

ORIGINAL APPLICATION NO.907 OF 2019
(Dr. N.V. Korde Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2021

ORAL ORDER :

Shri Jayant S. Deshmukh, learned Advocate for the applicant is **absent**. Heard Shri V.R. Bhumkar, learned Presenting Officers for the respondent nos.1 to 4 and Shri C.V. Dharurkar, learned Advocate for the respondent no.6. None appears on behalf of the respondent no.5.

2. Record shows that affidavit-in-reply is already filed by the respondent no.6.

3. Learned Advocate for the respondent no.6 point outs that interim relief is granted in this case.

4. Learned P.O. for the respondent nos.1 to 4 seeks short time for filing affidavit-in-reply. Time is granted.

5. S.O. to 25.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.111 OF 2020
(Rajendra S. Buwa Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2021

ORAL ORDER :

Shri Anand S. Deshpande, learned Advocate for the applicant is **absent**. Heard Smt. Deepali S. Deshpande, learned Presenting Officers for the respondents.

2. At the request of learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.
3. S.O. to 18.11.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.333 OF 2020
(Arjun M. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2021

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officers for the respondent nos.1 & 3 and Shri S.B. Patil, learned Advocate for the respondent no.2.

2. Learned Advocate for the applicant submits that the pleadings are required to be amended as regards recovery and refund, if any.

3. At the request of learned Advocate for the applicant, S.O. to 27.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.520 OF 2020
(Mutazabaddin Abdul Waheb Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2021

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officers for the respondents.

2. Affidavit-in-rejoinder filed by the applicant is taken on record and copy thereof has been served on the other side.

3. S.O. to 15.11.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.531 OF 2021
(Maruti M. Kakad Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2021

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officers for the respondent nos.1 to 3 and Shri Avinash S. Deshmukh, learned Advocate for the respondent no.4.

2. Affidavit-in-reply filed on behalf of the respondent no.4 is taken on record and copy thereof has been served on the other side.

3. Learned C.P.O. submits that he will file affidavit-in-reply on behalf of the respondent nos.1 & 2 during the course of day. It be taken on record and copy of the same be served upon learned Advocate for the applicant.

4. At the request of learned Advocate for the applicant, time is granted for filing affidavit-in-rejoinder.

5. S.O. to 24.11.2021. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO.612 OF 2021
(Dr. Arun B. Morale Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2021

ORAL ORDER :

Heard Shri Suresh P. Salgar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officers for the respondents.

2. The Original Application is filed challenging the impugned transfer order of the applicant dated 17.09.2021 (Exh. 'D') whereby he is transferred from his present post of Medical Officer, Primary Health Centre, Wadvani, Tal. Wadvani, Dist. Beed to Primary Health Centre, Nagrala, Tal. Devani, Dist. Latur.

3. The applicant was appointed as Medical Officer by appointment letter/G.R. dated 29.07.2019 (Exh. 'B') at Primary Health Centre, Wadvani, Tal. Wadvani, Dist. Beed. He joined on the said post on 14.08.2019. Since then, he is working there. His normal tenure is of three years. However, by impugned order dated 17.09.2021 (Exh. 'D'), the applicant has been transferred under Section 4(4) and 4(5) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005.

4. Learned Advocate for the applicant submitted that it is mid-term and mid-tenure transfer order. He pointed out

that in the foot note in clause no.1, it is mentioned that all the transfers incorporated in the documents Exb. 'D' are request transfers. He submitted that the applicant never made any application for request transfer. He, however, submits that the applicant is still working on the said post and he is not yet relieved.

5. Learned P.O. for the respondents opposes the submissions made on behalf of the applicant and seeks time to take instructions and file affidavit-in-reply on behalf of the respondents.

6. After having considered the impugned transfer order dated 17.09.2021 (Exh. 'D'), it appears that though in the initial part of the impugned transfer order it is mentioned that it is issued under Section 4(4) and 4(5) of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005, in the foot note of letter/G.R. it is mentioned that all the transfers made herein are request transfers. The applicant has denied that he made any application for request transfer.

7. In view of same, prima-facie, it seems that the impugned transfer order of the applicant is not in accordance of law and therefore, it is required to be stayed by granting ad-interim relief. Accordingly, ad-interim relief of stay is granted to the extent of present applicant in terms of prayer clause IX (D) till filing of reply by the respondents.

//3//

O.A.612/2021

8. Issue notice to the respondents, returnable on 16.11.2021.
9. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
10. 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.
11. 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.
12. 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.
13. S.O. to 16.11.2021.
14. Steno copy and Hamdast is allowed to both parties.
15. The present matter is placed on separate board.

MEMBER (J)

ORIGINAL APPLICATION NO.367 OF 2019
(Arvind Dattatraya Sulakhe Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2021

ORAL ORDER :

Heard Shri R.B. Ade, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officers for the respondents.

2. The present matter is already part heard.
3. By consent of both the parties, S.O. to 14.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.407 OF 2020
(Dr. Yashwant S. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2021

ORAL ORDER :

Heard Shri Shamsundar B. Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officers for the respondents.

2. By consent of both the parties, S.O. to 25.10.2021. Interim relief granted earlier to continue till then.

MEMBER (J)

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

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

DATE : 08.10.2021

ORAL ORDER :

Shri Anand D. Kawre, learned Advocate for the applicant is **absent**. Heard Shri D.R. Patil, learned Presenting Officers for the respondent nos.1 to 3 & 6 and Shri Suresh D. Dhongde, learned Advocate for the respondent nos.4 & 5.

2. As none present on behalf of the applicant, S.O. to 22.11.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.617 OF 2021
(Kiran P. Chaudhari Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2021

ORAL ORDER :

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

2. The Original Application is filed challenging the impugned transfer order of the applicant dated 09.08.2021 (Annex. 'A-6') and transfer order of the respondent no.4 dated 06.09.2021 (Annex. 'A-9') (wrongly typed in prayer clause (C) as Annex.-A-10).

3. By transfer order dated 09.08.2021, the applicant has been transferred from the post of Joint Sub-Registrar, Class-2, Jalgaon no.1 to the post/office of Joint Sub-Registrar, Class-2, Aurangabad no.2. By another transfer order dated 06.09.2021, the respondent no.4 has been transferred from the post of Joint Sub-Registrar, Class-2, Nashik no.1 to the post/office of Joint Sub-Registrar, Class-2, Jalgaon no.1 which post was held by the applicant.

4. The applicant was initially appointed as Junior Clerk from the category of Physically Handicapped (Blind) pursuant to the order dated 20.09.1997(Annex. 'A-3'). Thereafter, the applicant was promoted to the post of

Senior Clerk in the year 2005. Thereafter, in the year 2010, the applicant was promoted to the post of Sub-Registrar, Grade-1. Thereafter, in the year 2016, the applicant was further promoted to the post of Joint Sub-Registrar, Class-2. He was working on the said post at Jalgaon no.1 since 11.04.2018. The impugned transfer order of the applicant dated 09.08.2021 is general transfer order.

5. Learned Advocate for the applicant submits that the respondent had not taken into consideration the circular dated 15.12.2004 which was issued by General Administration Department (G.A.D.) regarding the Handicapped persons.

6. The applicant, thereafter, on 10.08.2021 made representation for accommodation at any of the five vacant posts in Dist. Jalgaon. His representation is at Annex. 'A-7' collectively.

7. Learned Advocate for the applicant fairly submitted that the applicant has been relieved from the present post on 01.09.2021. However, the respondent no.4 has been transferred in the place of applicant by subsequent order dated 06.09.2021. According to him the transfer order of the applicant is issued only to accommodate the respondent no.4 in his place.

8. In view of above, according to him both these orders are illegal and liable to be quashed and set aside. He, therefore, seeks interim relief at least in terms of prayer clause IX (E) to the extent of deciding his representation dated 10.08.2021.

9. Learned P.O. for the respondents opposes the submission made on behalf of the applicant and seeks time to take instructions and file reply on behalf of the respondents.

10. After having considered the facts as above, now it is evident that the applicant has been relieved from his present post. From the facts on record, it is doubtful that the transferring authority would have taken into consideration above said circular dated 15.12.2004 relied upon by the applicant. However, the representation made by him which is dated 10.08.2021 is still pending with the respondents. In the circumstances, in my considered opinion, at this stage, it would be just and proper to grant interim relief in terms of prayer clause IX(E) to the extent of deciding the representation of the applicant dated 10.08.2021 till filing of reply by the respondents. The representation of the applicant be decided at the earliest. It is ordered accordingly.

11. Issue notice to the respondents, returnable on 28.10.2021.

//4//

O.A.617/2021

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

13. 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.

14. 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.

15. 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.

16. S.O. to 28.10.2021.

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

18. The present matter is placed on separate board.

MEMBER (J)

ORIGINAL APPLICATION NO.716 OF 2019
(Bhaskar S. Rengade Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2021

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officers for the respondent no.1 and Shri Avinash D. Aghav, learned Advocate for the respondent no.2.

2. The Original Application is filed challenging the impugned transfer order of the applicant dated 05.08.2019 (Annex. 'A-2') issued by the respondent no.1 whereby the applicant was transferred from the post of Block Development Officer (B.D.O.), Panchayat Samiti, Akole, Dist. Ahmednagar to Block Development Officer (B.D.O.), Panchayat Samiti, Akrani-Dhadgaon, Dist. Nandurbar.

3. Today, learned Advocate for the applicant produced the copy of G,R, dated 12.08.2021 issued by the respondent no.1 whereby the applicant has been transferred as Block Development Officer (B.D.O.), Panchayat Samiti, Shahapur, Dist. Thane. The same is taken on record and marked as document 'X' for the purpose of identification.

4. Learned Advocate for the applicant submits that the grievance of the applicant is thereby redressed.

//2//

O.A.716/2019

5. In view of above, the Original Application is disposed of as grievance of the applicant is redressed. No order as to costs.

MEMBER (J)

**M.A.ST.NO.889/2021 WITH M.A.ST.NO.890/2021
WITH
M.A.NO.111/2020 IN O.A.ST.NO.1964/2018
(Madhav B. Marde & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 08.10.2021

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officers for the respondent nos.1 to 5. Shri G.N. Patil, learned Advocate for the respondent no.6 is **absent**.

2. By consent of both the parties, S.O. to 21.10.2021.

MEMBER (J)

M.A.NO.79/2020 IN O.A.NO.129/2019
(Tejrao B. Gadekar Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2021

ORAL ORDER :

Heard Shri Jitendra N. Patil, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officers for the respondent nos.1 & 2. Smt. Vaishali Chaudhari, learned Advocate for the respondent nos.3 & 4 is **absent**.

2. S.O. to 29.10.2021 for order.

MEMBER (J)

ORIGINAL APPLICATION NO.832 OF 2018
(Shaikh Nasir Sk Miya Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2021

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officers for the respondents.

2. The present matter is already part heard.
3. By consent of both the parties, S.O. to 13.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.748 OF 2017
(Parasram N. Sonawane Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2021

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officers for the respondent nos.1,2,4,5 & 6 and Smt. S.S. Bhuse, learned Advocate for the respondent no.3.

2. At the request of learned P.O., time is granted for filing affidavit-in-reply of concerned respondents to the amended O.A.

3. S.O. to 16.11.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.52 OF 2019
(Shabna Begum Amjad Khan Pathan Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2021

ORAL ORDER :

Heard Shri Shaikh Wajeed Ahmed, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officers for the respondents.

2. By consent of both the parties, S.O. to 21.10.2021. for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 583/2018
(Sahebrao A. Sormare Vs. State of Maharashtra & Ors.)

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

DATE : 8.10.2021

ORAL ORDER :

1. Present matter was heard finally on 15.9.2021 and it is closed for order.
2. On going through the record of the proceedings, it reveals that, in the affidavit in reply filed by the respondents there is reference regarding the Complaint U.L.P. No. 53/2002 and Misc. Application (U.L.P.) No. 01/2006 filed by the applicant before the learned Member of Industrial Court, Jalna. However, the applicant has not disclosed this fact in the present O.A. filed before the Tribunal nor has the applicant responded to the same in his rejoinder affidavit.
3. It is necessary to know what were the prayers of the applicant before the learned Member of Industrial Court and what type of evidence he had placed before the learned Member of Industrial Court and whether the relief prayed for therein is connected with the cause of action in this O.A. In addition, the applicant has mentioned that he had submitted his joining report before the respondents along with medical

::-2-::

O.A. NO. 583/2018

fitness certificate, however, he has not placed on record any acknowledgement thereof to fortify his such averments.

4. In order to ascertain all these facts, the present matter be placed on board on 11.10.2021 for re-hearing.

MEMBER (A)

**ORIGINAL APPLICATION NO. 04/2020
(Chhaya S. Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
DATE : 08.10.2021**

ORAL ORDER :

Heard Shri Deelip S. Mutalik, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned Advocate has filed rejoinder affidavit of the applicant. It is taken on record and copy thereof has been supplied to the learned Presenting Officer for the respondents.

3. In the circumstances, S.O. to 29.10.2021.

MEMBER (A)

**O.A. NOS. 860, 861, 862, 863 AND 864 ALL OF 2019
(Vitthal H. Desale & Ors. Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
DATE : 08.10.2021**

ORAL ORDER :

Heard Shri Deelip S. Mutalik, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicants in all these 5 matters and Shri D.R. Patil, learned Presenting Officer for the respondents in all these 5 matters.

2. Learned Presenting Officer has filed separate affidavit in replies of the respondents in respective cases. The same are taken on record and copies thereof are supplied to the learned Advocate for the respective applicants.

3. In the circumstances, S.O. to 29.10.2021 for filing rejoinder affidavit/s, if any, by the respective applicants in respective cases.

MEMBER (A)

**M.A. 457/2019 IN O.A. ST. 1693/2019
(Sakharam B. Rakh Vs. State of Maharashtra & Ors.)**

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

DATE : 08.10.2021

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent no. 1 and Shri S.B. Mene, learned Advocate for respondent nos. 2 to 4.

2. Learned Advocate for the applicant seeks time to furnish the information about pendency of bills of Travelling Allowance and cause for delay in making representations to the authorities, by the applicant.

3. Learned C.P.O. appearing for respondent no. 1 and learned Advocate appearing for respondent nos. 2 to 4 seek time to file affidavit in reply of the respective respondents after getting the details from the applicant. Time as prayed for is granted.

4. S.O. to 16.11.2021.

MEMBER (A)

ORIGINAL APPLICATION NO. 498/2021
(Navnath R. Sanap Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
DATE : 08.10.2021

ORAL ORDER :

Heard Shri Omprakash D. Mane, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has placed on record a copy of communication dated 6.10.2021 bearing outward No. आस्था-प्रलि/मु.अर्ज क्रं. ४९८-२०२१/२०२१/५६२, addressed to the Chief Presenting Officer, M.A.T., Aurangabad Bench by the respondent no. 2, the Superintendent of Police, Beed. The said document is taken on record and marked as document 'X' for the purpose of identification. In the said communication the respondent no. 2, the Superintendent of Police, Beed is conceding that the entry regarding native place of the applicant has been corrected in the official record and suitable decision in respect of transfer of the applicant will be taken in the general transfers of next year. However, the learned Presenting Officer has no instructions as to what constrained the respondents to take corrective steps as regards the impugned transfer of the applicant in the current year itself.

3. In view of above, the impugned transfer order of the applicant dated 23.8.2021 issued by the respondent no. 2

::-2-::

O.A. NO. 498/2021

needs rectification without waiting for general transfers for the year 2022.

4. Accordingly the respondent no. 2 is directed to rectify the impugned transfer order dated 23.8.2021 of the applicant within a period 2 weeks from today and report the compliance thereof to this Tribunal on the next date.

5. S.O. to 22.10.2021 for reporting compliance on the above line by the respondent no. 2.

MEMBER (A)

ORIGINAL APPLICATION NO. 546/2021
(Dipak V. Rohakale Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2021

ORAL ORDER :

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

2. Learned Advocate for the applicant has placed on record service affidavit of respondent no. 4 along with postal acknowledgement. The same is taken on record.

3. Learned Presenting Officer has filed affidavit in reply of the respondent nos. 1 & 2, which is connected to the meeting of the Civil Services Board. It is taken on record and copy thereof has been supplied to the learned Advocate for the applicant.

4. On cursorily going through the said affidavit in reply of respondent nos. 1 & 2 the learned Advocate for the applicant has contended that the proposal of transfer of the applicant namely Shri Dipak Vitthal Rohakale was not proposed by the Civil Services Board and the said transfer has been ordered without stating any specific reason and without following the

prescribed provisions as laid down in the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (for short the Transfer Act, 2005). For the said submissions he specifically refers to the contents of para 7 of the affidavit in reply of the respondent nos. 1 & 2, which reads as under :-

“7. As regards to the contents of Para No. 4 (vii to ix) of the Original Application, I say and submit that the contentions raised by the applicant are denied by the present respondents. I say and submit that the name of the applicant is already in request consideration list of Civil Services Board. I most humbly say and submit that, as per the provisions of Transfer Act the Hon’ble Minister has power to transfer the employees working in the office of respondent no. 1, therefore considering the administrative work load and necessary, the Hon’ble Minister has recommended the applicant for transfer from Rahuri to Shrigonda. The copy of record showing transfer of the applicant is already filed by the respondents on 30.9.2021 before this Hon’ble Tribunal as well as the copy of said record is supplied to the Advocate of the applicant with the permission of this Hon’ble tribunal and the copy of said record is annexed herewith and marked as Annexure R-2.”

6. Learned Presenting Officer appearing for the respondents is unable to show any provision of the

::-3-::

O.A. NO. 546/2021

Transfer Act, 2005, which provides unfettered power to the authorities mentioned in that part of affidavit in reply to effect the transfer of the applicant, without following the prescribed procedure as laid down in the Transfer Act, 2005.

7. On examination of record it is noticed that the proposal has been approved by the Revenue Minister on recommendation of A.C.S. (Revenue) and Minister of State for Revenue. Therefore, matter needs further deliberation.

8. S.O. to 12.10.2021.

MEMBER (A)

**ORIGINAL APPLICATION NO. 799/2019
(Bhura R. Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
DATE : 08.10.2021**

ORAL ORDER :

Heard Shri Hrishikesh A. Joshi, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. By the order dated 8.2.2019 the present matter has been admitted by this Tribunal and was posted to 20.3.2019 for final hearing. Thereafter, the parties are seeking adjournments. On 6.3.2020 when the matter was placed before the Tribunal, the learned Advocate for the applicant sought time for production of relevant seniority list considered for promotion.

3. However, today when the matter was called out, the learned Advocate for the applicant has brought to the notice of the Tribunal that the concerned seniority list is already on record at page nos. 20 to 25 of the paper book of which are not legible and therefore, he submitted legible copy of page No. 21-A in which the name of applicant is at Sr. no. 65. However, the said document does not appear to be seniority list because it is exhibited as “कनिष्ठ लिपीक / लिपीक नि टंकलेखक या पदावर पदोन्नतीसाठी पात्र असणा-या चतुर्थ श्रेणी कर्मचा-यांची (हमाल / कार्यशाळा परिचर / भांडार परिचर / माळी / पहारेकरी / ड्रेसर / लॅब अटेंडेंट इत्यादी) दिनांक ३१.१२.९७ अखेर पर्यंतची

::-2-::

O.A. NO. 799/2019

तात्पुरती सेवा” and the columns of date of joining the service, date of Birth, date of passing S.S.C. examination, due date for promotion as per seniority are blank.

4. Therefore, the learned P.O. is directed to produce on record copy of relevant complete seniority list of the applicant.

5. S.O. to 22.10.2021.

6. The present matter be treated as part heard.

MEMBER (A)

**O.A. NOS. 192, 193 and 194 ALL OF 2019/2019
(Kashinath T. Soundalkar & Ors. Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
DATE : 08.10.2021**

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicants in all these cases and S/shri M.P. Gude, D.R. Patil & N.U. Yadav, learned Presenting Officers for the respondent no. 3 in respective cases and Shri S.B. Mene, learned Advocate for respondent nos. 1 & 2 in all these cases.

2. Respondent no. 3 was added on request of learned Advocate appearing for respondent nos. 1 & 2 and notice to the added party respondent was ordered on 30.8.2021. However, on the next date i.e. on 27.9.2021 when the matter was placed on board, it was seen that affidavit in reply of respondent no. 3 had not been filed and therefore time was sought therefor till today. Today also, the learned P.O. seeks time for filing reply of respondent no. 3. In the circumstances, the respondent no. 3 is being given last opportunity to file affidavit in reply by 22.10.2021 and supply copy thereof to other side in advance.

3. Matter to come on board for final hearing on 25.10.2021.

MEMBER (A)

**ORIGINAL APPLICATION NO. 365/2019
(Nilesh W. Mahajan Vs. State of Maharashtra & Ors.)**

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

DATE : 08.10.2021

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent no.1 and Shri V.G. Pingle, learned Advocate for respondent no. 2.

2. Record shows that the respondents have already filed their affidavit in replies.

3. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit.

4. Thus, the pleadings are complete and therefore the present O.A. is hereby admitted.

5. Matter to come on board on 29.10.2021 for final hearing.

MEMBER (A)

C.P. No. 19/2020 IN O.A.NO. 704/2017

(Asman D. Garje & Ors. Vs. State of Maharashtra & Ors.)

WITH

C.P. No. 27/2020 IN O.A.NO. 749/2017

(Mohammad Abdul Hai & Ors. Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 8.10.2021

ORAL ORDER :

Heard Shri Dilip Mutalik, learned Advocate holding for Shri Jayant B. Choudhary, learned Advocate for the applicants in both the cases and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in both the cases.

2. On the last occasion i.e. on 9.8.2021, learned Presenting Officer had stated that the Writ Petition Nos. 1683 & 1684 both of 2021 are preferred by the respondents against the order dated 18.12.2019 passed by this Tribunal in O.A. Nos. 714 & 749 both of 2017.

3. In view of the above, learned Presenting Officer is directed to place on record the status of the aforesaid Writ Petitions by the next date of hearing.

4. S.O. to 29.11.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 385 OF 2020
(Rajinder Singh Shobha Singh Kolhapure Vs. State of
Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate holding for Shri R.D. Khadap, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 24.11.2021 for filing rejoinder affidavit.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 278 OF 2021

(Dr. Udaykumar D. Padhye Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 8.10.2021

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks one week's time. Time granted.

3. S.O. to 18.10.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 490 OF 2020
(Vivek S. Sonawane Vs. State of Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

Heard Shri Vivek G. Pingle, learned Advocate for the applicant and Shri D.R Patil, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time for filing rejoinder affidavit. Time granted.

3. S.O. to 25.11.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 491 OF 2020
(Rajinkant D. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks time for filing rejoinder affidavit. Time granted.

3. S.O. to 25.11.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 520 OF 2020
(Varsha V. Kulkarni & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

Shri Santosh S. Jadhavar, learned Advocate for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, present.

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

3. S.O. to 25.11.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 539 OF 2021
(Jagannath S. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

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

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

3. S.O. to 29.11.2021.

MEMBER (A)

MEMBER (J)

**M.A.ST.291/2020 IN O.A.NO. 493/2018
(Rajendra K. Shimpi Vs. State of Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

Heard Shri Ashishkar Rajkar, learned Advocate holding for Shri H.A. Joshi, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time. Time granted.

3. S.O. to 21.10.2021.

MEMBER (A)

MEMBER (J)

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

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

DATE : 8.10.2021

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 30.11.2021.

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

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

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

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

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 30.11.2021.

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

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 608 OF 2021
(Pawansin R. Bighot Vs. State of Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 30.11.2021.

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

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

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

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

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 30.11.2021.

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

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 614 OF 2021
(Varsha V. Malaskar Vs. State of Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

Heard Shri Pramod C. Mayure, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 15.11.2021.

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

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

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

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

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 15.11.2021.

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

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 530 OF 2021
(Priya R. Awhad Vs. State of Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

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

2. The Hon'ble High Court of Judicature at Bombay Bench at Aurangabad by order dated 23.9.2021 passed in W.P. No. 10574/2021 has been pleased to observe that the Tribunal may endeavour to decide the matter before 31.10.2021. In these situation, both the parties have to cooperate this Tribunal in deciding the present O.A. at the earliest.

3. Learned Chief Presenting Officer seeks one week's time for filing affidavit in reply. Time granted as a last chance.

4. S.O. to 13.10.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 755 OF 2019
(Dr. Prashant N. Suryawanshi Vs. State of Maharashtra
& Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit.
3. The present O.A. is pertaining to appointment. It is admitted and fixed for final hearing.
4. S.O. to 24.11.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 62 OF 2020

(Dr. Maheshkumar L. Mane Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 8.10.2021

ORAL ORDER :

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

2. At the request of learned Chief Presenting Officer, S.O. to 28.10.2021 for enabling him to file affidavit in reply on behalf of the respondents.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 449 OF 2020
(Yogesh M. Panchwatkar Vs. State of Maharashtra &
Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

Heard Shri Ujjwal S. Patil, learned Advocate holding for Shri N.E. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 29.11.2021 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 260 OF 2021
(Ramrao K. Yadav & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

Heard Shri Sandeep D. Munde, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. The record shows that affidavit in reply has already been filed on behalf of respondent Nos. 1 to 6. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit.

3. The present O.A. is pertaining to the limited departmental examination for the promotional post of Agriculture Supervisor. It is fixed for hearing at the stage of admission itself.

4. S.O. to 27.10.2021.

MEMBER (A)

MEMBER (J)

**M.A.NO. 463/2019 IN O.A.NO. 436/2017
(Shreya B. Mamode Vs. State of Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

Heard Ms. Angha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the applicant does not wish to prosecute the present M.A. No. 463/2019 In O.A. No. 436/2017 further and she seeks permission of this Tribunal to withdraw the same.

3. Permission granted. Withdrawal is allowed. Accordingly, the present M.A. No.463/2019 stands disposed of as withdrawn with no order as to costs.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 436 OF 2017
(Shreya B. Mamode Vs. State of Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

Heard Ms. Angha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. S.O. to 16.11.2021.

MEMBER (A)

MEMBER (J)

**C.P.NO. 19/2021 IN O.A.NO. 890/2018
(Shaikh Hajrabee Vs. State of Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The record shows that vide modified order dated 16.2.2021 passed in M.A. No. 35/2021 In O.A. No. 890/2018 the directions were issued to respondent No. 1 i.e. the Government to take appropriate decision as per rules on the proposals dated 11.8.2017 and 12.6.2019 forwarded by respondent No. 3 i.e. the Dean, Swami Ramanand Tirth Rural Govt. Medical College, Ambajogai, Tq. Ambajogai, District Beed.

3. The applicant has come out with the contention that now the respondent No. 4 i.e. the Joint Director, Medical Education and Research, Mumbai, who was not party in O.A. No. 890/2018, by his letter dated 14.7.2021 has rejected the proposal of regularization of service of all the applicants in O.A. However, it is a matter of record that respondent No. 4 was not a party in the O.A.. In these circumstances any relevant copy sought in C.P. arising out

**:: - 2 - :: C.P.NO. 19/2021 IN
O.A.NO. 890/2018**

of the order passed in O.A. Learned Advocate for the applicant seeks permission of this Tribunal to delete the name of respondent No. 4. Permission granted.

4. After carrying out the necessary amendment by the learned Advocate for the applicant, issue notice to the respondents, returnable on 29.11.2021.

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

6. 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.

7. 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.

8. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained

**:: - 3 - :: C.P.NO. 19/2021 IN
O.A.NO. 890/2018**

and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

9. S.O. to 29.11.2021.

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

MEMBER (A)

MEMBER (J)

**M.A.NO. 274/2021 IN O.A.NO. 25/2021
(Shankar P. Dange Vs. State of Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

Heard Shri R.J. Nirmal, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri S.B. Jadhav, learned Advocate for respondent No. 4.

2. The record shows that one opportunity was granted to the respondents for filing affidavit in reply. The present M.A. is filed by the applicant seeking permission to amend the O.A. No. 25/2021. Time is granted as a last chance for filing affidavit in reply.

3. S.O. to 16.11.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 57 OF 2018
(Uttam T. Dabhade & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 8.10.2021

ORAL ORDER :

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

2. During the course of the argument, learned Advocate for the applicants has submitted that Shri Mohd. Faisoddin Ansari, who at the relevant time was working as Deputy Manager with respondent No. 3, Government Medical College & Hospital, Aurangabad, and also one of the accused along with these applicants in Regular Criminal Case No. 56/1995. By order dated 28.11.2014 all the said accused Nos. 1 to 4 were acquitted in the said case by the Learned Judicial Magistrate at Aurangabad. He further submits that after acquittal order the said M.F. Ansari had filed O.A. before this Tribunal seeking pension and the said O.A. is disposed of. However, he does not know about the said details. According to him, learned Presenting Officer must be having details of the said O.A. If any such O.A. was filed by the said M.F. Ansari, learned Presenting Officer to make endeavor to find out the said details of the O.A. and place on record by the next date of hearing.

3. Today, learned Presenting Officer has placed on record documents showing that the departmental enquiry was held separately against the said M.F. Ansari and in the said enquiry the charges were proved against him also. Today, he placed on record relevant copy of the said report and other documents under index and the same is taken on record and marked as document 'X' for the purpose of identification.

4. In the circumstances as above, if O.A. is considered, we find that no pleadings are raised about the said M.F. Ansari, but the arguments were advanced. In the circumstances, the applicant to file short affidavit placing all the details available with him about the said M.F. Ansari relating to this case, by the next date.

5. S.O. to 27.10.2021.

MEMBER (A)

MEMBER (J)

M.A.NO. 578/2019 IN O.A.NO. 829/2018
(Kiran Pranav P. Kolte Vs. State of Maharashtra & Ors.)

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

DATE : 8.10.2021

ORAL ORDER :

Heard Ms. Angha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the applicant does not wish to prosecute the present M.A. No. 578/2019 In O.A. No. 829/2018 further and she seeks permission of this Tribunal to withdraw the same.

3. Permission granted. Withdrawal is allowed. Accordingly, the present M.A. No.578/2019 stands disposed of as withdrawn with no order as to costs.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 829 OF 2018
(Kiran Pranav P. Kolte Vs. State of Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

Heard Ms. Angha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. S.O. to 29.10.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 260 OF 2019
(Mukund B. Jagtap Vs. State of Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. By consent of both the parties, S.O. to 22.11.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 762 OF 2018
(Sahebrao D. Deshmukh & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 8.10.2021

ORAL ORDER :

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

2. By consent of both the parties, S.O. to 18.11.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 849 OF 2018
(Dr. Vinod A. Kakade & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 8.10.2021

ORAL ORDER :

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

2. By consent of both the parties, S.O. to 23.11.2021.

MEMBER (A)

MEMBER (J)

REV. 8/2017 IN O.A.NO. 498/2013
(Shivraj D. Hawanna Vs. State of Maharashtra & Ors.)

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

DATE : 8.10.2021

ORAL ORDER :

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

2. By consent of both the parties, S.O. to 15.11.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 804 OF 2017
(Prakash D. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

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

2. By consent of both the parties, S.O. to 15.11.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 39 OF 2018
(Ravi S. Wankhade Vs. State of Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

Heard Shri Sandesh R Patil, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. By consent of both the parties, S.O. to 16.11.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 213 OF 2018
(Balaji N. Sontakke Vs. State of Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. By consent of both the parties, S.O. to 16.11.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 383 OF 2018
(Meraj Begum Syeed Vs. State of Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

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

2. By consent of both the parties, S.O. to 17.11.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 476 OF 2018
(Aasha S. Khairnar Vs. State of Maharashtra & Ors.)**

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

DATE : 8.10.2021

ORAL ORDER :

Heard Shri Sandesh R. Patil, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. By consent of both the parties, S.O. to 17.11.2021.

MEMBER (A)

MEMBER (J)

M.A.NO. 309/2021 IN T.A.NO. 2/2021
(Smt. Samiksha R. Chandrakar & Anr. Vs. State of Maha. & Ors.)

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

DATE : 8.10.2021

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Advocate for the applicants, Shri M.S. Mahajan, learned Special Counsel and learned Chief Presenting Officer for respondent Nos. 1 to 4 and Shri Ujjal S. Patil, learned Counsel for respondent Nos. 5 to 10.

2. Learned Chief Presenting Officer has filed affidavit in reply on behalf of respondent No. 1 in M.A. No. 309/2021 and the same is taken on record and copy thereof has been served on the other side.

3. Today, learned Advocate for the applicant has filed additional affidavit in M.A. No. 309/2021 and the same is taken on record and copy thereof has been served on the other side.

4. Learned Chief Presenting Officer seeks time for filing response to the additional affidavit filed by the applicant today. Time granted.

5. S.O. to 20.10.2021.

MEMBER (A)

MEMBER (J)

**M.A. 305/21 IN T.A. 2/2021 (W.P.NO. 2612/2021)
(The State of Maharashtra & Ors. Vs. Samiksha R.
Chandrakant & Anr.)**

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

DATE : 8.10.2021

ORAL ORDER :

Heard Shri Shri M.S. Mahajan, learned Special Counsel and learned Chief Presenting Officer for applicants in M.A. No. 305/2021 & Shri Ajay Deshpande, learned Advocate for the respondents in preset M.As. / applicants in T.A.

2. Shri Ajay Deshpande, learned Advocate for the respondents in the present M.As / applicants in T.A. has filed affidavit in reply and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 20.10.2021 for hearing on the point of vacation of interim relief.

MEMBER (A)

MEMBER (J)

**M.A. 310/21 IN T.A. 2/2021 (W.P.NO. 2612/2021)
(Vijay S. Deshmukh & Anr. Vs. Samiksha R. Chandrakar
& Anr.)**

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

DATE : 8.10.2021

ORAL ORDER :

Heard Shri Ujjawal S. Patil, learned Special Counsel for the applicants in M.A. (respondent Nos. 5 to 10 in T.A.), Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 to 4 in the present M.A. as well as T.A.) and Shri Ajay Deshpande, learned Advocate for respondent Nos. 5 & 6 in M.A. (applicants in O.A.).

2. Shri Ajay Deshpande, learned Advocate for the respondent Nos. 5 & 6 in the present M.A. / applicants in T.A. has filed affidavit in reply and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 20.10.2021 for hearing on the point of vacation of interim relief.

MEMBER (A)

MEMBER (J)

T.A.NO. 2/2021 (W.P. NO. 2612/2021)
(Smt. Samiksha R. Chandrakar & Anr. Vs. State of Maha. & Ors.)

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

DATE : 8.10.2021

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Advocate for the applicants, Shri M.S. Mahajan, learned Special Counsel and learned Chief Presenting Officer for respondent Nos. 1 to 4 and Shri Ujjal S. Patil, learned Counsel for respondent Nos. 5 to 10.

2. Learned Advocate for the applicants submits that the detailed affidavit in reply as stated on the last date is not filed on record by the respondents today.

3. S.O. to 20.10.2021. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 8.10.2021-HDD

T.A.NO. 1/2021 (W.P. NO. 4908/2021)
(Shivaji T. Shinde & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 8.10.2021

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicants, M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 & 2, Shri Ujjwal S. Patil, learned Special Counsel for respondent Nos. 3 to 5 and Shri C.V. Dharurkar, learned Advocate for respondent Nos. 6 to 8.

2. At the request made by the learned Advocates for the respective respondents, time is granted for filing affidavit in reply. S.O. to 20.10.2021.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 8.10.2021-HDD

Date : 08.10.2021

ORIGINAL APPLICATION NO. 620 OF 2021

(Dilip N. Dhonde V/s State of Maha. & Ors.)

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

1. Shri Sandeep D. Munde, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents, are present.

2. Circulation is granted. Issue notices to the respondents, returnable on 17.11.2021. The case be listed for admission hearing on **17.11.2021**.

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

4. Applicant is authorized and directed to serve on 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

08.10.2021/KPB registrar notice

Date : 08.10.2021
ORIGINAL APPLICATION NO. 619 OF 2021
(Rahul R. Wakle V/s State of Maha. & Ors.)

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

1. Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 18.11.2021. The case be listed for admission hearing on **18.11.2021**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on 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