

**ORIGINAL APPLICATION NOS. 599/2018, 600/2018, 601/2018, 602/2018, 603/2018, 604/2018, 605/2018, 606/2018, 738/2018, 915/2018 AND O.A. NO. 116/2019  
(Shri Vilas R. Mahajan & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Heard Shri Amol Savant, learned counsel for the applicants in all these matters and Shri M.P. Gude, learned Presenting Officer for the respondent authorities in all these matters.

2. In all these matters since the issues raised are common and the reliefs claimed are also identical I have heard all these matters together and deem it appropriate to decide all these matters by this common judgment.

3. The applicants are employees of the Land Records Department of the State of Maharashtra. The particulars about each of the applicant as to his date of appointment, qualification acquired by him and the post on which he was appointed are as under :-

<b>OA No. /Name of Applicant</b>	<b>Appointm ent on the post/ Date of Appointm ent</b>	<b>Computer proficiency acquired/ Typing qualification acquired</b>	<b>Impugned orders</b>
<b>O.A. No. 559/18</b> Vilas R. Mahajan	Surveyor 20.4.1990	MSCIT-March, 2013  Marathi Typ. <u>30 WPM</u> = <u>February - 2014</u>  <u>English Typ. 40 WPM</u> <u>February - 2014</u>	26.6.2018 and 19.7.2018
<b>O.A. No. 600/18</b> Ravindra S. Kadam	Nagar Bhumapan Lipik 25.2.2000	MSCIT-April, 2013  Marathi Typ. <u>30 WPM</u> = <u>February - 2014</u>  <u>English Typ. 40 WPM</u> <u>October - 1987</u>	18.6.2018 and 16.7.2018
<b>O.A. No. 601/18</b> Sandip P. Patil	Abhilekhpal (Record Keeper) 6.1.2000	MSCIT-August, 2022  Marathi Typ. <u>30 WPM</u> = <u>August - 2015</u>  <u>English Typ. 40 WPM</u> <u>August - 2015</u>	20.6.2018 and 19.7.2018
<b>O.A. No. 602/18</b> Nivrutti C. Suryawanshi	Junior Clerk 13.12.2003	MSCIT-July, 2005  Marathi Typ. <u>30 WPM</u> = <u>August - 1989</u>  <u>English Typ. 40 WPM</u> <u>February - 2014</u>	18.6.2018
<b>O.A. No. 603/18</b> Ganesh M. Marathe	Chhanani Lipik (Scrutiny Clerk) 29.5.2000	MSCIT-September, 2012  Marathi Typ. <u>30 WPM</u> = <u>July - 1991</u>  <u>English Typ. 40 WPM</u> <u>August - 1992</u>	18.6.2018

<b>O.A. No. 604/18</b> Vishwas L. Patil	Junior Clerk 25.2.2000	MSCIT-January, 2010  Marathi Typ. <u>30 WPM</u> = <u>February - 1998</u>  <u>English Typ. 40 WPM</u> <u>January - 1989</u>	19.7.2018
<b>O.A. No. 605/18</b> Sunil R. Patil	Surveyor (Hajeri Sahayyak) 31.12.2003	MSCIT-April, 2014  Marathi Typ. <u>30 WPM</u> = <u>February - 2016</u>  <u>English Typ. 40 WPM</u> <u>August - 2016</u>	21.6.2018
<b>O.A. No. 606/18</b> Ravindra S. Khare	Abhilekhpal (Record Keeper) 25.10.2005	MSCIT-July, 2007  Marathi Typ. <u>30 WPM</u> = <u>August - 2013</u>  <u>English Typ. 40 WPM</u> <u>August - 2013</u>	18.6.2018
<b>O.A. No. 738/18</b> Sunanda P. Borse	Junior Clerk 6.10.2005	MSCIT-Sept., 2011  Marathi Typ. <u>30 WPM</u> = <u>August - 2013</u>  <u>English Typ. 40 WPM</u> <u>August - 2013</u>	20.3.2018
<b>O.A. No. 915/18</b> Balu Ratan Aher	Surveyor 25.2.2000	MSCIT-December, 2002  Marathi Typ. <u>30 WPM</u> = <u>March - 2017</u>  <u>English Typ. 40 WPM</u> <u>March - 2015</u>	26.9.2018
<b>O.A. No. 116/19</b> Kishor N. Bharambe	Surveyor 25.2.2000	MSCIT-March, 2003  Marathi Typ. <u>30 WPM</u> = <u>February - 2014</u>  <u>English Typ. 40 WPM</u> <u>July - 1991</u>	22.6.2018

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4. In these Original Applications the applicants have sought the quashment of the orders passed on respective dates requiring the respective applicants to pay back the amounts as specified in the orders impugned by them on the common ground that despite having not acquired the required/requisite qualification in typing and the Computer Proficiency annual increments were granted to them. All these recoveries are directed vide the orders passed 2018 onwards. Particulars of the applicants as provided in the tabular form above, reveal that six of them joined in the year 2000, two in 2003, two in 2005, whereas one in 1990. The contents of the impugned order reveal that in the State Assembly certain issue was raised as about excess payment being made to the employees in Land Records Department though these employees do not possess requisite qualification. Assembly question was raised sometime in the year 2011. Based on that, the impugned orders are passed in year 2018. In O.A. Nos. 599/2018, 600/2018 and 601/2018 there are 02 orders directing recovery from the respective applicants of two different periods in two different offices. In all other matters there is only one order whereby recovery is directed.

5. The learned counsel for the applicants submitted that similar issue has been earlier dealt with by this Tribunal in O.A. No. 86/2012 (Chandrashekhar Tukaram Salunke Vs. The state of Maharashtra & Ors.) decided on 7.10.2015. The learned counsel has tendered the copy of the said judgment on record. The learned counsel pointed out that the applicant in the said OA was also an employee working in the Land Records Department and similar order was passed against him directing recovery of the amount on account of excess payment made to the said applicant though he was not holding the required/requisite qualification as per GR dated 6.5.1991 and in spite of that was granted the increments. In the said matter this Tribunal has elaborately dealt with the objections raised against the said impugned order and has ultimately set aside the said order.

6. I have carefully gone through the said judgment. Insofar as the recovery on account of not possessing the certificates of typing examination in Marathi or English as prescribed in the GR dated 6.5.1991 is concerned, the cases of these applicants

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are covered by the said judgment. In the present matters none of the applicant has been appointed on the post of Clerk-cum-Typist or Stenographer. In the circumstances, the Circulars and GRs referred to in that regard may not apply in the cases of these applicants.

7. Insofar as Computer Proficiency is concerned, GR dated 20.7.2002 mandates that every employee/Officer of the State Government must hold the Computer Proficiency and must have passed the MS-CIT examination. The officers and the employees who entered prior to 2001 in the Government employment are provided 4 years' period to acquire said Computer Proficiency or else provision is made for withholding their increments.

8. In the present matters it is the case of the respondents as is revealing from the impugned orders that despite the fact that none of these applicants acquired the Typing and Computer Proficiency as prescribed in the aforesaid GR dated 20.7.2002, increments were released in their favour. It is their further contention that after the aforesaid

fact was noticed by the concerned Officers, the excess payment allegedly made to all these applicants has been calculated and the applicants have been directed to refund the said amount to the Government. According to the respondents, they have not committed any error in directing such recovery.

9. As against it, the applicants have questioned the impugned recoveries on more than one ground. As has been submitted by the learned counsel for the applicants, in the cases of the applicants where recovery is also directed for not acquiring the requisite knowledge of Typing, such recovery cannot be sustained in view of earlier decision rendered by this Tribunal. Insofar as Computer Proficiency clause is concerned, the learned counsel submitted that none of applicants was ever required to submit such certificates or was ever warned before issuance of notices of recoveries in that regard. The learned counsel further submitted that in usual course the increments were awarded in favour of the applicants. He further submitted that it is not the case of the respondents that the applicants had

played any foul role or made any misrepresentation or played any fraud in getting awarded the increments. The learned counsel submitted that the applicants are admittedly Class-III employees. Referring to and relying on the judgment of the Hon'ble Supreme Court in the case of **State of Punjab and others etc. Vs. Rafiq Masih (White Washer) etc., AIR 2015 SC 596**, the learned counsel for the applicants submitted that even otherwise as per law laid down by the Hon'ble Supreme Court in the said judgment the recoveries are not permissible against employees falling in Class-III and Class-IV i.e. Group-C and Group-D employees, if the alleged excess payment is not at the behest of the employees and of the period in excess of five years preceding the date of the order of recovery. The learned counsel pointed out that insofar as recovery from Class-III and Class-IV employees are concerned, the Hon'ble Supreme Court has not provided any rider. Plain reading of the guidelines laid down lead to the only inference that recovery on account of wrong payment made to the Government employees falling in Class-III and Class-IV wherein no blame can be attributable on



the said employees, is not permissible. The learned counsel reiterated that even the Government has not made out any case that any misrepresentation or fraud was made by the applicants and as a result of said misrepresentation or fraud impugned increments were granted in their favour. In the circumstances, according to learned counsel the recoveries cannot be sustained.

10. The learned counsel pointed out that the recoveries are directed by the respondents after pronouncement of the judgment by Hon'ble Supreme court in the case of **State of Punjab and others etc. Vs. Rafiq Masih (White Washer) etc.** (cited supra). According to the learned counsel, respondents could not have directed such recoveries, contrary to the mandate given by the Hon'ble Apex Court in the aforesaid judgment.

11. It has been argued by the learned PO that the applicants are still in service and as provided in the judgment of **State of Punjab and others etc. Vs. Rafiq Masih (White Washer) etc.** (cited supra) payment wrongly made to the applicants within the

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preceding 5 years of passing of recovery orders can be recovered by them.

12. There is no dispute that the applicants did not secure the prescribed Typing and Computer Proficiency within the stipulated period. According to the respondents, the applicants were under an obligation to pass the typing examination in English, as well as, Marathi for a speed of not less than 30 w.p.m. in Marathi and 40 w.p.m. in English Typewriting. The respondents have relied upon G.R. dated 6.5.1991. I have gone through the said G.R. As per the said G.R. qualifying examinations in Marathi and English Typing are applicable to those who are holding the post of Clerk-Typist or Stenographer and not to the post of Junior Clerk, Bhumapak, Record Keeper and Surveyor. None of the applicants in the present matter was holding the post of Clerk-cum-Typist, Typist or Stenographer. It is thus, evident that the said circular would not apply in the matters of the applicant. It appears that in the Recruitment Rules published vide Notification dated 17.12.2011 in respect of appointments to be made of the employees falling in

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Group 'C' in Land Records office which comes under the control of Revenue & Forest Department, to acquire certificate of Typing for Marathi 30 w.p.m. and English 40 w.p.m. within 2 years of their appointment in the said department was mandatory. According to the respondents, since the applicants did not acquire the said qualification and in spite of that were granted increments, the monetary benefits received by such employees without entitlements are sought to be recovered by them and the respondents have not committed any error in directing such recoveries.

13. In all these matters the recoveries are directed of the period up to 2013-14 starting from year 2008. In each matter the dates are different, however, period is of an average same i.e. up to year 2014 preceding to year 2008. The recoveries are admittedly, directed in the year 2018. Question arises whether respondents can effect such recoveries from these employees of the payments allegedly made in excess of their entitlement as per the contention of the respondents. It is not the contention of the respondents that in the alleged

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excess payment received to the applicants there is any role of these applicants. The respondents have not alleged that the alleged excess payment was made to the applicants because of any misrepresentation by the applicants or that the applicants are guilty of furnishing any incorrect information which led the competent authority concerned to commit the mistake of granting increments to them. The alleged excess payment made to these applicants was not on account of any misrepresentation made by them nor was it on account of any fraud committed by them. In the circumstances, as laid down by Hon'ble Supreme Court in the case of **State of Punjab and others etc. Vs. Rafiq Masih (White Washer) etc.** (cited supra) the recoveries directed from the present applicants who admittedly belong to Class-III category is impermissible in law. It has been argued on behalf of all these applicants that the recoveries directed against all these applicants would cause them great hardship even if recoveries are made in installments. It further appears that the alleged excess payment has been made to the applicants for the period in excess of 5 years before order of

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recovery is issued. As has been brought to my notice by the learned counsel for the applicants that now each of the applicants have acquired qualification in Typing and Computer Proficiency as prescribed.

14. Insofar as the recoveries on the ground that the applicants did not acquire the Typing qualification in other words did not pass the Typing Test as prescribed is concerned, similar issue was raised in the case of **Chandrashekhar Tukaram Salunke Vs. State of Maharashtra & Ors., O.A. No. 86/2015** and the recovery directed on the said ground has been set aside by this Tribunal vide order dated 7.10.2015 passed in the said matter. The applicant in the said O.A. was also an employee in the department of Land Records and was working on the post of Junior Clerk. In the present matters also as I have noted hereinabove, none of the applicants was appointed on the post of Clerk-cum-Typist or Typist or Stenographer. As such, the recovery on that count cannot be sustained. From the record it is evident that now each of the applicants has secured the Computer Proficiency. In the information provided in paragraph No. 3

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above most of the applicants have passed the MS-CIT examination prior to year 2010, others have acquired it in the later period and only 2 applicants seem to have acquired the Computer Proficiency in the year 2013 & 2014. However, as I have noted hereinabove in the alleged payments received to the applicants no role has been attributed on these applicants. For the reasons stated hereinabove, all these applications deserve to be allowed. Hence, the following order: -

**ORDER**

- (i) Respective orders of recovery impugned in the respective applications are set aside.
- (ii) Recoveries made, if any on the strength of the impugned orders, the recovered amount shall be refunded to the applicants within 12 weeks from the date of this order.
- (iii) All these applications are allowed in the aforesaid terms. No order as to costs.

**VICE CHAIRMAN**

**M.A. 530/2022 with M.A. 531/2022 with 532/2022  
with 480/22 with M.A. 481/22 in O.A. 826/2022  
(Sachin Y. Pagare & Ors. Vs. Mujeebkhan Mehboobkhan  
Pathan & Anr.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri Mahesh Deshmukh along with Shri U.L. Momale, learned Advocate for the applicants in M.A. Nos. 531/2022, 532/2022 & 480/2022, M.A. No. 481/22, Ms. Pradnya Talekar, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicants in O.A., Shri Ajay Deshpande, learned Advocate for respondent No. 5 in O.A. and Shri D.R. Shelke, learned Advocate for respondent No. 6 in O.A. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in O.A. and applicants in M.A. 530/2022.

2. The background fact is that the Original Application No. 826 of 2022 has been filed on behalf of co-applicants namely, Shri Mujeeb Khan Mehboob Khan Pathan and Shri Ramesh Raghunath Giram, who had been engaged by Respondents on contractual basis under Earthquake Rehabilitation Programme and therefore, vide Government in Revenue & Forest

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Department, भूकंप पुनर्वसन कक्ष, शासन निर्णय क्र. इक्युआर १०९७/प्र.क.१८६/ भूपुक-आस्था, मंत्रालय, मुंबई, दिनांक १४.०७.१९९८, the two applicants along with a number of similarly situated others were to be absorbed as Junior Engineers (Civil) on Converted Regular Temporary Establishment (in short, 'CRTE') for which necessary orders were passed by the Public Works Department, Government of Maharashtra. The applicants had been granted leave to sue jointly by allowing their Miscellaneous Application No. 378/ 2022 in this O.A. No. 826/2022.

3. Final Seniority List of Junior Engineers (Civil) for the period 01.04.1196 to 31.03.2003 was published by a Circular issued by Public Works Department, bearing No. ज्येष्ठता २००६/७७/आस्था-१, 24.08.2006. Admittedly, the applicants had not taken objection to the said seniority list. Thereafter, Provisional Seniority List of Junior Engineers (Civil) as on 01.01 2022 has been published by respondent no. 1 vide Circular dated 13.07.2022. The applicants have not taken any objection in respect of their seniority position as shown in this Provisional Seniority list also.

4. However, the applicants have made mention of two representations made by other two Junior Engineers in the present Original Application; firstly, dated 01.11.2021 made by one Shri Maharudra Raghunath



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Khabile, presently working as Sectional Engineer, whereby, he had claimed higher seniority as compared to one Shri Sunil J. Salunke and secondly; another representation dated 01.11.2021, made by one Shri Khalid Salim Abdul Hakim Sheikh challenging seniority position of one Shri Abhay Kalyan Rao Deshpande. None of the two officers making representations are party to this dispute. The applicants have also added that the Superintending Engineer concerned had forwarded the said objections / representations to Respondent No. 1, however, no mention has been made about the final outcome of the said representations. Therefore, it may be inferred that the applicants have apparently made reference to the two representations to suggest that the final combined seniority list published earlier on 24.08.2006 is not credible.

5. It is a fact that combined seniority lists of Junior Engineers appointed by different modes of recruitment, and prepared under provisions of the Maharashtra Civil Services (Regulation of Seniority) Rules, 1982 (in short, 'seniority rules') will have names of a number of other Junior Engineers who may not appear when seniority lists of employees appointed by only one mode of recruitment is prepared. To quench the doubt attempted

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to be created by making reference to the two cited representations, relevant facts are being depicted below:-

<b>Seniority No.</b>	<b>Name</b>	<b>District</b>	<b>Qualification</b>	<b>Date of Birth</b>	<b>Date of Joining</b>
394	Abhay K. Deshpande	A'vati /O'bad	B.E.	09.01.1966	16.06.1999
395	Sunil G. Salunke	Akola/O'bad	B.E.	23.04.1966	16.06.1999
532	Maharudra R. Khabile	Pune	D.C.E.	22.04.1972	03.07.1999
537	Khalid S. Shaikh	A'bad	B.E.	11.07.1970	05.07.1999

From above details, it may be inferred that the seniority position in final seniority list published by respondent authorities on 24.08.2006 in respect of the two Junior Engineers who made representations *vis a vis* the other two in whose respect objection had been raised by them, in fact, are apparently in order. Above analysis has been carried out in order to make assessment of gravity of arguments made by the applicants casting doubt about correctness of seniority list of Junior Engineers published on 24.08.2006, even though the employees, who made representations, are not party to this dispute but whose cases have been cited by the applicant without substantiating their claims made in this O.A.

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6. The prayer clause in the Original Application is in following terms:

- “A. To quash and set aside the provisional seniority list of junior engineers in Public Works Department, Government of Maharashtra as on 01.01.2022 published vide circular dated 13.07.2022 issued by the respondent No. 1.*
- B. To direct the respondent No. 1 to re-fix the inter-se seniority of the Junior Engineers in Public Works Department, Government of Maharashtra who were absorbed pursuant to the Government Resolution dated 14.07.1998 in accordance with clause (4) of the Government Resolution dated 14.07.1998;*
- C. To quash and set aside the communication dated 29.08.2022 calling for choices of postings for promotion from 45 Junior Engineers, issued by the Desk Officer, Public Works Department.*
- D. To direct the respondents to grant promotion to the applicant considering his inter-se seniority as per the Government Circular dated 23.09.1998 and grant consequential deemed date of seniority, promotions and arrears on account of such promotion to the Applicants.*
- E. To grant interim stay to the operation, execution and implementation of the communication dated 29.08.2022 issued by the Desk officer, public Works Department, pending hearing and final disposal of the original application.*

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- F. *To grant interim injunction restraining the respondents, their agents, subordinates, servants and anyone acting on their behalf, from promoting the candidates as Deputy Engineers in public Works Department on the basis of the Government circular dated 13.07.2022 publishing the provisional seniority list of junior engineers in public Works Department as on 01.01.2022, pending hearing and final disposal of the original applications.*
- G. *To grant any other reliefs to which the applicant is entitled to.”*

7. This Tribunal had, vide Oral Order dated 07.09.2022, granted interim relief to the applicants in the present O.A. in following terms:-

*“vi The respondents shall in any case file affidavit in reply in regard to the prayer of the interim relief made by the applicants by the next date (which was fixed as 22.09.2022 and subsequently fixed on 14.10.2022) and till then the respondents shall not issue any order of promotion”*

8. On 12.10.2022 two Miscellaneous Applications bearing Nos. 455 of 2022 and 456 of 2022 were filed by senior Advocate Shri Avinash Deshmukh on behalf of Shri Bhima Shankar Mallinath Mitkare and one Shri Sanjay Dahiphale for permitting the applicants in the two M.As. to join as intervenors and to vacate the Interim Relief granted to the applicants in this O.A. vide

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Oral Order dated 07.09.2022 (supra). The applicant in M.A. No. 455 of 2022 belonged to Physically Disable Persons category and the applicant in M.A. No. 456 of 2022 belonged to Earthquake Affected Persons category. The Tribunal took up the two M.As. for hearing on 20.10.2022, considered the submissions made by learned senior Advocate for the Miscellaneous Applicants, the Advocate for the original applicant and the learned Chief Presenting Officer and allowed them to be joined as intervenors. At the same time, this Tribunal passed orders vacating Interim Order dated 07.09.2022 in so far as the said applicants (intervenors) were concerned by passing order in following terms:-

**“O R D E R**

*(i) Both the M.A.s are allowed, however without any order as to cost.*

*(ii) The interim order dated 07.2022 shall not be and impediment for promoting the applicants in both these MAs, if otherwise they are found eligible for the said promotion.”*

9. After deciding M.A. Nos. 455 of 2022 and 456 of 2022, the Tribunal heard the other parties to the dispute in O.A. No. 826/2022 on 20.10.2022 and passed order extract of the operating part of which may be quoted as below:

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*“6. I have considered the submissions advance by learned counsel appearing on behalf of respondent Nos. 5 & 6, learned C.P.O. appearing for respondent authorities and learned counsel for applicants. After having considered the submissions advanced on behalf of respective parties and after having gone through the documents filed on record it appears to me that the dispute raised in the present OA cannot be finally resolved unless the provisional seniority list published on 13.7.2022 is made final. As has come on record and as has been contended in the affidavit in reply filed on behalf of respondents the objections and representations are already received in relation to the provisional seniority list so published. Learned C.P.O. was asked to state how much time would be required for deciding the objections and thereafter in finalizing the provisional seniority list published on 13.7.2022. The learned C.P.O. on instructions, made a statement that period of about 2 months will be required for finalizing the said seniority list. It appears to me that when the provisional seniority list published on 13.7.2022 is going to be finalized within the period of 2 months which may resolve the controversy raised in the O.A. finally, it would be in the fitness of the things to wait till the said period. If the promotions are delayed for 2 months that may not cause any serious prejudice. In the circumstances, I direct respondent No. 1 to decide the objections already received and finalize the provisional seniority list published on 13.7.2022 within 2 months from the date of this order.*

7. S.O. to 22.12.2022.

8. *The interim relief granted earlier to continue till then.”*

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10. Immediately, after allowing the M.A. Nos. 455 and 456 of 2022 and interim order was vacated for the intervenors and extended coverage of interim order was applied to the respondents in the original application,, following intervention applications were filed by other affected parties who had not been joined in the original application as party respondents.

a) M.A. No. 480 of 2022 by Shri Sanjay K. Bhavsar and 9 Others

b) M.A. No. 481 of 2022 by Shri Ajinath V Khedkar and 4 others

c) M.A. No. 530 of 2022 by Respondent Authorities in the O.A. No. 826/2022

d) M.A. No. 531 of 2022 by Shri Sachin Y. Pagare and 3 others

e) M.A. No. 532 of 2022 by Shri Nagnath S. Ghodke

11. All the private applicants in above mentioned M.As. have prayed for allowing them to join as intervenors, directing the original applicants to add them as party respondents, interim order dated 07.09.2022 which has been continued till 14.10.2022 and 22.12.2022 by orders dated 20.09.2022 and 22.10.2022 may not be continued any further. Even the respondent authorities

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have filed M.A. No. 530/2022 for vacating interim order and permitting to pass promotion orders on temporary basis for the Junior Engineers in the select list finalized by respondent authorities based on provisional seniority list as on 01.01.2022.

12. All the above mentioned miscellaneous applications have been heard at length on 07.12.2022. Learned Advocate Ms. Pradnya Talekar for the applicants in O.A. No. 826/2022, learned C.P.O. for respondent authorities, learned senior Advocate Shri Ajay Deshpande for respondent No. 5 and 6 in the O.A. No. 826/2022 and learned Advocate Shri Mahesh Deshmukh for the applicants in M.A. Nos. 481, 482, 531 and 532 all of 2022 argued the matter.

13. It was made out by the learned senior Advocate for the applicants in MA No. 481/2022, 482/2022, 531/2022 and 532/2022 are affected parties by the interim orders passed and also going to be affected if the Original Application No. 826/2022 is allowed. All other parties to the dispute including the learned Advocate for the Applicants, learned senior Advocate for respondent No. 5 and 6 in the O.A and the learned CPO agreed to this plea; therefore, the applicants in the M.A. No. 481/2022, 482/2022, 531/2022 and 532/2022 have



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been allowed to join as intervenors in the present O.A. and the applicants are being directed to join them as parties respondents within one week's time.

14. During further hearing on the Interim Order passed by this Tribunal and extended from time to time, the learned Senior Advocate for the applicant emphasized on following two main arguments:-

a) Inter-se seniority of Junior Engineers in the Public Works Department of Maharashtra who have been absorbed pursuant to the Government Resolution dated 14.07.1998 be fixed in accordance with provisions of Clause (4) of the GR dated 14.07.1998 before finalizing the seniority list of Junior Engineers as on 01.01.2022 and therefore, the provisional seniority list as on 01.01.2022 as published on 13.07.2022 issued by respondent No. 1 may be quashed and set aside.

b) As per provisions of para (₹), clause 5.2.1 of Government in General Administration Department, dated 01.08.2019 (supra), preparation of final seniority list of Junior Engineers is mandatory before undertaking promotion of Junior Engineers to the posts of Sub-Divisional Engineers / Sub-Divisional Officers and

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therefore, the impugned communication dated 29.08.2022 calling for choices of postings for promotion from 45 Junior Engineers, issued by the Desk Officer, Public Works Department may be quashed and set aside.

15. On the other hand the learned Advocate Shri Mahesh Deshmukh for the intervenors pointed out that:-

a) The applicants had not objected to promotion orders issued to as many as 316 Junior Engineers as Sub Divisional Officers vide earlier order dated 03.12.2021 which was based on final seniority list of published on 24.08.2006 and not as per para (¶), clause 5,2,1 of the GR dated 01.08.2019 (supra). Likewise, the applicants have not raised any objections in respect of allowing promotions to applicants in MA Nos 455/2022 and 456/2022 in view of para (¶), clause 5.2.1 of the said GR dated 01.08.2019 (supra). Therefore, the applicants can be noticed to be taking self-contradictory positions so far as applicability of GR dated 01.08.2019 is concerned.

b) The learned advocate further argued that the applicants in the miscellaneous applications are similarly situated as those in MA Nos. 455/2022

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and 456/2022 and therefore, the applicants in the present OA cannot take a different stand in the present matter.

c) The learned advocate further submitted that as per provisions of Clause (e) of the GR dated 01.08.2019 provides for the manner in which temporary promotion on ad hoc basis may be effected and respondents have taken policy decision in respect of promotion until SLP is decided by the Hon'ble Apex Court regarding G.R. for reservation in promotion issued on 25.05.2004.

16. Learned C.P.O. also made reference to provisions of para (e) of the G.R. dated 01.08.2022 and mentioned that in view of a large number of objections received to the provisional seniority list as on 01.01.2022, the process of finalization of the said seniority list may take more time. Therefore, promotions of Junior Engineers to the posts of Sub-Divisional Engineers/ Sub Divisional Officers on temporary basis, as per provisions of para (e) of the GR dated 01.08.2022 may be permitted by vacating the interim order.

17. Learned Advocate for the applicants in the OA finally submitted that the applicants may not have any

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objections if two promotional posts of Sub-Divisional Officer are kept vacant for the applicant.

18. **CONCLUSION**:- Based on facts on record and oral submissions made, in our considered opinion, the applicants in the original application have been taking inconsistent and self-contradictory stands, to be more accurate, are using this forum for adjudication for the purpose of bargaining over-looking all the background facts that the applicants have not taken objections to final seniority list published in year 2006 and to the provisional seniority list as on 01.01.2022. The applicants have cited representations made by two other employees to the final seniority list published in the year 2006 who are not parties to the present dispute and without even cursorily scrutinizing their claims in view of the 'seniority rules'. Stand taken by them in the light of provisions of para (६), clause 5.2.1 is self-contradictory from case to case of parties in the present dispute and are using the same for bargaining keeping two posts vacant for the applicants. The applicants have not responded to the applicability of provisions of para (७) of the GR dated 01.08.2019. Therefore, in our considered opinion, there is no merit in extending cloak of interim relief/ order in the OA No. 826/2022 and the same deserves to be vacated with immediate effect. Interest of

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the applicants can be protected by making the promotion given on the basis of provisional seniority list subject to outcome of the O.A. No. 826/2022. Hence, following order is being passed:-

**ORDER**

The M.A. Nos. 480/2022, 481/2022, 530/2022, 531/2022 and 532/2022 all in O.A. No. 826/2022 are allowed in following terms :-

- A) Applicants in O.A. No. 826/2022 are, hereby, directed to join the applicants in the said M.A. Nos. 480, 481, 531 & 532 as party respondents by amending the O.A. within a week's time.
- B) Interim orders / reliefs granted in the O.A. No. 826/2022 and extended from time to time is being vacated forthwith.
- C) Respondent Authorities may issue temporary promotion orders to the Junior Engineers in the select list to the posts of Sub Divisional Engineers/Sub Divisional Officers, in complete adherence to provisions of para (v) of the G.R. dated 01.08.2019. Accordingly, temporary promotion

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orders, if any, issued by respondent authorities, shall be subject to outcome of this OA.

- D) Accordingly, M.A. Nos. 480/2022, 481/2022, 530/2022, 531/2022 and 532/2022 all in O.A. No. 826/2022 stand disposed of with no order as to costs.
- E) The Original Application No. 826/2022 be fixed for final hearing on 10.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**Later on**

1. Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicants in O.A. submitted that the interim relief granted by this Tribunal by the order dated 07.09.2022, which is vacated today by the order dated 08.12.2022 to be extended by two weeks, as the applicants wish to challenge the said order dated 08.12.2022 vacating the interim relief before Hon'ble High Court.

2. After having considered the above submissions made on behalf of the applicants, in our considered

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opinion, the interim relief which was earlier granted to the applicants is vacated by passing reasoned order and thereby it is ordered that the respondents Government may proceed with the process of temporary promotion in accordance with law. The said process is made subject to outcome of final decision in the O.A. In view of the same, in our opinion, interest of the applicants is duly protected. Hence, prayer for extension of interim relief is hereby rejected.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 171 OF 2019**  
**(Dr. Vaishali R. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri B. N. Gadegaonkar, learned Advocate for respondent No. 4.

2. Learned Presenting Officer produced on record bunch of documents stating to be in compliance of the direction of this Tribunal by order dated 24.11.2022. Said documents are taken on record and marked as document 'X' collectively for the purpose of identification.

3. The present matter has already been treated as part heard.

4. S.O. to 22.12.2022.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 435 OF 2019**  
**(Sadhu K. Lohar Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri H.A. Joshi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. The present matter has already been treated as part heard.

3. S.O. to 09.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 28 OF 2018**  
**(Shashank B. Kamble Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Shri G.J. Kore, learned Advocate for the applicant (**Absent**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities. Shri Mahendra Kochar, learned Advocate for respondent Nos. 3 to 5, absent.

2. S.O. to 17.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 31 OF 2019**  
**(Vivek P. Bhamre Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Shri Kunal Kale, learned Advocate for the applicant (**Absent**). Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities. Shri N.R. Dayama, learned Advocate for respondent No. 4, **absent**.

2. S.O. to 17.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 633 OF 2019**  
**(Meena C. Shivagunde Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri Avinash Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities. Shri K.U. Mire, learned Advocate for respondent No. 4, **absent**.

2. S.O. to 13.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 759 OF 2019**  
**(Dr. Gopikrishna P. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. S.O. to 13.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 190 OF 2020**  
**(Rajendra S. Aware Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. S.O. to 13.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 480 OF 2020**  
**(Prakash P. Nirmal & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Shri R.D. Biradar, learned Advocate for the applicants (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. S.O. to 17.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 252 OF 2021**  
**(Arati A. Ghatkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri S.B. Kakade, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. S.O. to 16.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 252 OF 2022**  
**(Dr. Sudhir V. Bhise Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. S.O. to 06.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 350 OF 2022**  
**(Pralhad C. Shelke Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

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

2. S.O. to 06.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 468 OF 2022**  
**(Smita S. Ingle Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 21.12.2022 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 109/2018 in O.A. St. No. 408/2018  
WITH  
M.A. No. 110/2018 in O.A. St. No. 410/2018  
WITH  
M.A. No. 111/2018 in O.A. St. No. 412/2018  
WITH  
M.A. No. 269/2018 in O.A. St. No. 1036/2018  
WITH  
M.A. No. 270/2018 in O.A. St. No. 1034/2018  
(Punjaram N. Wathore & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicants all these cases and and Shri D.R. Patil, learned Presenting Officer for the respondent authorities in all these cases.

2. S.O. to 11.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 53/2019 in O.A. ST. No. 185/2019  
(Ashok B. Amrutkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Smt. Suchita Dhongde, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities. Shri S.S. Chillarge, learned Advocate for the respondent No. 3, **absent**.

2. S.O. to 12.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 412/2019 in O.A. No. 705/2019  
(Suresh 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 : 08.12.2022**

**ORAL ORDER :**

Heard Shri A.M. Hajare, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. S.O. to 12.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 08.12.2022

**M.A. No. 198/2020 in O.A. St. No. 667/2020  
(Pratibha G. Ahire Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri A.M. Hajare, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. S.O. to 30.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 111/2021 in O.A. St. No. 439/2021  
(Shivaji T. Kote & ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Ms. T.R. Mankar, learned Advocate holding for Ms. Preeti Wankhade, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities. Shri Alkesh Jadhav, learned Advocate holding for Shri J.M. Murkute, learned Advocate for the respondent Nos. 35, 50, 58 & 59.

2. S.O. to 13.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**



**M.A. No. 170/2022 in O.A. St. No. 404/2022  
(Raosaheb S. Deshmukh Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. S.O. to 14.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 08.12.2022

**ORIGINAL APPLICATION NO. 259 OF 2016**  
**(Ravikiran M. Shete Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Shri S.T. Veer, learned Advocate for the applicant (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. S.O. to 17.01.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 319 OF 2016**  
**(Shivaji P. Kokate Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Shri P.S. Dighe, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. S.O. to 17.01.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 350 OF 2016**  
**(Sanjay 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 : 08.12.2022**

**ORAL ORDER :**

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

2. S.O. to 13.01.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 447 OF 2016**  
**(Yashri P. Kadam Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Shri Gajanan Kadam, learned Advocate for the applicant (**Absent**). Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. S.O. to 18.01.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 07 OF 2017**  
**(Shishirbaba K. Ghommode Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Smt. Surekha Mahajan, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. S.O. to 11.01.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 74 OF 2017**  
**(Vijaysing K. Wagh & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri Shri Avinash Khedkar, learned Advocate holding for Shri D.J. Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. S.O. to 02.02.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 321 OF 2017**  
**(Manisha P. Jagtap Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Shri P.A. Kulkarni, learned Advocate for the applicant (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. S.O. to 17.01.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 664 OF 2017**  
**(Shaikh Kalim Sk. Mannu Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. S.O. to 17.01.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 743 OF 2017**  
**(Subhash A. Dhokane Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

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

2. S.O. to 17.01.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 142 OF 2018**  
**(Suresh L. Moholkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

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

2. The present applicant is senior citizen aged about 78 years. Hence, hearing of the present O.A. is expedited.

3. S.O. to 12.01.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 514 OF 2018**  
**(Sahebrao G. Avhad Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Shri M.S. Taur, learned Advocate for the applicant (**Absent**). Heard Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. S.O. to 18.01.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 705 OF 2018**  
(Akbar Khan Nadar Khan Pathan Vs. State of Maharashtra & Ors.)

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

**DATE : 08.12.2022**

**ORAL ORDER :**

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

2. S.O. to 18.01.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 827 OF 2018**  
**(Shailendra P. Sandanshiv Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Shri C.P. Patil, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondent authorities. Shri S.U. Chaudhari, learned Advocate for respondent No. 4, **absent**.

2. S.O. to 18.01.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 68 OF 2019**  
**(Dr. Shripati K. Shinde Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. S.O. to 18.01.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 117 OF 2019**  
**(Sainath K. Matkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Shri P.D. Jarare, learned Advocate for the applicant (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. S.O. to 19.01.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**



**O.A. Nos. 246, 238, 239, 242, 243, 244, 245, 248  
& 249 all of 2020**

**(Dattatraya M. Devkate & Ors. Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Shri S.R. Sapkal, learned Advocate for the applicants in all these O.As. (**Absent**). Heard Shri I.S. Thorat, learned Presenting Officer for the respondent authorities in all these O.As. and Shri S.Y. Shinde, learned Advocate for respondent Nos. 4 to 7 in all these O.As.

2. S.O. to 20.01.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**O.A. No. 300/2022 with O.A. No. 397/2022**  
**(Dr. Santosh R. Kote & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Smt. P.V. Giri, learned Advocate holding for Smt. Pratibha Bharad, learned Advocate for the applicants in both the O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in both the O.As.

2. Learned Chief Presenting Officer submits that all the annexures to the O.A. were supplied by the applicants to the respondent No. 2 i.e. MPSC only yesterday i.e. on 07.12.2022. In view of the same, he seeks time for filing affidavit in reply in both the O.As.

3. Record shows that the present matters are fixed for hearing without affidavit in reply of the respondents. However, when it is noticed that annexures were not supplied to the respondents earlier, in our considered opinion, it would be just and proper to grant time to the respondents for filing affidavit in reply. Hence, time is granted for filing affidavit in reply in both the O.As.

4. S.O. to 17.01.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 545/2022 in O.A. No. 761/2022**  
**(Tushar P. Pawar & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri S.S. Dambe, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 and 3, Shri D.B. Gaikwad, learned Advocate for respondent No. 2 and Shri Sayyed Tauseef Yaseen, learned Advocate for interveners / respondent Nos. 4 to 10 in O.A.

2. This is an application filed by the present applicants for joining themselves as co-applicants in O.A. No. 761/2022 filed by the respondent Nos. 4 and 5 herein. The said O.A. is filed challenging the advertisement dated 17.08.2022 (Annexure A-4 in O.A.) for the post of ITIs Instructors / Craft Instructors and seeking direction to reissue advertisement as per the norms of DGT by including the CTI /CITS as mandatory qualification and other ancillary reliefs. According to them, these applicants are having additional qualification of CTI /CITS. In

//2// M.A. 545/22 in  
O.A. 761/2022

view of the same, they are placed in similar situation as that of the applicants in the O.A.

3. Considering the facts on record, it is evident that if the present applicants are added as co-applicants, no irretrievable prejudice is likely to be caused to the others. The present applicants would be the proper parties. Hence, the following order :-

**ORDER**

- (a) The M.A. No. 545/2022 is allowed.
- (b) Permission is granted to join all these applicants herein as co-applicants in O.A. No. 761/2022.
- (c) The applicant shall carry out the necessary amendment in the O.A. within a period of one week and to serve the amended copy of the O.A. on the other sides.
- (d) Accordingly, M.A. stands disposed of without any order as to costs.

**MEMBER (A)**

**MEMBER (J)**

**O.A. No. 761/2022**  
**(Balu N. Bhosale & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri S.S. Dambe, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 and 3, Shri D.B. Gaikwad, learned Advocate for respondent No. 2 and Shri Sayyed Tauseef Yaseen, learned Advocate for interveners / respondent Nos. 4 to 10.

2. At the request of learned Advocate for respondent No. 2, time is granted for filing affidavit in reply.

3. S.O. to 16.12.2022 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 313 OF 2019**  
**(Dr. Mahendra A. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Shri C.C. Deshpande, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 12.01.2023 as one more last chance for filing rejoinder affidavit, if any.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 409 OF 2019**  
**(Hanumantrao B. Bhongale Vs. State of Maharashtra &**  
**Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

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

2. As none present for the applicant, S.O. to 12.01.2023 as one more last chance for filing rejoinder affidavit, if any.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 761 OF 2019**  
**(Vitthal G. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri Siddharth Shinde, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, time is granted as a last chance for filing affidavit in rejoinder.

3. S.O. to 12.01.2023.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 440 OF 2020**  
**(Sitaram D. Kolte & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

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

2. At the request of the learned P.O., last chance is granted for filing affidavit in reply on behalf of the respondent No.2.

3. The applicants are at liberty to file affidavit in rejoinder to the affidavit in reply filed on behalf of the respondent Nos.1,3 & 4.

4. S.O. to 13.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 446 OF 2020  
(Sandip P. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

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

2. At the request of the learned Advocate for the applicant, time is granted as a last chance for filing affidavit in rejoinder.

3. S.O. to 13.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 499 OF 2020**  
**(Dr. Gajanan P. Tarpe Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Shri S.G. Magare, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., one more last chance is granted for filing affidavit in reply on behalf of the respondents.

3. S.O. to 12.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**T.A.NO. 16 OF 2022 IN W.P.NO. 9150 OF 2022  
(Santosh S. Chavan & Ors. Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri K.N. Bhosale, learned Advocate holding for Shri Ajay T. Kanawade, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Await service.
3. S.O. to 16.01.2023.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 08.12.2022

**ORIGINAL APPLICATION NO. 373 OF 2022**  
**(Dr. Vandana P. Sonone Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri D.S. Mutalik, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer 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 04.01.2023 for admission.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 825 OF 2022**  
**(Pallavi V. Alaspure & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri Avinash R. Borulkar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

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

3. S.O. to 17.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 837 OF 2022**  
**(Manisha A. Ahire Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

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

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

3. S.O. to 16.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 840 OF 2022**  
**(Vikram V. Mhaske & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri Avinash R. Borulkar, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. S.O. to 17.01.2023.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 938 OF 2022**  
**(Chandrao U. Kadam Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

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

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

3. S.O. to 17.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 952 OF 2022**  
**(Mangesh B. Zore Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri A.P. Shejul, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Await service.
3. S.O. to 11.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 960 OF 2022**  
**(Siddheshwar P. Darade Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

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

2. Await service.
3. S.O. to 11.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 277 OF 2019 IN O.A.ST.NO. 09 OF 2019  
(Kishan E. Vibhute Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri A.D. Kaware, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities. Shri R.D. Kulkarni, learned Advocate for the respondent No.7, is **absent**.

2. At the request of the learned P.O., time is granted as a last chance for filing affidavit in reply in M.A.

3. S.O. to 12.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 561/2019 IN O.A.ST.NO. 2250/ 2019**  
**(Ratish R. Manurkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, one more last chance is granted for filing affidavit in rejoinder in M.A.

3. S.O. to 12.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 304/2020 IN O.A.ST.NO. 1095/ 2020**  
**(Abhay A. Kulkarni Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Smt. Priyanka Deshpande, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., one more last chance is granted for filing affidavit in reply in M.A.

3. S.O. to 12.01.2023.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 08.12.2022

**M.A.NO. 1/2021 IN O.A.ST.NO. 1443/ 2020**  
**(Smt. Ratnabai Gaikwad Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

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

2. At the request of the learned P.O., one more last chance is granted for filing affidavit in reply in M.A.

3. S.O. to 13.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 57/2021 IN O.A.ST.NO. 118/ 2021**  
**(Bhalchandra S. Waghule Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

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

2. At the request of the learned P.O., one more last chance is granted for filing affidavit in reply in M.A.

3. S.O. to 13.01.2023.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 08.12.2022



**M.A.NO. 171/2022 IN O.A.ST.NO. 405/ 2022**  
**(Dhanraj P. Kankriya Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

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

2. At the request of the learned P.O., one more last chance is granted for filing affidavit in reply in M.A.

3. S.O. to 14.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 275/2022 IN O.A.NO. 432/ 2020**  
**(Sanjay R. Rajput & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

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

2. Await Service of notice upon respondent Nos.4, 19 & 41.
3. S.O. to 17.01.2023.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 08.12.2022

**M.A.NO. 375/2022 IN O.A.ST.NO. 1210/ 2022  
(Abhiman G. Saindane Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri A.S. Khedkar, learned Advocate holding for Shri S.N. Suryawanshi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Affidavit in reply filed on behalf of the respondent Nos.1 to 4 is taken on record.

3. S.O. to 17.01.2023 for filing affidavit in rejoinder, if any.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 396/2022 IN O.A.ST.NO. 1438/ 2022**  
**(Mohammad Hafiz Ur. Ibadur Raheman Vs. State of**  
**Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

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

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

3. S.O. to 14.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 409/2022 IN O.A.ST.NO. 1053/ 2022**  
**(Punjaji M. Shinde Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

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

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

3. S.O. to 17.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 410/2022 IN O.A.ST.NO. 1052/ 2022**  
**(Uttam T. Padme Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

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

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

3. S.O. to 17.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**C.P.NO. 41 OF 2022 IN O.A.NO. 260 OF 2021  
(Ramrao K. Yadav Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri Vaibhav U. Pawar, 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 18.01.2023.
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 18.01.2023.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 472 OF 2022**  
**(Pandhari G. Devershe Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

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

2. Issue notices to the respondents, returnable on 18.01.2023.

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 18.01.2023.

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

**MEMBER (A)**

**MEMBER (J)**



**M.A.NO. 536/2022 IN O.A.ST.NO. 1991/ 2022**  
**(Dipak S. Sanap & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

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

3. For the reasons stated in the application, and since the cause of action is identical and the applicants have prayed for same relief, in order to avoid the multiplicity, leave to sue jointly is granted, subject to payment of court fee stamps, if not paid.

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

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION ST.NO. 1991 OF 2022  
(Dipak S. Sanap & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 30.01.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicants are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.
7. S.O. to 30.01.2023.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 537/2022 IN O.A.ST.NO. 1993/ 2022**  
**(Satish B. Bhavar & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. For the reasons stated in the application, and since the cause of action is identical and the applicants have prayed for same relief, in order to avoid the multiplicity, leave to sue jointly is granted, subject to payment of court fee stamps, if not paid.

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

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION ST.NO. 1993 OF 2022  
(Satish B. Bhavar & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 30.01.2023.

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

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

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

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

7. S.O. to 30.01.2023.

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

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 538/2022 IN O.A.ST.NO. 1995/ 2022**  
**(Vishwanath B. Nagargoje & Ors. Vs. State of Maharashtra**  
**& Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents.

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

3. For the reasons stated in the application, and since the cause of action is identical and the applicants have prayed for same relief, in order to avoid the multiplicity, leave to sue jointly is granted, subject to payment of court fee stamps, if not paid.

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

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION ST.NO. 1995/ 2022**  
**(Vishwanath B. Nagargoje & Ors. Vs. State of Maharashtra**  
**& Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 30.01.2023.

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

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

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

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

7. S.O. to 30.01.2023.

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

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 539/2022 IN O.A.ST.NO. 1997/ 2022**  
**(Sanjaykumar V. Sanap & Ors. Vs. State of Maharashtra &**  
**Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. For the reasons stated in the application, and since the cause of action is identical and the applicants have prayed for same relief, in order to avoid the multiplicity, leave to sue jointly is granted, subject to payment of court fee stamps, if not paid.

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

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION ST.NO. 1997/ 2022**  
**(Sanjaykumar V. Sanap & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate holding for Shri M.S. Karad, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 30.01.2023.

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

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

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

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

7. S.O. to 30.01.2023.

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

**MEMBER (A)**

**MEMBER (J)**



**M.A.NO. 540/2022 IN O.A.ST.NO. 2016/ 2022**  
**(Sanjay A. Gholave & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

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

2. Record shows that the applicants are challenging the G.R. dated 06.08.2015. The Original Application is filed on or about 23.11.2022. In view of the same, the issue of limitation arises.

3. At the request of the learned Advocate for the applicant, time is granted for taking necessary steps for dealing with limitation.

4. S.O. to 21.12.2022.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION ST.NO. 2019 OF 2022  
(Mehebut Noor Mahammad Rangarej Vs. State of  
Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri R.P. Bhumkar, 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 30.01.2023.
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 30.01.2023.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 681 OF 2022**  
**(Nashaboina S. Yadgiri Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri H.A. Joshi, learned Advocate holding for Shri Yogesh P. Deshmukh, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri S.B. Patil, learned Advocate for the respondent Nos. 2 & 3.

2. At the request made on behalf of the respondents, time is granted for filing affidavit in reply.

3. S.O. to 03.01.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 774 OF 2022**  
**(Angad R. Shinde Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri R.P. Bhumkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. S.O. to 10.01.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 215 OF 2022**  
**(Salim Mohd Hanif Shaikh & Ors. Vs. State of Maharashtra**  
**& Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, learned Advocate for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos.1 to 3, Shri M.S. Deshmukh along with Shri U.L. Momale, learned Advocate for the respondent Nos.4 to 20 & 22 to 24 in O.A.No.215/2022 and Shri V.B. Wagh, learned Advocate for the intervenor/respondent No. 25.

2. The present matter has already been treated as part heard.
3. S.O. to 20.12.2022. **High On Board.**
4. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 517 OF 2017**  
**(Anup S. Kulkarni Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.12.2022**

**ORAL ORDER :**

Heard Shri M.V. Bhamre, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 03.01.2023 for final hearing.

**High On Board.**

**MEMBER (A)**

**MEMBER (J)**

**DATE : 08.12.2022**  
**ORIGINAL APPLICATION NO.1089 OF 2022**  
**(Madhavi Manikrao Kulkarni & Anr. V/s The State of Maharashtra & Ors.)**

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

1. Shri H.P. Jadhav, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present
2. Circulation is granted. Issue notices to the respondents, returnable on 24.01.2023. The case be listed for admission hearing on **24.01.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicants are 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. Applicants are directed to file Affidavit of compliance and notice.

**REGISTRAR**

**ORIGINAL APPLICATION NO. 540 OF 2022  
(Uttam L. Ratu & Ors. Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**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. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted by way of last chance.

3. S.O. to 30.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD



**ORIGINAL APPLICATION NO. 792 OF 2022  
(Madhukar L. Pradhan Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri A.O. Mane, 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 separate affidavits in reply on behalf of respondent Nos. 3 & 7 & respondent Nos. 4 & 5 and the same are taken on record and copies thereof have been served on the learned counsel for the applicant.

3. List the matter for hearing on 30.1.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 419 OF 2022  
(Dr. Bharat R. Sonwane Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant and Shri D.R. Patil, 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 2.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 420 OF 2022**  
**(Dr. Rajashri B. Sonwane Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant and Shri S.K. Shirse, 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 2.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 1012 OF 2022  
(Pandurang R. Sable Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri J.S. Deshmukh, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, 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 3.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 1013 OF 2022  
(Sambhaji K. Khupse Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri J.S. Deshmukh, learned counsel for the applicant and Shri M.P. Gude, 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 3.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 1014 OF 2022  
(Namdeo B. Chavan Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri J.S. Deshmukh, learned counsel for the applicant and Shri S.K. Shirse, 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 3.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 349 OF 2020  
(Prakash S. Raut Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Ms. Preeti R. Wankhade, learned counsel for the applicant and Shri S.K. Shirse, 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 11.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 407 OF 2019  
(Sadhana U. Borse Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Ms. Amruta Paranjape Menezes, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

Shri Hemant P. Deshmukh, learned counsel for respondent No. 4 (**absent**).

2. Learned Presenting Officer submits that today he will be filing affidavit in reply on behalf of respondent No. 5, who has been subsequently added as party respondent in the present O.A. If such affidavit in reply is filed the same shall be taken on record and copy of the same shall be served on the other side.

3. List the matter for further consideration on 16.12.2022. In the meanwhile it would be open to the applicant to file rejoinder affidavit to the affidavit in reply to be submitted on behalf of respondent No. 5.

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 27 OF 2019  
(Raosaheb D. Patil Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri A.S. Khedkar, learned counsel holding for Shri S.N. Suryawanshi, 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 14.12.2022.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 1087 OF 2022  
(Dipak S. Thorat Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri Ashish B. Rajkar, 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 counsel for the applicant, S.O. to 3.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 20 OF 2020  
(Shankar N. Kamble Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri J.M. Murkute, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 13.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 223 OF 2022  
(Rahul V. Padvi Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

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

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

3. S.O. to 17.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 267 OF 2022  
(Subhash B. Selukar Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

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

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.

3. S.O. to 2.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 269 OF 2022  
(Sharda V. Andure & Ors. Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri Ganesh R. Jadhav, learned counsel holding for Shri A.S. Shelke, learned counsel for the applicants, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri M.P. Gude, learned counsel for respondent Nos. 1 to 3, are present.

2. List the matter for hearing on 18.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**M.A.NO. 306/2020 IN O.A.ST.NO. 1336/2020  
(Sanjeev R. Kadam Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

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

2. This is an application filed by the applicant for condonation of delay of about 180 days occasioned in filing accompanying Original Application.

3. Perused the application. The reasons stated in the application, which according to me are just and sufficient to condone the delay. Hence, the following order: -

**ORDER**

The M.A. is allowed. The delay occasioned in filing accompanying Original Application is condoned. The accompanying O.A. be registered in accordance with law. There shall be no order as to costs.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST.NO. 1336 OF 2020  
(Sanjeev R. Kadam Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

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

2. After registration of O.A., issue notice to the respondents, returnable on 3.2.2023.

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.



**:: - 2 - ::**

**O.A. ST.NO. 1336/2020**

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 3.2.2023.

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

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 1000 OF 2022  
(Dilip Revtya Gavit & Ors. Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri Amol S. Sawant, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 30.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 822 OF 2021**  
**(Anita W/o Dayanand Damodar & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri P.V. Suryawanshi, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 30.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 823 OF 2021**  
**(Sunil S/o Balaji Sangewar & Ors. Vs. State of Maharashtra**  
**& Ors.)**

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

**DATE : 8.12.2022**

**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. At the request of learned counsel for the applicants, S.O. to 30.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 824 OF 2021**  
**(Premla W/o Uttamrao Hanumante & Anr. Vs. State of**  
**Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri P.V. Suryawanshi, learned counsel for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 30.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 825 OF 2021**  
**(Datta B. Jadhav & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri P.V. Suryawanshi, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 30.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 1064 OF 2022  
(Nagorao Dhondiba Salve Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 3.2.2023.

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 3.2.2023.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 1080 OF 2022  
(Dr. Pradnya S. Jadhav Vs. State of Maha. & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

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

2. Issue notice to the respondents, returnable on 16.1.2023.

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. The prayer of interim relief is kept open.**

8 S.O. to 16.1.2023.

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

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 117 OF 2021  
(Sudhir Ramrao Tambe Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri A.S. Khedkar, learned counsel holding for Shri Ajit B. Gaikwad, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 14.12.2022.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 231 OF 2022  
(Bharat L. Rudrawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri R.P. Bhumkar, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 2.2.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 449 OF 2022  
(Sachin Ravindra Gupta Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Ms. Angha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

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

3. List the matter for further consideration on 19.12.2022.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 307 OF 2022  
(Chandrabhan V Veer Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri K.B. Jadhav, 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 17.1.2023 for filing rejoinder affidavit.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 1090 OF 2022**  
**(Ashok Nagorao Kakade Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Heard Shri Shamsunder B. Patil, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. The applicant was transferred from Patoda to Beed on the same post i.e. Range Forest Officer vide order dated 22.11.2022. Accordingly, the applicant resumed the charge of the post at Beed on 23.11.2022 and presently he is holding the charge of the said post. Vide order passed on 2.12.2022 the respondents have again transferred the applicant from Beed to Patoda on administrative grounds. Learned counsel for the applicant submitted that after due deliberations the applicant was transferred from Patoda to Beed vide order passed on 22.11.2022 and, as such, there cannot be any such reason for transferring him within the short span of less than 15 days from Beed to Patoda. Learned counsel submitted that the transfer so made is in violation of the statutory rules. The applicant has in the circumstances filed the present application seeking quashment of the order dated 2.12.2022. Learned counsel for the

applicant submitted that though the applicant has been transferred from Beed to Patoda vide the impugned order no one has been posted on his post at Beed and he is still holding the charge of the said post. Learned counsel submitted that it was the vacant post before transfer of the applicant to the said post. Learned counsel, in the circumstances, has prayed for interim relief, thereby staying effect and operation of the order dated 2.12.2022 till decision of the present O.A.

3. Learned Presenting Officer has sought time to take instructions and file the affidavit in reply on behalf of the respondents. Learned P.O. further submitted that there may be some valid reason for effecting the impugned order, since the impugned order says that the transfer has been made on administrative ground. Learned P.O. submitted that in the transfer order reasons may not be elaborated, however, on instructions, only the reasons can be placed before this tribunal. Learned P.O. in the circumstances, prayed for not considering the request of the applicant for interim relief until the affidavit in reply is filed by the respondents.

4. It is true that in the order of transfer it is not necessary to elaborate the administrative grounds for such transfer. However, having regard to the peculiar

facts in the present matter that the transfer of the applicant has been ordered within a short period of less than 15 days and no one has been posted at his place at Beed. It appears to me that no prejudice will be caused if the respondents are directed to continue the applicant on his existing post at Beed till filing of the affidavit in reply by them. Hence, the following order: -

**ORDER**

(i) Issue notice to the respondents, returnable on 21.12.2022.

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

(iii) 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.

(iv) 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.

(v) 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.

**(vi) The respondents are directed to continue the applicant on the present post till filing of the affidavit in reply by them.**

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**O.A. NO. 1090/2022**

(vii) S.O. to 21.12.2022.

(viii) Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD



**ORIGINAL APPLICATION NO. 1088 OF 2022**  
**(Dr. Gautam B. Sawase Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The present applicant has been selected through Maharashtra Public Service Commission for the post of Associate Professor and has been given posting at Rural Training Centre at Paithan. Accordingly, the applicant resumed the said post on 2.11.2022. Respondent No. 3, Dr. Bharat Bhagwansing Chavan, is presently holding the said post. Dr. Chavan has been promoted to the post of Professor and has been transferred to Government Medical College at Dhule on promotion. Dr. Chavan however, has not joined there and has not handed over the charge to the applicant. Learned counsel for the applicant submitted that, according to the information of the applicant, respondent No. 3 has not waived the right to the promotional post of Professor and, as such, he is bound to resume at the said place. Learned counsel submitted that however, the applicant apprehends that to accommodate respondent No. 3,

applicant may be posted at some different place. In the circumstances, the request has been made to pass the necessary interim orders.

3. Learned Chief Presenting Officer has sought time to submit the affidavit in reply since there are no instructions at present.

4. In view of the submissions made on behalf of both the parties, the following order is passed: -

**ORDER**

**(i) Issue notice to the respondents, returnable on 20.12.2022, till then the respondents are restrained from effecting any change in the posting order of the present applicant.**

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

(iii) 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.

(iv) 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.

(v) The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in

**:: - 3 - ::**

**O.A. NO. 1088/2022**

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

(vi) S.O. to 20.12.2022.

(vii) Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 339 OF 2022  
(Shahurao A Kakde Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri J.S. Deshmukh, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 18.1.2023 for filing rejoinder affidavit.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 395 OF 2022  
(Rajkumar V. Ugile Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri A.S. Mirajgaonkar, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri G.N. Patil, learned counsel for respondent No. 6, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.
3. S.O. to 18.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 575 OF 2022**  
**(Yayati T. Ghorband Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri A.D. Gadekar, learned counsel for the applicant has filed leave note. Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

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

3. S.O. to 19.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 576 OF 2022  
(Subhash H Puri Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri A.D. Gadekar, learned counsel for the applicant has filed leave note. Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. Await service for respondent No. 3.
3. S.O. to 19.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 584 OF 2022  
(Balaji T. Kedare Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 19.1.2023 for filing rejoinder affidavit.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD



**ORIGINAL APPLICATION NO. 593 OF 2022**  
**(Shaikh Zubair Shaikh Mahemood Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri S.B. Solanke, learned counsel for the applicant and Shri S.K. Shirse, 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 16.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO. 612 OF 2022**  
**(Vishwanath M. Tondewad Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri S.B. Solanke, learned counsel for the applicant and Shri V.R. Bhumkar, 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 16.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**M.A.196/21 IN M.A.ST.780/21 IN O.A.198/20  
(Harishchandra B. Bhujbal Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri Walmik S. Jadhav, learned counsel for the applicant and Shri S.K. Shrise, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 27.1.2023 for filing affidavit in reply.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**M.A.NO. 420/2021 IN O.A.ST.NO. 1163/2019  
(Khandu G. Joshi Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

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

2. Await service.
3. S.O. to 24.1.2023.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**M.A.NO. 355/2022 IN O.A.ST.NO. 1318/2022  
(Dileep B. Phatangare Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri Ganesh R. Jadhav, learned counsel holding for Shri A.S. Shelke, 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 18.1.2023 for filing rejoinder affidavit.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**M.A.NO. 509/2022 IN O.A.NO. 821/2022**  
**(Meena Laxmanrao Gaikwad & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Heard Shri P.V. Suryawanshi, learned counsel for the applicants and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. The present M.A. is filed seeking addition of the applicants in the present M.A. as applicant Nos. 22, 23 & 24 in O.A. No. 821/2021. Learned counsel for the applicants submitted that under Order 1 of Rule 10 of the Civil Procedure Code (for short 'CPC'), such request can be allowed and has, therefore, prayed for allowing the application.

3. Learned Presenting Officer has opposed the application stating that no such addition can be allowed.

4. It is apparent that the provision under Order 1 of Rule 10 of the CPC would not apply in the present matter. The M.A., therefore, deserves to be rejected and is accordingly rejected. There shall be no order as to costs.

5. O.A. to come up for hearing on 30.1.2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 503 OF 2022**  
**(Kailas Ramdas Walekar Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri Kakasaheb B. Jadhav, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of all respondents and the same is taken on record and copy thereof has been served on the other side.

3. List the matter for hearing on 17.1.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

**VICE CHAIRMAN**

ORAL ORDER 8.12.2022-HDD

**ORIGINAL APPLICATION NO.103/2019  
(Balkrishna Chhallare Vs. State of Maharashtra & Ors.)**

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

**DATE : 08-12-2022**

**ORAL ORDER :**

Shri Sanket N. Suryawanshi, learned Counsel for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 01-02-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 08.12.2022



**ORIGINAL APPLICATION NO.420/2019**  
**(Raju P. Gaikwad Vs. State of Maharashtra & Ors.)**

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

**DATE : 08-12-2022**

**ORAL ORDER :**

Shri S.D.Dhongde, learned Counsel for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 31-01-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 08.12.2022

**ORIGINAL APPLICATION NO.985/2019 & 996/2019  
(Suresh Chate & Anr. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08-12-2022**

**ORAL ORDER :**

Shri S.D.Joshi, learned Counsel for the applicants and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 30-01-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 08.12.2022

**ORIGINAL APPLICATION NO.1092/2019**  
**(Dhanaji Marakwad Vs. State of Maharashtra & Ors.)**

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

**DATE : 08-12-2022**

**ORAL ORDER :**

Shri C.R.Thorat, learned Counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 01-02-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 08.12.2022

**ORIGINAL APPLICATION NO.70/2020  
(Shaikh Hamed Shaikh Dadamiyan Vs. State of  
Maharashtra & Ors.)**

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

**DATE : 08-12-2022**

**ORAL ORDER :**

Shri S.D.Dhongde, learned Counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 01-02-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 08.12.2022

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

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

**DATE : 08-12-2022**

**ORAL ORDER :**

Shri Milind K. Deshpande, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 24-01-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 08.12.2022

**ORIGINAL APPLICATION NO.507/2020  
(Anil Burkul Vs. State of Maharashtra & Ors.)**

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

**DATE : 08-12-2022**

**ORAL ORDER :**

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

2. S.O. to 01-02-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 08.12.2022

**ORIGINAL APPLICATION NO.509/2020  
(Dr. Nomani Muhammad Mufti Tahir Vs. State of  
Maharashtra & Ors.)**

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

**DATE : 08-12-2022**

**ORAL ORDER :**

Shri C.V.Dharurkar, learned Counsel for the  
applicant and Shri S.K.Shirse, learned Presenting  
Officer for the respondent authorities, are present.

2. S.O. to 31-01-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 08.12.2022

**ORIGINAL APPLICATION NO.545/2020**  
**(Dayanand Rajgire Vs. State of Maharashtra & Ors.)**

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

**DATE : 08-12-2022**

**ORAL ORDER :**

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

2. S.O. to 22-12-2022.

**VICE CHAIRMAN**

YUK ORAL ORDER 08.12.2022



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

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

**DATE : 08-12-2022**

**ORAL ORDER :**

Shri R.K.Khandelwal, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 11-01-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 08.12.2022

**ORIGINAL APPLICATION NO.238/2021, 239/2021,  
240/2021, 241/2021, 242/2021, 243/2021,  
244/2021, 245/2021 & 254/2021  
(Pandurang Bhalerao & Ors. Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 08-12-2022**

**ORAL ORDER :**

Shri V.S.Kadam, learned Counsel for the applicant, Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities, Shri G.N.Patil, learned Counsel for respondent no.2 & 3, Shri S.B.Mene, learned Counsel for respondent nos.2 & 3 and Shri N.U.Yadav, learned Counsel for respondent no.2 & 3 in respective matters, are present.

Shri A.D.Gadekar, learned Counsel for respondent no.2 has filed **leave note** on record.

2. S.O. to 19-12-2022.

**VICE CHAIRMAN**

YUK ORAL ORDER 08.12.2022

**ORIGINAL APPLICATION NO.359/2021**  
**(Hajrabee @ Nurbee Shaikh Nijam Vs. State of Maharashtra**  
**& Ors.)**

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

**DATE : 08-12-2022**

**ORAL ORDER :**

Shri R.V.Gore, learned Counsel for the applicant, Shri S.K.Shirse, learned Presenting Officer for the respondent authorities, Shri D.T.Devane, learned Counsel for respondent nos.2 to 4 and Shri Abed M. Pathan, learned Counsel for respondent no.7, are present.

2. S.O. to 09-12-2022.

**VICE CHAIRMAN**

YUK ORAL ORDER 08.12.2022

**ORIGINAL APPLICATION NO.384/2021  
(Shripatrao Gaikwad Vs. State of Maharashtra & Ors.)**

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

**DATE : 08-12-2022**

**ORAL ORDER :**

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

2. S.O. to 19-01-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 08.12.2022

**ORIGINAL APPLICATION NO.420/2021  
(Raosaheb Jangle Vs. State of Maharashtra & Ors.)**

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

**DATE : 08-12-2022**

**ORAL ORDER :**

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

2. S.O. to 22-12-2022.

**VICE CHAIRMAN**

YUK ORAL ORDER 08.12.2022

**T.A.NO.08/2022 IN W.P.NO.3060/2022**  
**(Kailas Yarmurwad Vs. State of Maharashtra & Ors.)**

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

**DATE : 08-12-2022**

**ORAL ORDER :**

Shri Dhananjay Mane, learned Counsel for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 16-12-2022.

**VICE CHAIRMAN**

YUK ORAL ORDER 08.12.2022

**M.A.NO.588/2019 IN O.A.ST.NO.2292/2019  
(V.L.Nilawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 08-12-2022**

**ORAL ORDER :**

Shri V.S.Kadam, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 19-12-2022.

**VICE CHAIRMAN**

YUK ORAL ORDER 08.12.2022

**ORIGINAL APPLICATION NO. 698/2017**  
**(Jalamsing D. Valvei Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri S.D. Dhongde, learned counsel for the applicant and Shri VR Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 30.1.2022 for hearing.

**VICE CHAIRMAN**

ARJ ORAL ORDER 8.12.2022



**ORIGINAL APPLICATION NO. 626/2018**  
**(Dilip Shankarrao Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri Sanket N. Suryawanshi, learned counsel for the applicant and Shri NU Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 1.2.2022 for hearing.

**VICE CHAIRMAN**

ARJ ORAL ORDER 8.12.2022

**ORIGINAL APPLICATION NO. 862/2018**  
**(Kiran Santosh Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 8.12.2022**

**ORAL ORDER :**

Shri S.D. Dhongde, learned counsel for the applicant and Shri MP Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 31.1.2022 for hearing.

**VICE CHAIRMAN**

ARJ ORAL ORDER 8.12.2022