.10.2023
32	OA756/23	Beed	Adv.Vishal S Kadam (Satish K Jagtap)	Cancellation of Appointment	Await Service	27.09.2023
33	OA759/23	A'nagar	Adv.Amol B Chalak/ Adv.A.S. Hazari (Nilesh M Aradle & Ors.)	Selection Process	Notice of R-16 return(Refused) Await Service For R- 12 & R-16	15.09.2023
<b>Order Matters</b>						
34	MA35/18 In OAS197/18	A'nagar	Adv.S.S. Jadhavar (Nilesh R Tagad) <b>Adv.M.B. Kolpe for R.No.2</b>	M.A. For Condonation of Delay	For Compliance for Filing Application for Amendment <b>Ref.Order Dtd. 27.06.2022</b>	27.10.2023
35	MA385/22 In MA526/22 In OAS1402/22	J'gaon	Adv.Suchita Dhongde (Subhash R Mahajan & Ors.) <b>Adv.Yogesh Patil for R.No. 3 in MA385/22</b>	M.A. 385/22 For Condonation of Delay M.A.526/22 For Adding Applicants as Party to O.A.	For Filing Affidavit in Reply	27.10.2023
36	MA518/22 In OA884/22	Latur	Adv. M.B. Kolpe In <b>MA518/22</b> (The Maharashtra Public Service Commission, through its Secretary) <b>Adv.S.S. Panale/Adv.S.S. Dambe in OA884/22</b> (Dr. Piyusha U Naragude)	M.A. For Modifying the Order dtd.03.10.2022 in OAS1691/22	For Filing Affidavit in Rejoinder	29.09.2023
37	MA221/23 In OAS1812/23	O'bad	Adv.E.S. Murge (Reshma A Bansode)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	27.10.2023

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

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

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

**Date: -07/09/2023**

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
<b>Regular Admission Matters</b>						
1	MA522/22 In OASt951/22	A'bad	Adv Umesh A Bhadgaonkar (Pratik S Dube)	M.A. For Condonation of Delay		16.10.2023
2	OA810/23	Nanded	Adv.Uttam Telgaonkar/ Adv.Nitin Telgaonkar (Ramkishan G Jakulwar)	Pensionary Benefits		9.10.2023
3	OA813/23	Latur	Adv.Prreti R Wankhade (Shahuraj D Patil)	Pension		6.10.2023
4	OASSt1623/23	Latur	Adv.Aakash D Gade (Dr. Archana V Bhosle)	Direction	<b>with Office Objection</b>	Withdrawn
<b>Order Matters</b>						
5	MA308/18 In OASSt1257/18	Nanded	Adv.R.D. Khadap (Bapurao D Pattewale)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-2 & R-4	9.10.2023
6	MA214/23 In OASSt612/23	A'nagar	Adv.M.V. Dhongade/ Adv.R.D. Bhalerao (Babasaheb D Puri) <b><u>Adv.D.T. Devane for R.Nos.2 to 5</u></b>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-2 to R-5	20.9.2023
7	MA389/23 In OA1048/22	Dhule	Adv.Talekar & Associates (Ajaykumr B Chavan)	M.A. For Amendment		12.10.2023
8	MA391/23 In OA446/23	A'bad	Adv.K.B. Jadhav (Virbahadur K Gurung)	M.A. For Amendment		10.10.2023
<b>Due Admission Matters</b>						

9	OA348/21	A'bad	Adv.M.V. Thorat (Balaji M Ghulekar)	Transfer	Reply Filed by R-2	10.10.2023
10	OA777/21	A'bad	Adv.G.J. Dahad (Mohd Usman Khan Mohd Jafar Khan)	Pension & Pensionery Benefits	For Hearing Reply Filed by R-1 & R-2	25.9.2023
11	OA399/22	O'bad	Adv.C.V. Thombre (Tawshikar G Gyanoba)	Recovery From Pensionery Benefits/ Refund of Amount	For Hearing Reply Filed by R-2	29.9.2023
12	OA503/22	A'bad	Adv.K.B. Jadhav (Kailas R Walekar)	Cancellation of Benefits	For Hearing Reply Filed by R-1 to R-6	17.10.2023
13	OA608/22	J'gaon	Adv.V.B. Wagh (Mahendra S Surwade)	Relieve	Reply Filed by R-1	Reserve for orders
14	OA1033/22	A'bad	Adv.Sanjay N Pagare (Abhishek K Zine)	Compassionate Appointment	For Hearing Reply Filed by R-2	27.9.2023
15	OA1112/22 With Caveat40/22	A'bad	Adv.A.S. Deshmukh (Mohammad Raza Khan) <b><u>Adv.CPO, MAT A'bad For Caveator i.e. The State of Maharashtra Through Additional Chief Secretary, Urban Development Dept. Adv.M.B. Bharaswadkar for R.No.3</u></b>	Transfer	For Hearing Reply Filed by R-1 to R-3	4.10.2023
16	OA54/23	Hingoli	Adv.P.V. Suryawanshi (Sayyed Shafi Sayyad Lal & Ors.)	Wages & Arrears	For Hearing Reply Filed by R-3 & R-4	6.10.2023
17	OA232/23	Latur	Adv.V.D. Gunale (Anjali B Narhare) <b><u>Adv.K.P. Rodge for R.No.3</u></b>	Appointment on Compassionate Ground	For Hearing Reply Filed by R-1 & R-2	Reserve for orders
18	OA396/23	A'bad	Adv.Shrikishan S Shinde (Madhavi S Harne)(Kale)	Transfer	For Hearing	20.9.2023
19	OA487/23	Latur	Adv.A.S. Karlekar (Prashant S Auti) <b><u>Adv.Avinash R Borulkar for R.No.3</u></b>	Correction in Date of Birth	For Hearing Reply Filed by R-1 to R-3	11.9.2023
20	OA508/23	A'bad	Adv.V.B. Wagh (Shalini P Bidarkar)	Suspension	For Hearing Reply Filed by R-1 to R-3	4.10.2023

21	OA532/23	A'bad	Adv.P.R. Wankhade (Prahsant C Nikalje)	Transfer	<b>For Further Consideration</b> Reply Filed by R-1 to R-3	8.9.2023
22	OA536/23	Latur	Adv.Rahul R Karpe/ Adv.V.V. Kabade (Gorakh V Dive)	Transfer	<b>For Further Consideration</b> Reply Filed by R-2 & R-3	20.9.2023
23	OA547/23	O'bad	Adv.M.B. Kolpe (Ashok R Giri)	Directions/ Salary	For Hearing Reply Filed by R-2 to R-5	Disposed of
<b>Final Hearing Matters</b>						
24	OA638/15	J'gaon	Adv.S.R. Patil (Harichandra D Patil)	Regularisation	<b>Remanded by Hon'ble High Court for Fresh Decision</b> Reply Filed by R-2 & R-3	17.10.2023
25	OA866/18	Nanded	Adv.Ajay S Deshpande (Venkat M Methhe)	Time Bound Promotion/ ACPS/ Minor Punishment	Reply Filed by R-1 & R-2	17.10.2023
26	OA985/19 With	O'bad	Adv.S.D. Joshi (Suresh S Chate)	Transfer	Reply Filed by R-2 to R-4	29.9.2023
27	OA996/19	O'bad	Adv.S.D. Joshi (Sainath R Thombre)	Transfer	Reply Filed by R-2 to R-5	29.9.2023
28	OA29/20	Nanded	Adv.P.B. Rakhunde (Shaikh Akhtar Hussain Mohd. Hanif)	Provision Pension/ Withholding of Pension & Gratuity	Reply Filed by R-2 & R-3	18.10.2023
29	OA56/20	Dhule	Adv.Kishor D Khade (Anil S Barkul)	Transfer	Reply Filed by R-1 to R-3	3.10.2023
30	OA225/20	Jalna	Adv.K.B. Jadhav (Subhash M Rathod) <b><u>Adv.K.J. Survawanshi for R.Nos.4 &amp; 6</u></b>	Transfer	Reply Filed by R-1 to R-3 & R-5	3.10.2023
31	OA456/20	Nanded	Adv.Vaibhav B Dhage (Parvatibai B Mali)	Family Pension/ Pensionary Benefits	Reply Filed by R-1 to R-3	Dismissed
32	OA509/20	Beed	Adv.C.V. Dharurkar/ Adv.A.S. Mirajgaonkar (Dr.Nomani Muhammed Mufti Tahir)	Study Leave		14.9.2023

33	OA579/20	A'bad	Adv.Ajay Deshpande (Dr.Shaikh Ambreen Fatema Abdul Hafiz)	Regularization		18.10.2023
34	OA113/21	Nanded	Adv.V.B. Dhage (Vajinath B Navande)	Recovery/ Refund of Recovered Amount	Reply Filed by R-1, R-4 & R- 5	12.10.2023
35	OA466/21	O'bad	Adv.Shamsundar B Patil (Dr.Yashwant M Patil)	Annual Increment	Reply filed by R-1 to R-5	27.9.2023
36	OA514/21	Hingoli	Adv.Kakasaheb B Jadhav (Gautam G Dhule)	Deemed date of Promotion	Reply Filed by R-2 & R-3	16.10.2023
37	OA558/21	Beed	Adv.Avinash S Deshmukh (Prakash S Aghav Patil)	Transfer	Reply Filed by R-1 to R-3	
38	OA578/21	J'gaon	Adv.C.V. Dharurkar (Nanasaheb S Patil)	Pensionery Benefits	Reply Filed by R-2	18.10.2023
39	OA677/21	A'bad	Adv.Suchita Dhongde (Bharatlal B Navgire)	Recovery/ Pensionery Benefits	Reply Filed by R-1 to R-3	19.10.2023
40	OA39/22	Nanded	Adv.Vaibhav B Dhage (Vishal U Jadhav)	Directions/ Compassionate Appointment	Reply Filed by R-2 & R-3	14.9.2023

### **S.B. Compassionate Appointment Substitution Matters**

**Date: -07/09/2023**

**Time : 03:00 P.M.**

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
<b>Due Admission Matters</b>						
1	OA603/22	A'bad	Adv.S.D. Kotkar (Sachin G Shelke)	Directions/ Compassionate Appointment	For Hearing Reply Filed by R-2	11.9.2023
2	OA648/22	J'gaon	Adv.Mahesh K Bhosale (Nilesh V Sapkale)	Compassionate Appointment	For Hearing Reply Filed by R-2 & R-3	6.10.2023
3	OA649/22	A'bad	Adv S D Johi (Prema S Gadve)	Compassionate Appointment	Reply Filed By R-1 & R-2	6.10.2023
4	OA783/22	Nanded	Adv.H.P. Jadhav (Nilabai P Mumulwar & Ors.) <b><u>Adv.S.B. Mene for R.Nos. 3 &amp; 4</u></b>	Compassionate Appointment	For Hearing	Reserve for orders
5	OA864/22	Jalgaon	Adv.Vidya A Taksal (Gajanan B Dandge & Ors.)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R-3	6.10.2023

Date: -07/09/2023

**S.B. For Reply Board**

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
<b>Due Admission Matters</b>						
1	OA491/21	A'bad	Adv Vijay V Deshmukh (Bhagwan S Naik)	Recovery/ Refund of Recovered Amount	Reply Filed By R-3 & R-4 & For Filing Affidavit in Reply	10.10.2023
2	OA370/22	O'bad	Adv Nilesh J Patil (Raosaheb S Kshirsagar)	Increment/Back- Wages & Other Benefits	For Filing Affidavit in Reply	6.10.2023
3	OA636/22	Jalna	Adv A N Patil- Barhate (Kavita S Khokhale)	Directions/ Compassionate Appointment	Reply Filed By R-1 to R-4 & For Filing Affidavit in Rejoinder	17.10.2023
4	OA866/22	Hingoli	Party in Person (Tukaram H Jadhav)	Benefits of T.B.P/A.C.P.S	Reply Filed By R-2 & R-3 & For Filing Affidavit in Rejoinder	27.9.2023
5	OA913/22	A'nagar	Adv V B Wagh (Varsha V Gaikwad)	Absorption	Final Chance For Filing Affidavit in Reply	27.9.2023
6	OA1155/22	A'nagar	Adv L V Sangit / AdvMrs. M L Sangit (Sagar A Zinzurde)	Compassionate Appointment	For Filing Affidavit in Reply	6.10.2023
7	OA133/23	O'bad	Adv R A Joshi (Ramesh S Mali)	Benefit of G.R./A.C.P.S	For Reply	3.10.2023
8	OA144/23	Latur	Adv R P Bhumkar (Pratulchandra N Gundre & Ors.) <b>Adv S B Mene For R-2</b>	Time Bound Promotion	For Filing Affidavit in Reply	27.9.2023
9	OA156/23	Latur	Adv S B Solanke (Anand B Karnawat)	Transfer/Posting	For Filing Affidavit in Reply	29.9.2023

10	OA159/23	Jalna	Adv S S Jadhavar (Vinayak U Banchod)	Benefit of G.R.	For Reply	17.10.2023
11	OA197/23	Hingoli	Adv S B Solnake (Dnyanoba L Dahiphale)	Difference of Salary & Allowances	Last Chance For Filing Affidavit in Reply	3.10.2023
12	OA198/23	A'bad	Adv S B Solanke (Gunaji K Mundhe)	Benefit of A.C.P.S	Last Chance For Filing Affidavit in Reply	27.9.2023
13	OA212/23	Hingoli	Adv J S Deshmukh (Dr. Santosh P Pardeshi)	Leave & Increments	For Reply	16.10.2023
14	OA258/23	A'bad	Adv Preeti R Wankhade (Subhash N Raut) <b><u>Adv A S Dhongde For R-2</u></b>	Recovery/ Refund of Recovered Amount	Reply Filed By R-4 & For Reply	10.10.2023
15	OA292/23	A'nagar	Adv Sujeet D Joshi (Sameer H Umralkar)	Transfer/ Deputation	Reply Filed By R-2 & R-3 & For Reply	20.9.2023
16	OA329/23	A'bad	Adv Ajay S Deshpande (Anil K Pathode & Ors.)	Transfer	Await Service	25.9.2023
17	OA348/23	Jalna	Adv V B Kulkarni (Akshay S Tekur)	Compassionate Appointment	For Filing Affidavit in Rejoinder to the Affidavit in Reply Filed By R-2	15.9.2023
18	OA359/23	O'bad	Adv S B Solanke (Pravin B Gaikwad)	Benefit of Old Pension Scheme	Reply Filed By R-4	3.10.2023
19	OA413/23	Jalna	Adv Kakasaheb B Jadhav (Raosaheb S Shirsath)	Recovery/ Refund of Recovered Amount	For Reply	3.10.2023

20	OA435/23	Jalgaon	Adv Kakasaheb B Jadhav (Vikas K Salve)	Transfer	For Reply	15.9.2023
21	OA450/23	P'rbn	Adv Shamsunder B Patil (Dr. Keshav A Munde)	Transfer	Await Service	Disposed of
22	OA451/23	P'rbn	Adv Shamsunder B Patil (Dr. Vidhya B Sarpe)	Transfer	For Reply	21.9.2023
23	OA452/23	P'rbn	Adv Shamsunder B Patil (Dr. Swati V Phad)	Transfer	Await Service	Disposed of
24	OA457/23	A'bad	Adv S S Kulkarni/ Adv N U Rathod (Nitin K Salunke)	Transfer	Await Service	3.10.2023
25	OA465/23	P'rbn	Adv Suchita Dhongde (Kuldip P Ambhore)	Transfer	For Reply	4.10.2023
26	OA473/23	A'bad	Adv Ajay S Deshpande (Smt. Pragati R Chondekar & Ors.) <b><u>Adv A S Shelke For R-3</u></b>	Transfer	For Reply	4.10.2023
27	OA475/23	Hingoli	Adv Avinash S Deshmukh (Sharda N Dalvi) <b><u>Adv I K Jadhav/ Adv P L Jadhav Caveator</u></b>	Transfer	For Reply	4.10.2023
28	OA476/23	Hingoli	Adv Preeti R Wankhade (Nawnath B Wagwad)	Transfer	Await Service R-3	4.10.2023
29	OA479/23	Nanded	Adv R N Bharaswadkar (Laxmikant V Deshpande)	Transfer/ Deputation	Await Service	4.10.2023
30	OA483/23	A'bad	Adv P M Nagargoje (Venkat M Kendre)	Transfer	Reply Filed By R-2 & R-4 & For Filing Affidavit in Rejoinder	4.10.2023
31	OA514/23	A'bad	Adv Mohit R Deshmukh (Sunil A Malkar) <b><u>Adv V A Bagal- Patil For R-5</u></b>	Transfer	For Reply	4.10.2023
32	OA534/23	A'nagar	Adv R R Karpe/ Adv Yogesh R Shinde (Tulshiram H Aghav)	Transfer	Reply Filed By Respondents	14.9.2023

33	OA535/23	A'nagar	Adv R R Karpe/ Adv Y R Shinde (Anil R Dhmal)	Transfer	Reply Filed By Respondents	14.9.2023
34	OA544/23	A'nagar	Adv S S Jadhavar (Umesh D Palve)	Transfer	For Filing Affidavit in Reply	20.9.2023
35	OA545/23	A'nagar	Adv V B Wagh (Smt. Vaishali A Salve)	Transfer	Reply Filed By R-1 & For Filing Affidavit in Reply R-2	14.9.2023
36	OA546/23	Hingoli	Adv S S Randive (Kamaji M Thombare)	Suspension/ Re-instatement	Notice Not Collected	3.10.2023
37	OA617/23	A'bad	Adv R N Bharaswadkar (Shubhangi R Bhoge)	Transfer	Reply Filed By R-3 & For Filing Affidavit in Reply	25.9.2023
38	OA619/23	Latur	Adv S D Joshi (Bhagwan S Kendre)	Transfer	For Filing Affidavit in Reply	15.9.2023
39	OA643/23	Hingoli	Adv A B Jagtap (Dilip B Kadam)	Transfe/Posting	For Reply	5.10.2023
40	OA648/23	Hingoli	Adv J S Deshmukh (Dr. Swati S Nunewar)	Transfer	For Reply	6.10.2023
41	OA668/23	A'bad	Adv V B Wagh/ Adv A S Therokar Adv V P Adkine (Manoj A Ingale)	Transfer	For Filing Affidavit in Reply	27.9.2023
42	OA758/213	P'rbn	Adv Chandrasen A Shingare (Krishna D Akat)	Transfer	For Reply	25.9.2023
43	OA806/23	Jalna	Adv Nagesh Talekar (Sunil R Mamilwad & Ors.)	Transfer	Await Service	5.10.2023

<b>Order Matters</b>						
<b>44</b>	MA571/22 In OASt3060/22	Nanded	Adv M D Godhamgaonkar (Birendrasingh A Bungai)	M.A For Condonation of Delay	Reply Filed By R-2 & R-3 & For Filing Affidavit in Reply	3.10.2023
<b>45</b>	MA50/23 In OASt3100/22	A'nagar	Adv A G Ambetkar (Dattatray G Shelke)	M.A For Condonation of Delay	Reply Filed By R-1 to R-3 & For Reply	Dismissed
<b>46</b>	MA51/23 In OASt3101/23	A'nagar	Adv A G Ambetkar (Arun D Landge)	M.A For Condonation of Delay	Reply Filed By R-1 to R-3 & For Reply	29.9.2023
<b>47</b>	MA57/23 In OASt197/23	A'nagar	Adv A G Ambetkar (Markas U Magar)	M.A For Condonation of Delay	Last Chance For Filing Affidavit in Reply	29.9.2023
<b>48</b>	MA101/23 In OASt195/23	A'nagar	Adv A G Ambetkar (Shridhar L Lawande)	M.A For Condonation of Delay	Last Chance For Filing Affidavit in Reply	29.9.2023
<b>49</b>	MA102/23 In OASt358/23	A'nagar	Adv A G Ambetkar (Vilas S Makasare)	M.A For Condonation of Delay	Last Chance For Filing Affidavit in Reply	29.9.2023
<b>50</b>	MA285/23 In OASt1119/23	A'bad	Adv Kakasaheb B Jadhav (Sunil G Jadhav)	M.A For Condonation of Delay	For Reply	25.9.2023

**ORIGINAL APPLICATION NO.608/2022**  
**(Mahendra S. Surwade Vs. State of Maharashtra & Ors.)**

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

**DATE : 07-09-2023**

**ORAL ORDER :**

Heard Shri V.B.Wagh, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities.

2. Arguments are heard. Reserved for order.

**VICE CHAIRMAN**

YUK ORAL ORDER 07.09.2023

**ORIGINAL APPLICATION NO.1112/2022**  
**(Mohammad Raza Khan Vs. State of Maharashtra & Ors.)**

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

**DATE : 07-09-2023**

**ORAL ORDER :**

Shri A.S.Deshmukh, learned Counsel for the applicant, Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri M.B.Bharaswadkar, learned Counsel for respondent no.3, are present.

2. Due to paucity of time the present matter cannot be heard today.

3. List for final hearing on 04-10-2023. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

YUK ORAL ORDER 07.09.2023

**ORIGINAL APPLICATION NO.546/2023**  
**(Kamaji M. Thomre Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

Heard Shri S.S.Randive, learned Counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities.

2. On request of learned Counsel for the applicant re-issue notices to the respondents, returnable on 03-10-2023.

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

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

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

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

7. S.O. to 03-10-2023.

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

**M.A.NO.308/2018 IN O.A.ST.NO.1257/2018**  
**(Bapurao D. Pattewale Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**DATE : 07.09.2023**  
**ORAL ORDER :**

Heard Shri R.D.Khadap, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities.

2. Applicant has filed the present M.A. seeking condonation of delay which has occurred in filing the accompanying O.A. O.A. is filed seeking quashment of order dated 16-06-2017 whereby the recovery for the amount of Rs.77,037/- is directed against the applicant. O.A. alongwith the present M.A. are filed on 23-08-2018. 40 days' delay has occasioned in filing the present M.A.

3. I have gone through the contents of the M.A. as well as the affidavits in reply filed on behalf of the respondents. After having gone through the contentions raised in the M.A. and the reasons stated therein, I am inclined to allow the M.A. Matter is ultimately to be decided on merit and not to be thrown away on technicalities. Considering the fact that the delay is of the smaller period and

=2= M.A.NO.308/2018 IN O.A.ST.NO.1257/2018

unintentional, the same deserves to be condoned. Hence, the following order:

ORDER

- [i] M.A. is allowed.
- [ii] Delay caused for filing the O.A. is condoned.
- [iii] O.A. be registered and numbered in accordance with law.

**VICE CHAIRMAN**

**O.A.ST.NO.1257/2018**

**(Bapurao D. Pattewale Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

Heard Shri R.D.Khadap, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities.

2. After registration of O.A., issue notices to the respondents, returnable on 09-10-2023.

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

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

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

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

7. S.O. to 09-10-2023.

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

**ORIGINAL APPLICATION NO.603/2022**  
**(Sachin Shelke Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

Heard Shri S.D.Kotkar, learned counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, S.O. to 11-09-2023.

**VICE CHAIRMAN**

YUK ORAL ORDERS 07.09.2023

**ORIGINAL APPLICATION NO.648/2022**  
**(Nilesh Sapkale Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

Shri Mahesh K. Bhosale, learned Counsel for the applicant is **absent**.

Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities is present.

2. In view of the absence of learned Counsel for the applicant, S.O. to 06-10-2023. At 3.00 pm.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.649/2022**  
**(Prema S. Gadve Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

Shri S.D.Joshi, learned counsel for the applicant is **absent.**

Shri N.U.Yadav, learned Presenting Officer for the respondent authorities is present.

2. In view of the absence of learned Counsel for the applicant, S.O. to 06-10-2023. At 3.00 pm.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.783/2022**  
**(Nilabai P. Mumulwar & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

Heard Shri H.P.Jadhav, learned Counsel for the applicant, Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities and Shri S.B.Mene, learned Counsel for respondent nos.3 and 4.

2. Arguments are heard. Reserved for order.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.232/2023**  
**(Anjali Balaji Narhare Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

Heard Shri K.B.Bhise, learned Counsel holding for Shri V.D.Gunale, learned Counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities.

Shri K.P.Rodge, learned Counsel for respondent no.3 is **absent**.

2. Arguments are heard. Reserved for order.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.864/2022**  
**(Gajanan Dandge & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

Smt. Vidya Taksal, learned counsel for the applicant is **absent**.

Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities is present.

2. In view of the absence of learned Counsel for the applicant, S.O. to 06-10-2023. At 3.00 pm.

**VICE CHAIRMAN**

YUK ORAL ORDERS 07.09.2023

**ORIGINAL APPLICATION NO.396/2023**  
**(Madhavi Harne (Kale) Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

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

2. When the present matter is taken up for consideration, learned P.O. submits that parawise reply is already forwarded and moment it is approved the affidavit in reply will be filed. He has therefore sought one week's time. Granted by way of special chance.

3. S.O. to 20-09-2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.756/2023**  
**(Satish K. Jagtap Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

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

2. Learned Counsel for the applicant submits that though the matter is shown in await service category, respondents are served and the applicant is filing the service affidavit today in the office. Learned P.O. submits that he will take necessary instructions and confirm whether the service is effected and sought time to file affidavit in reply.

3. S.O. to 27-09-2023. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 54 OF 2023**  
**(Sayyed Shafi Sayyed Lal and Ors. Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri P.V. Suryawanshi, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 06.10.2023 for hearing.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 487 OF 2023**  
**(Prashant S. Auti Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel holding for Shri A.S. Karlekar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present. Shri A.R. Borulkar, learned counsel for the respondent No.3 is **absent**.

2. At the request of learned counsel for the applicant, S.O. to 11.09.2023 for hearing.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 451 OF 2023**  
**(Dr. Vidhay Bhojraj Sarpe Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri S.B. Patil, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., time granted for filing affidavit in reply by way of last chance till 21.09.2023 otherwise the matter will be heard on merit without reply of the respondents.

3. S.O. to 21.09.2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 450 OF 2023**  
**(Dr. Keshav Anil Munde Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

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

2. Learned counsel for the applicant has tendered the modified order dated 29.08.2023. The same is taken on record. In view of the said order the learned counsel for the applicant seeks disposal of the present Original Application since the purpose of filing the Original application is satisfied. In the circumstances, the following order is passed:-

**ORDER**

In view of the fact that the purpose of filing the Original Application has been served and the order of transfer pertaining to the applicant has been modified, the Original Application stands disposed of without any order as to costs.

**VICE CHAIRMAN**

ORAL ORDERS 7.9.2023 sas

**ORIGINAL APPLICATION NO. 452 OF 2023**  
**(Dr. Swati Vasantrao Phad Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Heard Shri Shamsunder B. Patil, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant has tendered the modified order dated 29.08.2023. The same is taken on record. In view of the said order the learned counsel for the applicant seeks disposal of the present Original Application since the purpose of filing the Original application is satisfied. In the circumstances, the following order is passed:-

**ORDER**

In view of the fact that the purpose of filing the Original Application has been served and the order of transfer pertaining to the applicant has been modified, the Original Application stands disposed of without any order as to costs.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 509 OF 2020**  
**(Dr. Nomani Muhammed Mufti Tahair Vs. The State of**  
**Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri Mayur Subhedar, learned counsel holding for Shri C.V. Dharurkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. has submitted the short affidavit in reply on behalf of respondent Nos. 1 to 3. The same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. Learned counsel for the applicant has submitted additional affidavit/undertaking. The same is taken on record and copy thereof is given to the learned P.O.

4. List the matter for further consideration, S.O. to 14.09.2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 399 OF 2022**  
**(Tawshikar G. Gyanoba Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

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

2. At the request of learned counsel appearing for the applicant, S.O. to 29.09.203 for hearing.

**VICE CHAIRMAN**

**M.A.NO. 214/2023 IN O.A.ST.NO. 612/2023**  
**(Babasaheb D. Puri Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri M.V. Dhongade, learned counsel for the applicant, Shri D.T. Devane, learned counsel for respondent Nos. 2 to 5 and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that today only he has received the copy of affidavit in reply. He requests some time to work out the matter. Time granted.

3. S.O. to 20.09.2023.

**VICE CHAIRMAN**

ORAL ORDERS 7.9.2023 sas

**ORIGINAL APPLICATION ST.NO. 1623 OF 2023**  
**(Dr. Archana Vasantao Bhosle Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Heard Shri A.D. Gade, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions seeks leave to withdraw the present Original Application. Hence, the following order:-

**O R D E R**

Leave granted as prayed for. The Original Application stands disposed of since withdrawn without any order as to costs.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 508 OF 2023**  
**(Smt. Shalini P. Bidarkar Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has tendered the rejoinder affidavit. The same is taken on record and copy of it is given to learned P.O.

3. S.O. to 04.10.2023 for hearing. Interim relief, if any, granted earlier to continue till then.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 370 OF 2022**  
**(Raosaheb S. Kshirsagar Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri Nilesh J. Patil, learned counsel for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. has submitted the affidavit in reply on behalf of respondent Nos. 3 to 6. The same is taken on record. Copy of it be given to learned counsel for the applicant. Further time has sought for filing affidavit in reply on behalf of respondent Nos. 1 & 2. Time granted.

3. S.O. to 06.10.2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 913 OF 2022**  
**(Varsha V. Gaikwad Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Today when the present matter is taken up for consideration, the learned P.O. has again sought time to file the affidavit in reply. The request is opposed by the learned counsel appearing for the applicant stating that due opportunities are already availed. Record shows that on the previous date final chance was granted for filing reply. However, in the interest of justice, more two weeks time is granted for filing affidavit in reply. If reply is not filed on or before the given date, matter shall be heard without reply of the respondents.

3. S.O. to 27.09.2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 668 OF 2023**  
**(Manoj Ashok Ingale Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

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

2. Learned P.O. has tendered the affidavit in reply on behalf of respondent Nos. 1 & 2. The same is taken on record and copy of it is given to learned counsel for the applicant.

3. S.O. to 27.09.2023 for hearing. In the meanwhile it would be open for the applicant to file rejoinder, if he so desires.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 545 OF 2023**  
**(Smt. Vaishali Ashok Salve Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has submitted the rejoinder affidavit. The same is taken on record and copy of it is given to learned P.O.

3. Learned P.O. has tendered the affidavit in reply on behalf of respondent No.2. The same is taken on record and copy of it is given to learned counsel for the applicant.

4. List the matter for hearing on 14.09.2023. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 329 OF 2023**  
**(Amit K. Pathode & Ors. Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

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

2. Learned P.O. has submitted affidavit in reply on behalf of respondent Nos. 2 & 3. The same is taken on record and copy of it is given to other side.

3. Learned P.O. has sought time for filing affidavit in reply on behalf of respondent Nos. 1 & 4. Time granted till 25.09.2023.

4. S.O. to 25.09.2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 473 OF 2023**  
**(Smt. Pragati R. Chondekar Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri Ajay S. Deshpande, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present. Shri A.S. Shelke, learned counsel for respondent No.3 is **absent.**

2. Learned P.O. has sought time to file affidavit in reply. Time granted.
3. S.O. to 04.10.2023. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 475 OF 2023**  
**(Sharda N. Dalvi Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri A.S. Deshmukh, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present. Shri I.K. Jadhav/P.L. Jadhav, learned counsel for caveator (**absent**).

2. Learned P.O. has sought time to file affidavit in reply. Time granted.

3. S.O. to 04.10.2023. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 476 OF 2023**  
**(Nawnath B. Wagwad Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Heard Ms. Preeti R. Wankhade, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicant re-issue notice to the respondent No.3, returnable on 04.10.2023.

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

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

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

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O.A. 476/2023

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. Learned P.O. has sought time to file affidavit in reply on behalf of respondent Nos. 1 & 2. Time granted.

8. S.O. to 04.10.2023. Interim relief granted earlier to continue till then.

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

**VICE CHAIRMAN**

ORAL ORDERS 7.9.2023 sas

**ORIGINAL APPLICATION NO. 483 OF 2023**  
**(Venkat M. Kendre Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri Shubham Kadam, learned counsel holding for Shri P.M. Nagargoje, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 04.10.2023 for filing rejoinder affidavit, if any.

**VICE CHAIRMAN**

**M.A.NO. 285/2023 IN O.A.ST.NO. 1119/2023**  
**(Sunil G. Jadhav Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Smt. Rujuta Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has sought time for filing affidavit in reply to the Misc. Application. Time granted.
3. S.O. to 25.09.2023.

**VICE CHAIRMAN**

ORAL ORDERS 7.9.2023 sas

**ORIGINAL APPLICATION NO. 435 OF 2023**  
**(Vikas K. Salve Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. for the respondents submits that affidavit in reply on behalf of respondent Nos. 1 to 4 will be filed during course of the day. If it is so filed, it be taken on record and copy be given to learned counsel for the applicant.

3. List the matter for hearing on 15.09.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 348 OF 2023**  
**(Akshay S. Tekur Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri V.B. Kulkarni, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time to file rejoinder affidavit. Time granted.

3. S.O. to 15.09.2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 197 OF 2023**  
**(Dnyanoba Laxman Dahiphale Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri S.B. Solanke, learned counsel for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. submits that during course of the day affidavit in reply on behalf of respondent Nos. 1 to 4 will be filed. If it is filed, the same be taken on record and copy be given to other side.

3. List the matter for hearing on 03.10.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 534 OF 2023**  
**(Tulshiram H. Aghav Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri Sagalgile P.J., learned counsel holding for Shri R.R. Karpe, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that no rejoinder is to be filed.
3. List the matter for hearing on 14.09.2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 535 OF 2023  
(Anil R. Dhumal Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri Sagalgile P.J., learned counsel holding for Shri R.R. Karpe, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that no rejoinder is to be filed.
3. List the matter for hearing on 14.09.2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 758 OF 2023**  
**(Krishna D. Akat Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

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

2. Learned counsel for the applicant has tendered the copy of the communication dated 21.08.2023 between respondent No.4 and respondent No.2. The same is taken on record. Vide the aforesaid letter the respondent No.4 has recommended respondent No.2 and requested for retaining the applicant at the existing place by cancelling his transfer

3. Learned P.O. has sought two weeks time to file the affidavit in reply. Time as prayed for is granted.

4. S.O. to 25.09.2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 133 OF 2023**  
**(Mr. Ramesh S. Mali Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri R.A. Joshi, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has submitted the affidavit in reply on behalf of respondent Nos. 2 & 3. The same is taken on record and copy thereof has been served on the other side.

3. Learned P.O. submits that no separate reply of respondent No.1 may be necessary. Pleadings are thus complete.

4. List the matter for hearing on 03.10.2023.

**VICE CHAIRMAN**

**O.A.NO. 985 AND 996 BOTH OF 2019**  
**(Suresh S. Chate & Ors. Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

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

2. S.O. to 29.09.2023 for final hearing.

**VICE CHAIRMAN**

ORAL ORDERS 7.9.2023 sas

**ORIGINAL APPLICATION NO. 619 OF 2023**  
**(Bhagwan S. Kendre Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits that during course of the day the affidavit in reply on behalf of respondent Nos. 2 & 3 will be filed. If it is filed, it be taken on record and copy be given to learned counsel appearing for the applicant.

3. List the matter for hearing on 15.09.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 292 OF 2023**  
**(Sameer H. Umralkar Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

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

2. Learned counsel for the applicant has tendered rejoinder affidavit. The same is taken on record and copy of it is given to learned P.O.

3. S.O. to 20.09.2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 413 OF 2023**  
**(Raosaheb S. Shirsath Vs. The State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has tendered the affidavit in reply on behalf of respondent No.4. The same is taken on record and copy of it is given to other side.

3. Learned P.O. has sought time for filing affidavit in reply on behalf of respondent Nos. 1 to 3 & 5. Time granted.

4. S.O. to 03.10.2023.

**VICE CHAIRMAN**

**O.A.NOS. 487 & 488 BOTH OF 2022**

**(Rajesh J. Gangurde & Anr. Vs. the state of Maharashtra & Ors.)**

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

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

**DATE :** **07.09.2023**

**ORAL ORDER :**

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

2. S.O. to 25.09.2023. Status quo granted earlier in both the O.As. to continue till then.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 773 OF 2022**  
**(Smt. Mangala V. Pawar Vs. the state of Maharashtra & Ors.)**

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

**DATE :** **07.09.2023**

**ORAL ORDER :**

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

2. S.O. to 25.09.2023 for hearing. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 168 OF 2022**  
**(Shirish R. Yadav Vs. the state of Maharashtra & Ors.)**

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

**DATE :** **07.09.2023**

**ORAL ORDER :**

Shri Onkar Joshi, learned counsel holding for Shri J.J. Patil, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present. Shri S.S. Chapalgaonkar, learned counsel for the respondent No.3 is **absent**.

2. S.O. to 27.09.2023 for hearing. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 17 OF 2023**  
**(Sandeep S. Kshire Vs. the state of Maharashtra & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

Shri Onkar Joshi, learned counsel holding for Shri J.J. Patil, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has sought time to file rejoinder affidavit. Time granted as prayed for.

3. S.O. to 27.09.2023 for hearing. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

**DATE :07.09.2023**

**ORIGINAL APPLICATION NO. 821 OF 2023**

**(Rajendra Vasant Rao Marale V/s The State of Maharashtra & Ors.)**

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

1. Shri Avinash N. Barhate Patil, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 03.10.2023. The case be listed for admission hearing on **03.10.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**

07.09.2023/sas registrar notice

**CHAMBER APPEAL NO. 17 OF 2023**

**(Prabhakar D. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Heard Shri S.S. Kulkarni, learned Advocate for the applicant.

2. Vide order dated 11.07.2023 the Registrar of this Tribunal was pleased to refuse the registration under Rule 5 (4) of Maharashtra Administrative Tribunal (Procedural) Rules, 1988. On 19.04.2023 the office has raised the following office objections:-

- 1) Applicant's occupation not mentioned properly with contact number; and
- 2) Commandant, S.R.P.F. not made party to O.A.;
- 3) Annexures per page are not attested as TC;
- 4) V.P. not signed;
- 5) In view of judgment and order passed in Criminal Appeal dated 8.8.2011, O.A. barred by limitation; and
- 6) Page 21 not legible.

3. Vide office note dated 04.07.2023 Registrar of this Tribunal at Aurangabad Bench noted that nobody

**:: - 2 - :: CHAMBER APPEAL NO. 17 OF 2023**

appeared for the applicant and office objections are not removed.

4. The applicant has made prayer for condonation of delay of about 26 days caused in filing Chamber Appeal No. 17/2023.

5. The learned Advocate for the applicant appeared today. He undertakes to remove the office objections within reasonable period.

6. Technically, the Registrar was right in refusing the registration since nobody appeared for the applicant in view of the objections in spite of repeated chances. The fact that the O.A. is filed for seeking subsistence allowance and in order to give an opportunity to him to prove his claim on merits, it will be in the interest of justice to allow the appeal as the applicant shall not suffer for the negligence of his Advocate. Hence, the following order:-

**ORDER**

(i) Delay caused in filing Chamber Appeal stands condoned. Consequently, the Chamber Appeal No. 17/2023 is allowed as the applicant undertakes to remove the office objections within a reasonable period.

**:: - 3 - :: CHAMBER APPEAL NO. 17 OF 2023**

(ii) Registrar of this Tribunal Bench at Aurangabad is directed to register the O.A. after removing the office objections by the learned Advocate for the applicant and place the same before the appropriate bench for hearing.

**VICE CHAIRMAN**

ORAL ORDERS 7.9.2023-HDD

**ORIGINAL APPLICATION NO. 777 OF 2021  
(Mohd. Usman Khan Mohd. Jafar Khan Vs. State of  
Maharashtra & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Heard Shri G.J. Dahad, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. When the present matter is taken up for consideration, it is revealed that the applicant has approached the Hon'ble High Court also by filing writ petition No. 8044/2015 and another writ petition bearing No. 10237/2021. Learned counsel is directed to place on record the copies of the aforesaid writ petitions and orders, if any, passed in those writ petitions by the Hon'ble High Court.

3. S.O. to 25.9.2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 456 OF 2020**  
**(Smt. Parvatibai wd/o Balaji Mali Vs. State of Maharashtra & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Heard Shri Vaibhav B. Dhage, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. The applicant has preferred the present Original Application seeking the following reliefs :-

*“A) This Original Application may kindly be allowed.*

*B) This Hon’ble Tribunal by issue of an appropriate order or direction, directing the respondent no. 2 to forward the proposal of the applicant for grant of family pension along with all consequential benefit to the respondent no. 3 within stipulated period and for that purpose issue necessary orders.”*

3. The respondents declined the request of the applicant for grant of pension to her on the ground that she could not bring the heir-ship certificate to substantiate her claim. It is the contention of the learned counsel appearing for the applicant that the fact that the present applicant is legally wedded wife of deceased Balaji Mali is now undisputable and he also

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**O.A. NO. 456 OF 2020**

sought leave to place on record affidavits sworn by Sainath and Rukhminibai, son and daughter of the deceased Balaji

Mali. However, while going through the documents placed on record, it is revealed that the present applicant had applied for heir-ship certificate by filing Misc. RJE No. 104/2011 before the learned Civil Judge Senior Division, Nanded and the learned Civil Judge Senior Judge, Nanded vide his order dated 6.9.2014 has rejected the petition so filed by the present applicant meaning thereby that the competent Civil Court has declined to issue heir-ship certificate in favour of the present applicant. Precisely that is the ground on which respondents have declined the request of the applicant to grant family pension in her favour.

4. On query made by me with the learned counsel appearing for the applicant whether the order passed in Misc. RJE No. 104/2011 was challenged by the present applicant namely Parvatibai before any higher Court, learned counsel submits that, no such endeavor has been made by the applicant. It is thus evident that till this date the order passed by the learned Civil Judge Sr. Division, Nanded is in existence. In view of the said order, the request made by the applicant appears to have been rightly rejected by the respondents. It further appears that the remedy available for the

::-3-: **O.A. NO. 456 OF 2020**

applicant was to challenge the order passed by learned Civil Judge Sr. Division, Nanded in the aforesaid Misc. RJE application, since it has not been done, no relief can be granted in favour of the applicant as has been prayed by her. Now even though attempt is made to bring on record no objection from the other legal-heirs, it appears to me that, only

on that ground the request of the applicant may not be considered favourably by the respondents.

5. In the circumstances, I see no reason for causing any interference in the order so passed by the respondents. The Original Application, therefore, deserves to be dismissed and is accordingly dismissed. No order as to costs.

**VICE CHAIRMAN**

ORAL ORDERS 7.9.2023-hdd

**ORIGINAL APPLICATION NO. 759/2023**  
**(Nilesh M. Aradle & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
[This matter is placed before the Single Bench  
due to non-availability of Division Bench.]

**DATE :** **7.9.2023**

**ORAL ORDER :**

Heard Shri Amol B. Chalak, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel for the applicants submits that addresses of respondent nos. 12 & 16 are not known to the applicants, he has sought the addresses of said respondents by making application with MPSC. Learned counsel, in the circumstances, has sought one week time. Time as prayed for is granted.

3. S.O. to 15.9.2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 685/2023**  
**(Bhagatsing U. Singal & Ors. Vs. State of Mah. & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
[This matter is placed before the Single Bench  
due to non-availability of Division Bench.]

**DATE :** **7.9.2023**

**ORAL ORDER :**

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

Shri R.A. Joshi, learned counsel appeared today and submitted that he is appearing on behalf of respondent nos. 5 & 17. He has filed V.P. on behalf of the said respondents.

2. Learned counsel appearing for the applicants, on instructions, seeks leave of this Tribunal to delete name of respondent no. 12 from the array of O.A. In view of the request so made, the following order is passed :-

**ORDER**

The deletion of name of respondent no. 12 is permitted at the risk of the applicants. The necessary correction be made in the O.A. within a week.

2. S.O. to 27.9.2023 for filing affidavits in reply by the respondents.
3. The interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

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

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

**DATE : 7.9.2023**

**ORAL ORDER :**

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

2. Learned Presenting Officer has sought time to file affidavit in reply. The request so made by the learned PO is opposed by the learned counsel appearing for the applicant stating that due opportunities are already availed by the respondents. In the interest of justice, time is granted by way of last chance or else the matter will be heard without affidavit in reply of the respondents.

3. S.O. to 25.9.2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 813/2023  
(Shahuraj D. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Heard Ms. Preeti Wankhade, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 6.10.2023.

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

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

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

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

7. S.O. to 6.10.2023.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 810/2023**  
**(Ramkishan G. Jakulwar Vs. State of Maharashtra & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

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

2. Issue notices to the respondents, returnable on 9.10.2023.

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

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

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

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

7. S.O. to 9.10.2023.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 602/2023**  
**(Datta S. Kadam Vs. State of Maharashtra & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
[This matter is placed before the Single Bench due to non-availability of Division Bench.]

**DATE :** **7.9.2023**

**ORAL ORDER :**

Heard Shri Om Totawad, learned counsel holding for Shri C.R. Thorat, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 6.10.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 6.10.2023.
8. Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**

ORAL ORDERS 7.9.2023-hdd

**ORIGINAL APPLICATION NO. 637 OF 2023**  
**(Sheshrao L. Wagatkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri O.D. Mane, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.
3. S.O. to 6.10.2023.

**VICE CHAIRMAN**

ORAL ORDERS 7.9.2023-hdd

**M.A.NO. 390/2023 IN O.A.ST.NO. 1562/2023  
(Balaji V. Malchpure Vs. State of Maharashtra & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
[This matter is placed before the Single Bench due to non-availability of Division Bench.]

**DATE :** **7.9.2023**

**ORAL ORDER :**

Heard Shri R.D. Khadap, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notices to the respondents on application for condonation of delay, returnable on 25.10.2023.

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

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

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

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

7. S.O. to 25.10.2023.

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

**VICE CHAIRMAN**

ORAL ORDERS 7.9.2023-hdd

**ORIGINAL APPLICATION NO. 68 OF 2023  
(Dr. Rohini S. Deshmukh Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri K.J. Suryawanshi, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that all the respondents are served and today he will file service affidavit in the registry.

3. S.O. to 25.9.2023 for further consideration. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

ORAL ORDERS 7.9.2023-hdd

**O.A.ST.NO. 778/2023 WITH M.A.ST.NO. 777/2023  
(Anna Pandurang Rathod & Ors. Vs. State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

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

2. When the present Original Application is taken up for consideration, learned counsel has tendered the orders of promotion pertaining to the applicants and in view of the orders so passed in favour of the applicants, he prayed for disposal of the Original Application. Learned Presenting Officer conceded for passing such orders.

3. In view of the aforesaid submissions so made by learned counsel for both the parties, the following order is passed: -

**ORDER**

(i) The Original Application stands disposed of since purpose of filing of O.A. is served.

(ii) Since Original Application itself stands disposed of today, nothing survives in M.A. St. No. 777/2023 and the same also stands disposed of.

(iii) There shall be no order as to costs.

**VICE CHAIRMAN**

ORAL ORDERS 7.9.2023-hdd

**M.A.NO. 522/2022 IN O.A.ST.NO. 951/2022  
(Pratik S. Dube Vs. State of Maharashtra & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri Umesh A. Bhadgaonkar, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 16.10.2023.

**VICE CHAIRMAN**

ORAL ORDERS 7.9.2023-hdd

**M.A.ST. 874/23 IN REV.ST.875/23 IN O.A.222/22  
(Khushalsinh R. Pardeshi Vs. State of Mah. & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri K.G. Salunke, learned counsel holding for Shri P.P. More, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 30.11.2023.

**VICE CHAIRMAN**

ORAL ORDERS 7.9.2023-hdd

**ORIGINAL APPLICATION NO. 544 OF 2023  
(Umesh D. Palve Vs. State of Maharashtra & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 20.9.2023. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

ORAL ORDERS 7.9.2023-hdd

**ORIGINAL APPLICATION NO. 354 OF 2023  
(Bhanudas D. Shirao Vs. State of Maharashtra & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
[This matter is placed before the Single Bench  
due to non-availability of Division Bench.]

**DATE :** **7.9.2023**

**ORAL ORDER :**

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

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 & 2 and 4 to 6 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. S.O. to 27.10.2023.

**VICE CHAIRMAN**

**M.A.NO. 221/2023 IN O.A.ST.NO. 812/2023**  
**(Reshma A. Bansode Vs. State of Maharashtra & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
[This matter is placed before the Single Bench  
due to non-availability of Division Bench.]

**DATE :** **7.9.2023**

**ORAL ORDER :**

Shri E.S. Murge, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 3 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. S.O. to 27.10.2023.

**VICE CHAIRMAN**

ORAL ORDERS 7.9.2023-hdd

**ORIGINAL APPLICATION NO. 514 OF 2023  
(Sunil Anna Malkar & Anr. Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri Mohit R. Deshmukh, learned counsel for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present. Shri V.A. Bagal Patil, learned counsel for respondent No. 5 (**absent**).

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 4 and the same is taken on record.

3. Since nobody appears for the applicant, S.O. to 4.10.2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 58 OF 2023**  
**(Dr. Rajendra V. Shinde Vs. State of Maharashtra & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
[This matter is placed before the Single Bench  
due to non-availability of Division Bench.]

**DATE :** **7.9.2023**

**ORAL ORDER :**

Shri K.J. Suryawanshi, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that all the respondents are served and today he will file service affidavit in the registry.

3. S.O. to 25.9.2023 for further consideration.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 586 OF 2022  
(Suvarna P. Pawar Vs. State of Maharashtra & Ors.)**

**CORAM :** **Justice Shri P.R. Bora, Vice Chairman**  
[This matter is placed before the Single Bench  
due to non-availability of Division Bench.]

**DATE :** **7.9.2023**

**ORAL ORDER :**

Shri M.B. Kolpe, learned counsel holding for Shri A.S. Shelke, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 26.9.2023. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 617 OF 2023  
(Shubhangi R. Bhoge Vs. State of Maharashtra & Ors.)**

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

**DATE : 7.9.2023**

**ORAL ORDER :**

Shri R.N. Bharaswadkar, learned counsel for the applicant and Shri V.R. Bharaswadkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 25.9.2023. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

ORAL ORDERS 7.9.2023-hdd

**DATE : 07.09.2023**  
**ORIGINAL APPLICATION NO. 819 OF 2023**  
**(Priyanka S. Bane Vs. The State of Maha. & Ors.)**

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

1. Shri K.G. Salunke, learned Advocate for the applicant and Shri M.P. Gude, learned P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on **03.10.2023**. The case be listed for admission hearing on **03.10.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**

**ORIGINAL APPLICATION NO. 113 OF 2021**  
**(Vaijanath B. Navande Vs. State of Maha. & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

Heard Shri V.B. Dhage, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. At the request of both the parties, S.O. to 12.10.2023 for final hearing.

**VICE CHAIRMAN**

**M.A. No. 51/2023 in O.A. St. No. 3101/2023  
(Arun D. Landge Vs. State of Maha. & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

Shri A.G. Ambetkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 29.09.2023 for hearing.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 536 OF 2023  
(Gorakh V. Dive Vs. State of Maha. & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

Shri V.V. Kabade, learned counsel for the applicant and Smt. Sanjivaji K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 20.09.2023 for further consideration.  
Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 458 OF 2022**  
**(Dr. Suresh R. Pawar Vs. State of Maha. & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

Shri J.S. Deshmukh, learned counsel for the applicant (**Absent**).

Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri T.S. Lodhe, learned counsel holding for Smt. Yogita S. Thorat, learned counsel for respondent No. 4, are present.

2. Learned counsel for respondent No. 4 has tendered across the bar affidavit in reply. Same is taken on record and copy of the same is given to the other side.

3. Learned P.O. has sought time to file affidavit in reply on behalf of respondent Nos. 1 to 3. Time granted as prayed for.

4. S.O. to 30.10.2023.

**VICE CHAIRMAN**

**M.A. No. 391/2023 in O.A. No. 446/2023  
(Virbahadur K. Gurung Vs. State of Maha. & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. By filing the present Misc. Application, the applicant is intending to bring on record the subsequent events which happened during pendency of the Original Application with contextual prayers.

3. Learned counsel for the applicant submitted that in O.A. the applicant has raised the grievance that his representation submitted on 19.05.2022 was not considered and decided and as such, he was required to approach this Tribunal after the period of 6 months has expired from the date of filing of the representation by the applicant. Learned counsel submitted that during pendency of O.A., the said representation has been decided by the respondents against interest of the applicant. Learned counsel for the applicant submits that the

//2// M.A. No. 391/2023 in  
O.A. No. 446/2023

said fact needs to be brought on record and that rejection has also to be challenged by making contextual prayers in that regard. Learned counsel submits that the amendment is sought in consonance with the prayers made in the O.A. and the nature of the O.A. is not likely to be changed because of the amendment sought to be made by the applicant.

4. Learned Presenting Officer has prayed for passing appropriate order.

5. After having gone through the documents filed on record, it is revealed that the subsequent events are sought to be brought on record with contextual prayers, which happened during pendency of the O.A. and have some nexus with the present matter; the amendment needs to be allowed. Hence, the following order :-

**ORDER**

(i) M.A. No. 391/2023 is allowed.

//3// M.A. No. 391/2023 in  
O.A. No. 446/2023

- (ii) The necessary amendment be carried out within a week and amended copy of the O.A. be given to the other sides.
- (iii) It would be open for the respondents to submit additional affidavit in reply, if they so desire to the amendment sought in the O.A.
- (iv) No order as to costs.

**VICE CHAIRMAN**

**O.A. No. 446/2023**  
**(Virbahadur K. Gurung Vs. State of Maha. & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 10.10.2023 for affidavit in reply by rest of the respondents.

**VICE CHAIRMAN**

**C.P. No. 31/2023 in O.A. No. 603/2021**  
**(Sumit G. Dongre & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench)

**DATE : 07.09.2023**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned counsel for the applicants and Shri N.U. Yadav, learned P.O. for the respondent authorities.

2. Learned counsel for the applicants submits that though in the present matter issue notices order has been passed and though notices were collected, could not be dispatched. He has therefore, prayed for issuance of fresh notices to the respondents concerned. Request is accepted.

3. Issue fresh notices to the respondents in C.P., returnable on 26.10.2023.

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 26.10.2023.

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

**VICE CHAIRMAN**

**M.A. No. 389/2023 in O.A. No. 1048/2022**  
**(Ajaykumar B. Chavan Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

Heard Ms. Anagha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Shri N.U. Yadav, learned P.O. for the respondent authorities.

2. By filing the present Misc. Application, the applicant has prayed for substituting respondent No. 4 viz. Ravindra Narsinh Deshmukh with Motiram Tulshiram Nikam.

3. Learned counsel for the applicant submitted that though respondent No. 4 has been served, he has not caused his appearance in the matter. It is further contended that Ravindra Narsinh Deshmukh is now transferred and Motiram Tulshiram Nikam is now brought in his place and in the circumstances, he is necessary party in the O.A. Request is therefore, made for substituting the name of respondent No.4.

4. In view of the fact stated above, the request is accepted. The M.A. is allowed. Respondent No. 4 viz. Ravindra Narsinh Deshmukh be substituted with Motiram Tulshiram Nikam. Necessary amendment be carried out within a week and amended copy of the O.A. be given to the other sides.

5. Accordingly, M.A. stands disposed of without any order as to costs.

**VICE CHAIRMAN**

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

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

**DATE : 07.09.2023**

**ORAL ORDER :**

Heard Ms. Anagha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Shri N.U. Yadav, learned P.O. for the respondent authorities.

2. After amendment is carried out, issue notice to the substituted respondent No. 4, returnable on 12.10.2023.

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

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

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

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

7. S.O. to 12.10.2023.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 954 OF 2022**  
**(Sahebrao S. Rathod Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
(This matter is placed before the Single Bench  
due to non-availability of Division Bench)

**DATE : 07.09.2023**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned counsel holding for S.S. Thombre, learned counsel for the applicant and Shri N.U. Yadav, learned P.O. for the respondent authorities.

2. Learned counsel for the applicant submits that though in the present matter issue notices order has been passed and though notices were collected, could not be dispatched. He has therefore, prayed for issuance of fresh notices to the respondents concerned. Request is accepted.

3. Issue fresh notices to the respondents, returnable on 26.10.2023.

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

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

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

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

8. S.O. to 26.10.2023.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.547/2023**  
**(Ashok Ram Giri Vs. State of Maharashtra & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

Heard Shri M.B.Kolpe, learned counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities.

2. The applicant has preferred the present O.A. seeking necessary directions against the respondent no.4 to grant protection to him under section 20 of the Rights of Persons with Disabilities Act, 2016.

3. The applicant who is serving as a Police Head Constable suffered attack of paralysis on 25-01-2021. Immediately thereafter on 11-02-2021 he suffered second attack of paralysis. He was required to undergo intense medical treatment and was unable to join his duties. It is the case of the applicant that in fact he was completely incapacitated to perform any job. In the circumstances, request was made by the applicant to continue to pay him monthly salary as if he is on duty so that he could survive.

4. As is revealing from the pleadings in the O.A., applicant was referred by the respondents to appear before the Medical Board and accordingly he appeared before the Medical Board on 04-01-2022. The Medical Board declared him temporarily unfit to join the duties and perform work. Thereafter, again he was referred to the Medical Board on 06-01-2023 and he was declared temporarily unfit for the period of 6 months. Lastly, the applicant was referred to Medical Board on 19-07-2023 and the Medical Board has now declared him completely and permanently incapacitated for further service in the department. The Medical Board has issued certificate in that regard on 19-07-2023 which is filed on record by the respondents themselves. In the aforesaid circumstances, the applicant has raised the grievance that the respondents should not have stopped paying him salary from January, 2023 onwards. The applicant has prayed for the benefits under section 20 of the Rights of Persons with Disabilities Act, 2016.

5. Respondent nos.2 to 5 have filed their joint affidavit in reply. Paragraph nos.12 and 13 of the said affidavit in reply are material for deciding the

issue which has arisen in the present matter. I deem it appropriate to reproduce the said paragraphs hereinbelow:

*“12. As regards to the contents of Para No. VI (10 & 11) of the Original Application, I say and submit that the provisions of Right of Person Disabilities Act, 2016 are not being ignored. His monthly salary is withheld for want of balance of leave to the credit of the applicant.*

*13. As regards to the contents of Grounds No. [I to IX] of the Original Application, I say and submit that the contentions raised by the applicant are denied by the deponent. I humbly say and submit that, the payment of monthly salary of the applicant beyond March, 2023 is withheld for non availability of leave balance to the credit of the applicant. I further say that, the benefits available under the provisions of section 20 of Disabilities Act, 2016 have never been denied to the applicant. In section 20 of Disabilities Act no where it has been mentioned that after acquiring disability the concerned Government servant should be paid the salary even after his leave balance is exhausted. I say that the department is ready to shift him to some other post with the same pay scale and service benefits if he is not suitable to the post which he is holding. It is not possible*

*to adjust against any post, he will be kept on a supernumerary post until a suitable post is available or he attains the age of superannuation whichever is earlier. I say that to make these benefits available, the applicant is required to join his duties first. But the applicant instead of doing so, requesting to pay him salary sitting in the home, which is not possible.*

*I further humbly say and submit that, the Standing Medical Board, Solapur vide its Certificate No. 313/2023 dated 19/07/2023 has now declared him completely and permanently incapacitated for further service. Hereto annexed and marked as ANNEXURE R-5 is the copy of the aforesaid certificate dated 19.07.2023 for kind perusal of this Hon'ble Tribunal.*

*I further say and submit that, in view of this Medical Certificate there is no alternative to the department to retire him from service on invalid pension as per provisions of Rule No. 68 of the Maharashtra Civil Services (Pension) Rules, 1982. Therefore, under these circumstances the orders of Hon'ble Supreme Court of India in the case of Kunalsingh vs. Union of India cannot be made applicable in the present case of the applicant. Hereto annexed and marked as ANNEXURE R-6 is the copy of aforesaid Rule No. 68 of M.C.S. (Pension) Rules, 1982 for kind perusal of this Hon'ble Tribunal.”*

6. Perusal of the above contentions as are taken by the respondents in their affidavit in reply would make it clear that respondents have not denied to extend the benefits under section 20 of the Rights of Persons with Disabilities Act, 2016 to the applicant provided the applicant also fulfills the obligations on his part. In his arguments, the learned P.O. submitted that the applicant must show his willingness to report to duty so that the further decisions can be taken.

7. Shri M.B.Kolpe, learned Counsel appearing for the applicant submitted that the applicant was always ready to resume the duty, however, his physical condition did not permit him to do so. Learned Counsel submitted that as the applicant is unable to move from one place to another without assistance, the applicant could not make it to join the duties and there was no intention to stay at home and simply ask for salary. Learned Counsel further submitted that if this is the requirement of the department the applicant will formally resume the duties within 2 weeks.

8. It appears to me that in view of the stand which has been taken by the respondents in their affidavit in reply and the reasons which are assigned by the applicant for not resuming the duties till date because of some compelling medical reasons, the present O.A. can be disposed of without going into the merits of the pleadings in the O.A. as well as in the affidavit in reply with following directions:

[i] The applicant shall resume duties within 2 weeks from the date of this order.

[ii] Respondents shall then take a conscious decision in consonance with the provisions under section 20 of the Rights of Persons with Disabilities Act, 2016 whether any work can be given to the applicant which can be performed by him or else to pay him the salary of the post by keeping the applicant on supernumerary post until the suitable post becomes available on which the applicant can work or the applicant attains the age of superannuation, whichever is earlier.

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[iii] Respondents shall take a conscious decision in regard to the absence of the applicant in the meanwhile period having regard to the recommendations of the Medical Board and considering the provisions under the Act of 2016 within 4 weeks from the date of this order.

[iv] O.A. stands allowed in the aforesaid terms without any order as to costs.

**VICE CHAIRMAN**

**M.A. No. 50/2023 in O.A. St. No. 3100/2022  
(Dattatray Gangadhar Shelke Vs. State of Maha. & Ors.)**

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

**DATE : 07.09.2023**

**ORAL ORDER :**

Heard Shri A.G. Ambetkar, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. The present Misc. Application is filed seeking condonation of delay, which has occasioned in preferring the accompanying O.A. annexed with the present M.A. by the applicant before this Tribunal.

3. The Original Application is filed praying for refund of the amount, which was deducted towards the house rent from the salary of the applicant. The alleged recovery is stated to have been made prior to 2012. The O.A. is however, filed on 23.01.2023. The delay is thus almost of the period of 10 years.

4. It is the contention of the applicant that after the alleged recovery was made from the salary of the applicant, he had made representation on 03.08.2012 and the same was not decided by the concerned authority. It is the further contention of

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the applicant that he was awaiting the decision on his said representation. It is further mentioned that thereafter the applicant personally approached to the respondent authorities after his retirement, however, he did not get any satisfactory answer.

5. Learned counsel for the applicant submitted that the aforesaid amount has been illegally recovered from the salary of the applicant in contravention of the provisions of the G.Rs., which were existing in the relevant period. Learned counsel submitted that the applicant hesitated in making application during the period of service and that is also one of the reason he did not approach this Tribunal within time. Learned counsel submitted that there is no mala-fide intention of the applicant in approaching late to this Tribunal. It is further contended that considering the genuineness in the claim so preferred by the applicant he needs to be given an opportunity to prosecute his matter on merits.

6. Learned counsel for the applicant has relied upon the judgment of the Hon'ble Bombay High Court in the case of **Sanjay Sadashiv Jadhav and**

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**Ors. Vs. Joint Director, Higher Education, Aurangabad, 2015(6) AIR Bom R 278.** Learned counsel has also relied upon the judgments of the Hon'ble Supreme Court in the case of **Improvement Trust, Ludhiana Vs. Ujagar Singh and Ors., 2010 (6) SCC 786** and **N. Balakrishnan Vs. M. Krishnamurthy, 1988 AIR (SC) 3222.** Learned counsel invited my attention to the observations made by the Hon'ble Bombay High Court in para No. 12 in the case of **Sanjay Sadashiv Jadhav** (cited supra).

7. The submissions as are raised on behalf of the applicant are opposed by the learned P.O. Learned P.O. submitted that no sufficient reasons are assigned by the applicant for condonation of delay, which is of huge period of more than 9 years. Learned P.O. submitted that without any just and sufficient cause made out, the delay cannot be condoned. He has, therefore, prayed for rejection of Misc. Application.

8. I have duly considered the submissions made on behalf of the applicant and the respondent authorities. I have gone through the contents of the M.A. and the reasons stated therein by the applicant

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in support of his contention for condonation of delay. I have also gone through the text of the judgments, which have been relied upon by the learned counsel for the applicant. There cannot be a dispute about the law laid by the Hon'ble Apex Court and Hon'ble Bombay High Court in the judgments, which are relied upon by the learned counsel. However, the ratio laid down in the said judgments would not apply to the present matter.

9. In the case of **Sanjay Sadashiv Jadhav and Ors. Vs. Joint Director, Higher Education, Aurangabad** (cited supra), the delay is not too long so as to be termed as inordinate. Hon'ble High Court has further observed that no laches were found attributed to the conduct of the petitioners therein. The aforesaid were the two reasons considered by the Hon'ble High Court while condoning the delay in the said matter. In the case of **Improvement Trust, Ludhiana Vs. Ujagar Singh and Ors.** (cited supra) also as has been observed by the Hon'ble Apex Court, the delay in filing the first appeal before District Judge, Ludhiana, for setting aside the sale has not been so huge warranting its dismissal on such hyper

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technical ground. The Hon'ble Apex Court has further observed that the appellant therein had taken all possible steps to prosecute the matter within time and in those circumstances, the delay was condoned and the matter was directed to be heard on merits. The Hon'ble High Court in the said matter in para No. 13 thereof has specifically observed that "each case has to be weighed from its facts and the circumstances in which the party acts and behaves." In the said matter as has been observed by the Hon'ble Apex Court, from the conduct, behavior and attitude of the appellant therein, it was not possible to say that the appellant was absolutely callus and negligent in prosecuting his matter. The facts in the present case are however, quite distinguishable.

10. In the present matter as has been calculated by the applicant himself, the delay is of the period of 3515 days i.e. more than 9 and ½ years. The reasons for occurrence of delay are stated by the applicant in para No. 14. I deem it appropriate to reproduce the entire said para No. 14, which reads thus :-

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*“14. The applicant submits that the delay of 3515 days is caused due to time spent in taking legal advice after his retirement, thereafter to meeting of the Advocate with consideration of strict lock-down and pandemic situation of COVID-19. The applicant facing several health issues due to overage. Thereafter, the applicant took time to make financial arrangements and seek appropriate legal opinion to file petition / original application. The delay caused is unintentional and the same may be condoned in the interest of justice.”*

11. Except the aforesaid reasons in the Misc. Application, no further justification has been given by the applicant. The alleged recovery was effected from the salary of the applicant in the period between 30.09.2008 and 03.08.2010. The cause of action in fact had thus arisen in the year 2008, when the recovery was commenced. The corona pandemic was during the period after March 2020. The applicant thus cannot have any justification in assigning the reason that because of corona pandemic situation, he could not approach this Tribunal within stipulated time. Another reason is that time was spent in taking legal advice. The period of more than 9 years cannot be required for taking legal advice. Another reason is given of health issues due to overage. However, there is no

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further explanation and not a single document is annexed to show that because of health problems, he could not take necessary steps for ventilating his grievance and challenge the alleged recovery.

12. It is well settled that if the sufficient cause is shown, the delay even of a longer period can be condoned, but if the applicant fails in showing any cause or circumstance, which can be said to be a sufficient cause, the delay of a smaller period also cannot be condoned. In the instant matter, the applicant has utterly failed in showing any sufficient cause for committing delay of more than 9 years to approach this Tribunal. I am therefore, not inclined to allow the present Misc. Application. Hence, the following order :-

**ORDER**

- (i) M.A. No. 50/2023 is rejected without any order as to costs.
- (ii) Consequently, O.A. St. No. 3100/2022 also stands dismissed.

**VICE CHAIRMAN**