

**ORIGINAL APPLICATION NO. 66 OF 2018
(Dnyeneshwar P. Kadam Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)

DATE : 9.12.2021

ORAL ORDER :

Shri Kuldeep S. Patil, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Since Division Bench is not available, S.O. to 17.12.2021.

MEMBER (A)

ORAL ORDERS 9.12.2021-HDD

**ORIGINAL APPLICATION NO. 150 OF 2021
(Mayur P. Chavan Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)

DATE : 9.12.2021

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer clarified that the affidavit in reply on behalf of respondent No. 1 is not required.

3. Learned Advocate for the applicant seeks two weeks' time to amend the present Original Application. He undertook to supply the copy of amended O.A. on the learned Presenting Officer for the respondents.

4. S.O. to 6.1.2022.

MEMBER (A)

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

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)

DATE : 9.12.2021

ORAL ORDER :

Shri V.P. Golewar, learned Advocate for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondents, present.

2. It appears from the record that the present case has been earlier dismissed in default and then it is restored by an order dated 3.10.2019 passed in M.A. No. 462/2019. Thereafter, the present case was kept for final hearing on 27.11.2021. However, on the said date i.e. on 27.11.2021 learned Advocate for the applicant sought adjournment and the present case was kept on today's board for final hearing. However, today also none appears for the applicant.

3. In view of above, S.O. to 17.1.2022 for final hearing.

MEMBER (A)

**ORIGINAL APPLICATION NO. 717 OF 2019
(Rajendra S. Shirsath Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)

DATE : 9.12.2021

ORAL ORDER :

Shri Amit Savale, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. Since Division Bench is not available, S.O. to 6.1.2022.

MEMBER (A)

ORAL ORDERS 9.12.2021-HDD

**ORIGINAL APPLICATION NO. 137 OF 2017
(Nandeo S Arsale Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)

DATE : 9.12.2021

ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. Since Division Bench is not available, S.O. to 14.1.2022.

MEMBER (A)

ORAL ORDERS 9.12.2021-HDD

**ORIGINAL APPLICATION NO. 658 OF 2018
(Raosaheb S. Bangar Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)

DATE : 9.12.2021

ORAL ORDER :

Shri Ravi Bangar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent No. 1 and Shri S.D. Dhongde, learned Advocate for the respondent Nos. 2 & 3, are present.

2. Since Division Bench is not available, S.O. to 11.1.2022.

MEMBER (A)

ORAL ORDERS 9.12.2021-HDD

O.A.NO. 805 & 806 BOTH OF 2018
(Nagorao V. Karbhari & Anr. Vs. State of Maha. & Ors.)

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 9.12.2021

ORAL ORDER :

Shri N.R. Thorat, learned Advocate for the applicants in both these cases, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 3 in both these cases, Shri R.N. Bharaswadkar, learned Advocate for respondent Nos. 4, 5 & 7 in O.A. No. 805/2018 and Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for respondent No. 4 in O.A. No. 806/2018, are present.

2. Since Division Bench is not available, S.O. to 14.1.2022.

MEMBER (A)

**ORIGINAL APPLICATION NO. 108 OF 2019
(Krushna R. Rathod Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)

DATE : 9.12.2021

ORAL ORDER :

Shri Krushna R. Rathod – party in person and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. Since Division Bench is not available, S.O. to 17.12.2021.

MEMBER (A)

ORAL ORDERS 9.12.2021-HDD

**ORIGINAL APPLICATION NO. 76 OF 2019
(Nitesh S Badgujar Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)

DATE : 9.12.2021

ORAL ORDER :

Shri H.V. Patil, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. Since Division Bench is not available, S.O. to 13.1.2022.

MEMBER (A)

ORAL ORDERS 9.12.2021-HDD

**ORIGINAL APPLICATION NO. 435 OF 2019
(Nandeo S Arsale Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)

DATE : 9.12.2021

ORAL ORDER :

Shri Ashish Rajkar, learned Advocate holding for Shri H.A. Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. Since Division Bench is not available, S.O. to 13.1.2022.

MEMBER (A)

ORAL ORDERS 9.12.2021-HDD

**M.A.NO. 443/2019 IN O.A.NO. 335/2019
(Nandeo S Arsale Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)

DATE : 9.12.2021

ORAL ORDER :

Shri R.N. Bharaswadkar, learned Advocate for the applicant in M.A. No. 443/2019, Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri V.R. Dhorde, learned Advocate for the applicant in O.A.

2. Since Division Bench is not available, S.O. to 17.12.2021.

MEMBER (A)

ORAL ORDERS 9.12.2021-HDD

**ORIGINAL APPLICATION NO. 870 OF 2019
(Dr. Devrao S. Dakhure Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 9.12.2021

ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. Since Division Bench is not available, S.O. to 16.12.2021. Interim relief granted earlier to continue till then.

MEMBER (A)

**ORIGINAL APPLICATION NO. 693 OF 2019
(Savita S. Birge Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)

DATE : 9.12.2021

ORAL ORDER :

Shri Ashish Rajkar, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. Since Division Bench is not available, S.O. to 24.12.2021.

MEMBER (A)

ORAL ORDERS 9.12.2021-HDD

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

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)

DATE : 9.12.2021

ORAL ORDER :

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

2. Since Division Bench is not available, S.O. to 25.1.2022.

MEMBER (A)

ORAL ORDERS 9.12.2021-HDD

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

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 9.12.2021

ORAL ORDER :

Shri Kiran G. Salunke, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. On 29.11.2021 the learned Advocate for the applicant has been advised to bring on record a true copy of the application of the original applicant for inter-range transfer, true copy of the transfer order or acceptance of request transfer by competent authority, true copy of the undertaking, if any, submitted by the applicant so that circumstances leading to the transfer may be clear.

3. However, at the request of learned Advocate for the applicant, one more chance has been granted to him to produce on record the true copies of aforesaid documents.

4. S.O. to 5.1.2022.

MEMBER (A)

**M.A.NO. 509/2017 IN O.A.ST.NO. 1671/2017
(Sambhaji S. Patil Vs. State of Maha. & Ors.)**

WITH

**M.A.NO. 510/2017 IN O.A.ST.NO. 1672/2017
(Ravindra B. Wandhekar Vs. State of Maha. & Ors.)**

WITH

**M.A.NO. 511/2017 IN O.A.ST.NO. 1673/2017
(Mangesh A. Gurav Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)

DATE : 9.12.2021

ORAL ORDER :

Shri N.K. Chaudhari, learned Advocate for the applicants in all these cases (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondents in all these cases, are present.

2. It appears from the record that the applicant is not so serious in prosecuting the present matter and, therefore, either requested for adjournment or has consented with learned Presenting Officer to avail adjournment on last so many dates since the year 2019 onwards. Therefore, last chance is being granted for filing rejoinder affidavit, if necessary, failing which the present matter will be decided on its own merit.

3. S.O. to 13.1.2022.

MEMBER (A)

ORAL ORDERS 9.12.2021-HDD

**M.A.NO. 81/2021 IN O.A.ST.NO. 253/2021
(Sahebrao B. Chavan Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)

DATE : 9.12.2021

ORAL ORDER :

Shri Ashish Rajkar, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. At the request of learned Advocate for the applicant, S.O. to 13.1.2022.

MEMBER (A)

ORAL ORDERS 9.12.2021-HDD

**M.A.NO. 210/2015 IN O.A.ST. NO. 439/2015 WITH
M.A.NO. 212/2015 IN O.A.ST. NO. 441/2015 WITH
M.A.NO. 213/2015 IN O.A.ST. NO. 432/2015 WITH
M.A.NO. 214/2015 IN O.A.ST. NO. 451/2015 WITH
M.A.NO. 215/2015 IN O.A.ST. NO. 443/2015 WITH
M.A.NO. 216/2015 IN O.A.ST. NO. 435/2015 WITH
M.A.NO. 217/2015 IN O.A.ST. NO. 437/2015 WITH
M.A.NO. 227/2015 IN O.A.ST. NO. 455/2015 WITH
M.A.NO. 228/2015 IN O.A.ST. NO. 453/2015 WITH
M.A.NO. 240/2015 IN O.A.ST. NO. 957/2015 WITH
M.A.NO. 241/2015 IN O.A.ST. NO. 955/2015 WITH
M.A.NO. 242/2015 IN O.A.ST. NO. 960/2015 WITH
M.A.NO. 202/2014 IN M.A.ST. NO. 447/2014 IN
O.A.ST.NO. 449/2014**

(Syed Sarfaraz Ahmed & Ors. Vs. State of Maha. & Ors.)

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)

DATE : 9.12.2021

ORAL ORDER :

Smt. Suchita A. Dhongde, learned Advocate for the applicants in all these cases has filed leave note. Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent No. 1 in all these cases and Shri S.P. Jadhav, learned Advocate holding for Shri Sham Patil, learned Advocate for respondent Nos. 2 to 4 in M.A. Nos. 240/15, 241/15, 242/15, are present. Shri G.N. Patil, learned Advocate for respondent Nos. 2 to 5 in M.A. Nos. 210, 213, 215, 217, 227, 228 all of 2015 & 202/2014 **(absent)**.

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M.A. 210/2015 & Group.

2. In view of leave note filed by the learned Advocate for the applicants, S.O. to 13.1.2022.

MEMBER (A)

ORAL ORDERS 9.12.2021-HDD

**O.A.NOS. 377, 565, 630, 660, 661, 988 ALL OF 2019
AND 108 & 109 BOTH OF 220
(Somnath A. Nande & Ors. Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)

DATE : 9.12.2021

ORAL ORDER :

Shri R.C. Bramhankar, learned Advocate for himself and holding for Shri V.S. Panpatte, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in all these cases, are present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 & 2 in O.A. No. 109/2020 and the same is taken on record and copy thereof has been served on the other side. Learned Advocate for the applicant may file rejoinder affidavit, if necessary.

3. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of the respondents, who have not yet filed the affidavit in reply. Time granted.

4. S.O. to 19.1.2022.

MEMBER (A)

**O.A.NOS. 378,379, 381 & 382 ALL OF 2019
(Maharudra B. Wanve & Ors. Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)

DATE : 9.12.2021

ORAL ORDER :

Shri R.C. Bramhankar, learned Advocate holding for Shri V.S. Panpatte, learned Advocate for the applicants in all these cases and Shri V.R Bhumkar, learned Presenting Officer for the respondents in all these cases, are present.

2. Learned Advocate for the applicants submits that the applicants do not wish to file affidavit in rejoinder.

4. In view of the above, the present cases be kept for final hearing on 19.1.2022.

MEMBER (A)

ORAL ORDERS 9.12.2021-HDD

ORIGINAL APPLICATION NO. 297 OF 2019
(Balaji M. Shinde & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.12.2021

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate holding for Shri D.S. Manorkar, learned Advocate for the applicants, Shri M.P. Gude, learned Presenting Officer for the respondent No. 1 and Shri S.B. Mene, learned Advocate for respondent Nos. 2 and 3.

2. Learned Presenting Officer for the respondent No. 1 submits that during the course of the day he would file short affidavit in compliance of the order dated 24.09.2021.

3. Record shows that the pleadings are complete and the matter is only pending for filing short affidavit in compliance of the order dated 24.09.2021. The present matter is pertaining to higher pay scale / benefits as per the G.R. Hence, the present O.A. is admitted and it be fixed for final hearing on 20.01.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 141 OF 2020
(Anil D. Sanap Vs. State of Maharashtra & Ors.)**

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

DATE : 09.12.2021

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply.
3. S.O. to 19.01.2022.

MEMBER (J)

**M.A. No. 142/2021 in O.A. No. 758/2017
(Dadarao D. Borade Vs. State of Maharashtra & Ors.)**

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

DATE : 09.12.2021

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 23.12.2021.

MEMBER (J)

KPB ORAL ORDERS 09.12.2021

**O.A. Nos. 740, 741, 742, 743, 745 and 746 all of 2019
(Natharao R. Dodabe & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 09.12.2021

ORAL ORDER :

Heard Shri M.B. Bharaswadkar, learned Advocate for the applicants in all these O.As. and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in all these O.As..

2. At the request of learned Presenting Officer for the respondents, time is granted as a last chance for filing affidavit in reply.

3. S.O. to 25.01.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 141 OF 2020
(Anil D. Sanap Vs. State of Maharashtra & Ors.)**

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

DATE : 09.12.2021

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply.
3. S.O. to 19.01.2022.

MEMBER (J)

O.A. No. 01/2021 with O.A. No. 45/2021
(Prasad S. Bhise & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 09.12.2021

ORAL ORDER :

Heard Shri M.B. Bharaswadkar, learned Advocate for the applicants in both the O.As. and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in both the O.As.

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply.

3. S.O. to 25.01.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 175 OF 2021
(Ajay R. More Vs. State of Maharashtra & Ors.)**

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

DATE : 09.12.2021

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply.

3. S.O. to 25.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 269 OF 2021
(Kishor G. Narwade Vs. State of Maharashtra & Ors.)

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

DATE : 09.12.2021

ORAL ORDER :

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

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

3. S.O. to 27.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 314 OF 2021
(Govind A. Jadhav & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.12.2021

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply.

3. S.O. to 25.01.2022.

MEMBER (J)

KPB ORAL ORDERS 09.12.2021

**ORIGINAL APPLICATION NO. 495 OF 2021
(Vaibhav D. Shinde Vs. State of Maharashtra & Ors.)**

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

DATE : 09.12.2021

ORAL ORDER :

Shri B.S. Shinde, learned Advocate for the applicant (**absent**). Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record.

3. S.O. to 25.01.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

**ORIGINAL APPLICATION NO. 526 OF 2021
(Vilas M. Joshi Vs. State of Maharashtra & Ors.)**

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

DATE : 09.12.2021

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, time is granted for filing service affidavit.
3. S.O. to 25.01.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 592 OF 2021
(Khandu H. Wane Vs. State of Maharashtra & Ors.)**

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

DATE : 09.12.2021

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Presenting Officer submits that he would file affidavit in reply on behalf of respondent Nos. 1 to 3 during the course of the day.

3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 4 & 5.

4. Learned Advocate for the applicant seeks time for filing service affidavit. Time granted.

5. S.O. to 25.01.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 534 OF 2020
(Rajesh N. Bade Vs. State of Maharashtra & Ors.)**

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

DATE : 09.12.2021

ORAL ORDER :

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

2. Learned Presenting Officer for the respondents submits that the affidavit in reply is ready, but is to be signed and affirmed by the concerned officer and therefore, she seeks time for filing the same. Time granted.

3. S.O. to 24.12.2021 for filing affidavit in reply.

MEMBER (J)

ORIGINAL APPLICATION NO. 681 OF 2021
(Govind H. Darade Vs. State of Maharashtra & Ors.)

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

DATE : 09.12.2021

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that he would file service affidavit during the course of the day.
3. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply.
4. S.O. to 11.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 75 OF 2020
(Jitendra V. Sarde Vs. State of Maharashtra & Ors.)

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

DATE : 09.12.2021

ORAL ORDER :

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

2. Issue fresh notices to the respondents, returnable on 18.01.2022.

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

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

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

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O.A. No. 75/2020

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 18.01.2022.

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

MEMBER (J)

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

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

DATE : 09.12.2021

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri J.S. Jain, learned Advocate holding for Shri K.M. Nagarkar, learned Advocate for respondent No. 4.

2. At the request of learned Advocate for the respondent No. 4, time is granted as a last chance for filing affidavit in reply.

3. Learned Advocate for the applicant submits that he would file rejoinder affidavit during the course of the day.

4. Learned Advocate for the applicant submits that till today the order of interim relief dated 08.10.2021 is not complied with by the respondent Nos. 1 and 2.

5. It appears from the affidavit in reply of respondent Nos. 1 and 2 contention is raised by them that the representation dated 10.08.2021 purportedly made by the applicant is not received to them. In this

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O.A. No. 617/2021

regard, the learned Advocate for the applicant placed on record a copy of the postal receipt, which shows that it was posted on 20.08.2021 from Jalgaon. In addition to that he has furnished copy of the representation to the learned Presenting Officer. He would apprise the respondents accordingly in order to comply with the order of this Tribunal dated 08.10.2021.

6. S.O. to 11.01.2022.

MEMBER (J)

**M.A.NO.111/2021 IN O.A.ST.NO.439/2021
(Shivaji Kote & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This case is placed before the Single Bench
due to non-availability of Division Bench)**

DATE : 09.12.2021

ORAL ORDER :

Ku. Tejal Mankar learned Advocate holding for Ku. Preeti Wankhade, learned Advocate for the applicants and Shri B.S.Deokar, learned Presenting Officer for the respondent nos.1 to 4, are present. None is present for respondent nos.5 to 81.

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

3. S.O. to 13-01-2022.

MEMBER (A)

**M.A.NO.146/2021 IN O.A.ST.NO.506/2021
(Sunil Kulkarni Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This case is placed before the Single Bench
due to non-availability of Division Bench)**

DATE : 09.12.2021

ORAL ORDER :

Heard Shri A.S.Khedkar, learned Advocate for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondent nos.1 and 2 and Shri S.P.Jadhav learned Advocate holding for Shri Shamsundar B. Patil learned Advocate for respondent nos.3, 4 and 5

2. Affidavit in reply filed on behalf of respondent nos.3, 4 and 5 in the O.A. is taken on record. Copy thereof has been served on the other side. Learned P.O. seeks time for filing affidavit in reply in M.A. on behalf of the respondent nos.1 and 2.

3. None filed reply in the M.A. despite the fact notices were served on all 5 respondents and subsequent in 3 hearings adjournment was granted for filing affidavit in reply. As the affidavit in reply to the M.A. is not coming forth, prayer for condonation of delay of 7 months as per prayer clause (C) is granted. M.A. is allowed. Delay caused for filing O.A. is condoned. There shall be no order as to costs.

4. O.A. be registered and numbered after removal of office objections, if any.

MEMBER (A)

**ORIGINAL APPLICATION ST.NO.506/2021
(Sunil Kulkarni Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This case is placed before the Single Bench
due to non-availability of Division Bench)**

DATE : 09.12.2021

ORAL ORDER :

Heard Shri A.S.Khedkar, learned Advocate for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondent nos.1 and 2 and Shri S.P.Jadhav learned Advocate holding for Shri Shamsundar B. Patil learned Advocate for respondent nos.3, 4 and 5

2. After registering and numbering the O.A., issue notice to the respondents, returnable on 18-01-2022.

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)

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O.A.ST.NO.506/2021

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 18.01.2022.

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

MEMBER (A)

**M.A.NO.177/2021 IN O.A.ST.NO.724/2021
(Raosaheb Gunjal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This case is placed before the Single Bench
due to non-availability of Division Bench)**

DATE : 09.12.2021

ORAL ORDER :

Heard Shri A.S.Khedkar, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondent nos.1 and 2 and Shri S.P.Jadhav learned Advocate holding for Shri Shamsundar B. Patil learned Advocate for respondent nos.3, 4 and 5

2. Affidavit in reply filed on behalf of respondent nos.3, 4 and 5 in the O.A. is already on record. Learned P.O. seeks time for filing affidavit in reply in M.A. on behalf of the respondent nos.1 and 2.

3. None filed reply in the M.A. despite the fact notices were served on all 5 respondents and subsequent in 3 hearings adjournment was granted for filing affidavit in reply. As the affidavit in reply to the M.A. is not coming forth, prayer for condonation of delay of 6 months 24 days as per prayer clause (C) is granted. M.A. is allowed. Delay caused for filing O.A. is condoned. There shall be no order as to costs.

4. O.A. be registered and numbered after removal of office objections, if any.

MEMBER (A)

**ORIGINAL APPLICATION ST.NO.724/2021
(Raosaheb Gunjal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This case is placed before the Single Bench
due to non-availability of Division Bench)**

DATE : 09.12.2021

ORAL ORDER :

Heard Shri A.S.Khedkar, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondent nos.1 and 2 and Shri S.P.Jadhav learned Advocate holding for Shri Shamsundar B. Patil learned Advocate for respondent nos.3, 4 and 5

2. After registering and numbering the O.A., issue notice to the respondents, returnable on 18-01-2022.

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)

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O.A.ST.NO.724/2021

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 18.01.2022.

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

MEMBER (A)

M.A.NO.249/2021 IN O.A.NO.463/2019
(Ravikant Hadoltikar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This case is placed before the Single Bench
due to non-availability of Division Bench)

DATE : 09.12.2021

ORAL ORDER :

Shri V.G.Pingle, learned Advocate for the applicant, Shri I.S.Thorat, learned Presenting Officer for the respondent nos.1, 4, 5 and 7 and Shri S.B.Mene learned Advocate holding for Shri G.N.Patil learned Advocate for respondent nos.2, 3 and 6, are present.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

3. S.O. to 12-01-2022.

MEMBER (A)

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

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This case is placed before the Single Bench
due to non-availability of Division Bench)**

DATE : 09.12.2021

ORAL ORDER :

Shri M.M.Bhokarikar, learned Advocate for the applicant is **absent**. Smt. Deepali Deshpande, learned Presenting Officer for the respondents is present.

2. In view of absence of learned Advocate for the applicant, S.O. to 12-01-2022.

MEMBER (A)

**M.A.NO.388/2021 IN O.A.ST.NO.1684/2021
(Yogesh Misal & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This case is placed before the Single Bench
due to non-availability of Division Bench)**

DATE : 09.12.2021

ORAL ORDER :

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

2. Names of all three applicants appear in seniority list of the Kotwal in respect of Ahmednagar District. They all belong to Ahmednagar District and cause of action is similar.

3. Since no prejudice is likely to cause any of the contesting party, permission to sue jointly is allowed.

4. O.A. be registered and numbered after removal of office objections, if any,

MEMBER (A)

O.A.ST.NO.1684/2021

(Yogesh Misal & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This case is placed before the Single Bench
due to non-availability of Division Bench)

DATE : 09.12.2021

ORAL ORDER :

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

2. After registering and numbering the O.A., issue notice to the respondents, returnable on 18-01-2022.

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

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

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

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O.A.ST.NO.1684/2021

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 18.01.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

**M.A.ST.NO.1272/2020 WITH M.A.ST.NO.1315/2020 IN
O.A.ST.NO.350/2020
(Ramrao Chavan Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This case is placed before the Single Bench
due to non-availability of Division Bench)**

DATE : 09.12.2021

ORAL ORDER :

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

2. Learned Advocate for the applicant prays for leave to withdraw the matter stating reason that the applicant wants to seek alternate remedy before appropriate forum. Leave as prayed for is granted.

3. Matter stands disposed of as withdrawn with no order as to costs.

MEMBER (A)

**M.A.NO.122 OF 2021 IN O.A.ST.NO.503 OF 2021
(Ranjana B. Solat Vs. State of Maharashtra & Ors.)**

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

DATE : 09.12.2021

ORAL ORDER :

Heard Dr. Swapnil Tawshikar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. The present matter is closed for order.

MEMBER (J)

SAS ORAL ORDERS 09.12.2021

M.A.NO.370 OF 2018 IN O.A.ST.NO.1556 OF 2018
(Jagannath P. Hanwate Vs. State of Maharashtra & Ors.)

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

DATE : 09.12.2021

ORAL ORDER :

Heard Shri R.P. B Bhumkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent Nos.1 & 3. Shri G.N. Patil, learned Advocate for the respondent No.2 is **absent**.

2. The present matter is pertaining to time bound promotion/pay scale.

3. Hence, as per the Circular No. MAT/MUM/ESTT/732/2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the present matter be placed before the Division Bench for further hearing.

4. S.O. to 25.01.2022

MEMBER (J)

ORIGINAL APPLICATION NO.851 OF 2019
(Ravindra R. Gite Vs. State of Maharashtra & Ors.)

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

DATE : 09.12.2021

ORAL ORDER :

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

2. The present matter is closed for order.

MEMBER (J)

**ORIGINAL APPLICATION NO.211 OF 2021
(Sandu Y. Dongre Vs. State of Maharashtra & Ors.)**

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

DATE : 09.12.2021

ORAL ORDER :

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

2. Learned P.O. for the respondents submits that he would produce original record pertaining to this matter in order to facilitate the Tribunal to decide this matter effectively.

3. S.O. to 10.1.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.849 OF 2017
(Shashikala G. Gaikwad Vs. State of Maharashtra & Ors.)

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

DATE : 09.12.2021

ORAL ORDER :

Smt. Suchita A. Dhongde, learned Advocate for the applicant has filed **leave note**. Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. In view of leave note of learned Advocate for the applicant, S.O. to 24.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.787 OF 2018
(Shahadeo S. Bangar Vs. State of Maharashtra & Ors.)

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

DATE : 09.12.2021

ORAL ORDER :

Shri J.S. Deshmukh, learned Advocate for the applicant is **absent**. Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. As none present on behalf of the applicant, S.O. to 24.01.2022.

MEMBER (J)

**ORIGINAL APPLICATION NOS.963 TO 965 ALL OF 2018
(Vitthal G. Mhashal & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 09.12.2021

ORAL ORDER :

Shri R.J. Godbole, learned Advocate for the applicants is **absent**. Heard Shri V.R. Bhumkar, Shri S.K. Shirse and Shri D.R. Patil, respective learned Presenting Officers for the respondents in respective O.As.

2. As none present on behalf of the applicants, S.O. to 25.01.2022.

MEMBER (J)

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

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

DATE : 09.12.2021

ORAL ORDER :

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

2. This Original Application is filed by the applicant seeking compassionate appointment in view of G.R. dated 21.09.2017.

3. The applicant's husband namely Amjad Khan s/o Sher Khan Pathan was recruited on the post of Kaksh Sevak in the office of respondent in July, 2012. He died in harness on 01.12.2017 while working with the respondent. His death certificate is at Annexure 'A-1'.

4. The Applicant, thereafter, made application dated 10.01.2018 (Annex. 'A-3') to the respondent seeking appointment on compassionate ground stating that she is the legal representative of the deceased applicant. The applicant is studied upto 12th standard. Her date of birth is 05.06.1979. The applicant subsequently submitted her representation

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dated 26.10.2018 (Annex. 'A-2'), also disclosing therein that she was subjected to domestic violence and she was granted maintenance as per order issued by Family Court, Nanded and J.M.F.C. Court, Nanded.

5. The respondent, however, did not consider her application. In view of same, the applicant filed this Original Application for following relief:-

- (B) To hold and declare the applicant is entitled for appointment on compassionate ground as per her qualification.
- (c) To direct the respondent authorities to consider the claim of the applicant forthwith for appointment on compassionate ground as per her qualification as per Government Resolution dated 21.09.2017.

(quoted from page no.7 of P.B.)

6. Affidavit-in-reply is filed on behalf of respondent by one Ravindersingh Rakhsingh Dhunne, Police Inspector, Wasmat City under the office of respondent. Thereby it is stated that the applicant was directed to produce no objection certificate of other legal representatives as well as succession certificate issued by the competent court for processing her application dated 10.01.2018 by communication dated

30.01.2018 (Annex. 'A-1'). The same is not complied with.

7. The service record shows that in the service book the name of mother of deceased husband of the applicant namely Shahnaz Begum is mentioned as nominee. Hence, the claim of the applicant is opposed by the respondents.

8. Affidavit-in-rejoinder as well as short affidavit are filed by the applicant contending that during pendency of the proceedings, she has complied with the requisition made by the respondents. She has complied with the same vide her application dated 08.07.2021 (page no.97 of paper book) annexing thereof order of Civil Court dated 23.06.2021 passed in Civil M.A.No.21/2018 which application was made by the applicant for seeking heir-ship certificate.

9. In the said proceeding, compromise took place between the applicant and her mother in law and as per the said compromise, the applicant is entitled for appointment on compassionate ground as well as

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pensionary benefits as no objection is given by her mother in law.

10. In the circumstances as above and more particularly the subsequent development, in my considered opinion, the Original Application can be disposed of by giving suitable directions to the respondent of considering the claim of the applicant for compassionate appointment on it's own merit and in accordance with law. Hence, I proceed to pass following order:-

O R D E R

The Original Application is allowed in following terms:-

- (i) The respondent is directed to consider the claim of the applicant for appointment on compassionate ground by considering her application dated 10.01.2018 (Annex. A-3') together with her educational qualification and documents produced by her vide her subsequent application dated 08.07.2021 (page no.97 of paper book of O.A.) on it's on merit and in accordance with law and more particularly as per G.R. dated 21.09.2017

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at the earliest preferably within the period of six months from this date of order as at present the applicant is about 42 years 6 months old.

- (ii) Accordingly, the Original Application stands disposed of with no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO.101 OF 2019
(Ashok R. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 09.12.2021

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent Nos.1 to 3 & 5 and Shri S.R. Dheple, learned Advocate for the respondent No.4.

2. At the request of the learned Advocate for the applicant, S.O. to 20.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.129 OF 2019
(Tejrao B. Gadekar Vs. State of Maharashtra & Ors.)

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

DATE : 09.12.2021

ORAL ORDER :

Shri J.N. Patil, learned Advocate for the applicant and Ms. Vaishali S. Chaudhari, learned Advocate for the respondent Nos.3 & 4 are **absent**. Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos.1 & 2.

2. As none present on behalf of the applicant and respondent Nos.3 & 4, S.O. to 24.01.2022.

MEMBER (J)

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

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

DATE : 09.12.2021

ORAL ORDER :

Heard Shri Shaikh Wajeed Ahmed, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent No.1 and Shri V.G. Pingle, learned Advocate for the respondent No.2.

2. At the request of the learned Advocate for the applicant, S.O. to 27.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.370 OF 2019
(Smt. Yasmin Hashmi Vasim Hashmi Vs. State of
Maharashtra & Ors.)

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

DATE : 09.12.2021

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent Nos. 1 to 4 & 6. Shri M.S. Dhannawat, learned Advocate for the respondent No.5 is **absent**.

2. By consent of learned Advocate for the applicant and learned P.O., S.O. to 27.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.613 OF 2019
(Dilip B. Borde Vs. State of Maharashtra & Ors.)

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

DATE : 09.12.2021

ORAL ORDER :

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

2. As none present on behalf of the applicant, S.O. to 27.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.369 OF 2020
(Uttam G. Salve Vs. State of Maharashtra & Ors.)

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

DATE : 09.12.2021

ORAL ORDER :

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

2. The present matter is pertaining to Assured Career Progression Scheme.

3. Hence, as per the Circular No. MAT/MUM/ESTT/732/2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the present matter be placed before the Division Bench for further hearing.

4. S.O. to 27.01.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.151 OF 2021
(Dattatraya A. Ubale Vs. State of Maharashtra & Ors.)**

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

DATE : 09.12.2021

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 20.01.2022.

MEMBER (J)

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

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **9.12.2021**

ORAL ORDER :

Shri Ganesh J. Kore, learned Advocate for the applicant (**absent**). Smt. M.S. Patni, learned Presenting Officer for the respondents, is present.

2. Last hearing was taken up on 28.2.2020 and at that time also no one was present for the applicant.

3. Respondent nos. 1 & 2 have already filed their affidavit in reply on 5.2.2018. The Medical Officer, the Member-Secretary of Selection Committee, Women Hospital, Parbhani has reported by his letter dated 8.12.2018 (document 'X') addressed to the learned P.O. that the vacancies had already been filled up during period from 16.1.2018 to 22.1.2018 and all the selected candidates had joined on the posts of their appointment.

4. Attention of the learned P.O. has been drawn towards the Exh. - C page 12 of paper book and Exh. - D page 13 of paper book and his response has been sought on the following points :-

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O.A. NO. 28/2018

(i) It has been averred that the applicant does not have essential experience in Special New Born Care Unit (for short, "S.N.B.C. Unit"), however, the candidates mentioned at Exh. – C page 12 of paper book as selected one do not seem to have such experience. The reasons behind such apparent discrepancy need to be explained.

(ii) In para 9 of affidavit in reply of respondent nos. 1 & 2 (page 16 of paper book) it is stated that the selection process has been carried out on the basis of Educational Qualification, Percentage and Performance of the candidate in the interview. However, item of evaluation wise breakup of marks secured by the candidates is not enclosed along with the affidavit in reply.

5. In the above circumstances, the respondents are directed to place on record experience details including experience of working in S.N.B.C. Unit and a copy of breakup of marks secured by the candidates as prepared by the Interview Committee.

6. S.O. to 13.1.2022.

MEMBER (A)

**ORIGINAL APPLICATION NO. 1012/2019
(Satish N. Badade Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **9.12.2021**

ORAL ORDER :

Shri A.D. Sugdare, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. Learned Advocate for the applicant states that he does not wish to file rejoinder affidavit to affidavit in reply of the respondents.

3. Attention of the learned P.O. has been drawn towards the order passed by this Tribunal at Nagpur Bench in O.A. no. 49/2005 dated 16.9.2014 and judgment delivered by the Hon'ble High Court of Judicature at Bombay, Bench at Nagpur in writ petition No. 7116/2017 dated 23.7.2018 (specially last 2 paragraphs of the said judgment on page 32 of paper book). A question has arisen whether the post of Sr. Pharmacist is not a promotional post for Pharmacist but the same is filled only by nomination. Therefore, the learned P.O. has been advised to present a copy of Recruitment Rules for the post of Sr. Pharmacist.

4. Learned P.O. has also been directed to clarify that whether the posts of Pharmacist and Lower Grade Pharmacist are one and the same. It may be noted that the applicant's appointment order mentions the post of 'Pharmacist' (Annex. A-1 page 11 of paper book) whereas the Recruitment Rules for the post of Selection Grade Pharmacist has mention of Lower Grade Pharmacist as its feeder cadre (Annex. A-7 page 24 of paper book).

5. Learned Advocate for the applicant has prayed for Interim Relief as per prayer clause (D) of the present O.A. as the applicant has already retired on superannuation on 31.7.2019.

6. In the above circumstances, the interim relief as per vide prayer clause (D) of the present O.A. is granted and the respondents are directed to comply with this order at the earliest. The prayer clause (D) reads as under :-

“(D) Pending hearing and final disposal of this Original Application the Respondent No. 3 may be directed to pay him provisional pension.”

7. S.O. to 24.1.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 287/2020
(Shahu S. Jaswantsingh S. Huzurasingh Vs. State of
Maha. & Ors.)

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **9.12.2021**

ORAL ORDER :

Shri M.A. Granthi, learned Advocate holding for
Shri M.K. Bhosale, learned Advocate for the applicant
and Smt. Sanjivani Deshmukh Ghate, learned
Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to
10.1.2022 for hearing at the stage of admission.

MEMBER (A)

**ORIGINAL APPLICATION NO. 425/2020
(Sachin U. Shinde & Ors. Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **9.12.2021**

ORAL ORDER :

Shri Sharad V. Natu, learned Advocate for the applicants, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent nos. 1 to 4 and Shri M.B. Bharaswadkar, learned Advocate for respondent nos. 5, 6 & 11, are present. None appears for other respondents.

2. Learned P.O. states that para-wise remarks are received from the concerned respondents and on the next date she will positively file the affidavit in reply on behalf of respondent nos. 1 to 4.

3. Learned Advocate for the applicants opposes for grant of time to the respondent nos. 1 to 4 for filing affidavit in reply.

4. However, in the interest of justice, time as last chance is granted to the respondent nos. 1 to 4 to file affidavit in reply. It is, however, made clear that, if on the next date the affidavit in reply is not filed, the

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O.A. NO. 425/2020

present case will proceed further without having on record the affidavit in reply of the said respondent nos. 1 to 4.

5. S.O. to 20.12.2021.

MEMBER (A)

ARJ ORAL ORDERS 9.12.2021

**ORIGINAL APPLICATION NO. 324/2021
(Sharad D. Kothawale Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **9.12.2021**

ORAL ORDER :

Shri A.S. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Learned Advocate for the applicant submits that the applicant has exhausted two times renewal of their contract after entering into contract initially. However, they seek Government decision on their representation under presumption that *the posts of Law Officer may be filled up on regular basis by selecting the candidates on regular basis.*

3. By prayer clause (A), the applicant has prayed for *issuance of directions to the respondents in general and the respondent no. 3 in particular to continue the services of the applicant as Law Officer on contract basis till availability of regularly selected candidate.* (emphasis supplied).

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O.A. NO. 324/2021

4. Therefore, the response of the respondents is necessary to adjudicate the matter and the last chance is being given to the respondent no. 1 to file affidavit in reply.

5. S.O. to 22.12.2021.

6. Steno copy allowed for the use of learned P.O. for the respondents.

MEMBER (A)

ARJ ORAL ORDERS 9.12.2021

**ORIGINAL APPLICATION NO. 366/2021
(Narayansingh B. Thakur Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **9.12.2021**

ORAL ORDER :

Shri A.S. Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. Learned P.O. has filed affidavit in reply on behalf of respondent nos. 1 & 2. It is taken on record and copy thereof has been supplied to the learned Advocate for the applicant. Learned P.O. seeks time to get instructions whether separate reply on behalf of respondent no. 3 is necessary.

3. S.O. to 11.1.2022 for filing affidavit in reply by the respondent no. 3, if any.

4. Applicant to file rejoinder affidavit to the reply of respondent nos. 1 & 2, if he so desire.

MEMBER (A)

**ORIGINAL APPLICATION NO. 372/2021
(Sanjay N. Deshpande Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **9.12.2021**

ORAL ORDER :

Shri Vikas G. Kodale, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent nos. 1, 2 & 4, are present. Shri Sachin S. Deshmukh, learned Advocate for respondent nos. 3 & 5 (**absent**).

2. In spite of specific directions to the respondents to positively file affidavit in reply today, else the matter will proceed ahead without their reply, today, the learned P.O. seeks time for filing affidavit in reply of res. nos. 1, 2 & 4. None appears for respondent nos. 3 & 5 today and no reply is filed on their behalf.

3. The Division Bench is not available today.

4. It is, however, made clear that, if affidavit in reply is not filed by the respondents on the next date, the matter will proceed ahead without their reply.

5. S.O. to 7.1.2022.

MEMBER (A)

ORIGINAL APPLICATION NO. 553/2021
(Sunayana S. Suryawanshi Vs. State of Maha. & Ors.)

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **9.12.2021**

ORAL ORDER :

Shri R.L. Adhe, learned Advocate holding for Shri A.A. Nimbalkar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. Learned Advocate for the applicant makes oral submissions for withdrawal of the present O.A. However, he has been advised to submit the written pursis signed by the applicant for withdrawal of O.A.

3. Learned Advocate for the applicant wishes to submit the withdrawal pursis of the applicant by the next date.

4. S.O. to 13.12.2021.

MEMBER (A)

**ORIGINAL APPLICATION NO. 562/2021
(Alka B. Naigaonkar Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **9.12.2021**

ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. Learned P.O. seeks time to file affidavit in reply of the respondents.

3. The learned Advocate for the applicant submits that as per his information the Government of Maharashtra, Higher & Technical Education Department, Mantralaya, Mumbai has issued G.R. bearing No. बैटक-२०२०/प्र.क.५३/२०/विशि-१,, dated 29.10.2021, which may cover the prayers of the applicant.

3. Learned P.O. to confirm the above position.

4. S.O. to 4.1.2022.

MEMBER (A)

**ORIGINAL APPLICATION NO. 569/2021
(Jagannath M. Jadhav Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **9.12.2021**

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. Learned P.O. files on record affidavit in reply of res. nos. 1 to 4. It is taken on record and copy thereof has been supplied to the learned Advocate for the applicant.

3. S.O. to 11.1.2022 for filing rejoinder affidavit, if any, by the applicant.

MEMBER (A)

**ORIGINAL APPLICATION NO. 743/2021
(Ashish S. Susare Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **9.12.2021**

ORAL ORDER :

Shri S.P. Salgar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Learned P.O. has submitted on record copy of letter received from one Shri Bhalchandra P. Mali, Under Secretary, M.P.S.C. bearing outward No. ७४३/२०२१/१६/तीस, dated 8.12.2021 stating that the M.P.S.C. has cancelled some of the questions and sought time for filing affidavit in reply. It is taken on record.

3. Learned Advocate for the applicant submits that after taking into consideration the subsequent developments, he will file M.A. seeking leave of the Tribunal for making amendment in the O.A. praying for award of marks for correct answers for questions, which have been cancelled. He has been advised to do so, if instructed by the applicant following standard norms for amendment in O.A.

4. S.O. to 4.1.2022.

MEMBER (A)

M.A. 103/2020 IN O.A. ST. 146/2020
(Ramchandrarao N. Palmate Vs. State of Maha. & Ors.)

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **9.12.2021**

ORAL ORDER :

None appears for the applicant. Smt. M.S. Patni,
learned Presenting Officer for the respondents, is
present.

2. At the request of learned P.O., S.O. to 13.1.2022
for filing affidavit in reply of the respondents in the
M.A.

MEMBER (A)

ARJ ORAL ORDERS 9.12.2021

**M.A. 56/2021 IN M.A. ST. 346/2020 IN O.A. 563/2014
(Tushar B. Rajput Vs. State of Maha. & Ors.)**

CORAM : **Hon'ble Shri Bijay Kumar, Member (A)**
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **9.12.2021**

ORAL ORDER :

None appears for the applicant. Smt. M.S. Patni,
learned Presenting Officer for the respondents, is
present.

2. At the request of learned P.O., as a most last
chance, S.O. to 14.1.2022 for filing affidavit in reply.

MEMBER (A)

ARJ ORAL ORDERS 9.12.2021

Date : 09.12.2021

ORIGINAL APPLICATION NO.1690/2021

(Gulab Jondhale V/s State of Maharashtra & Ors.)

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

1. Shri A.S.Khedkar Id. Advocate for the applicant and Shri I.S.Thorat Id. PO for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 18.01.2022. The case be listed for admission hearing on 18.01.2022.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

09.12.2021/yuk registrar notice/

Date : 09.12.2021

ORIGINAL APPLICATION NO.780/2021

(Dr. Gajanan Sarwade V/s State of Maharashtra & Ors.)

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

1. Shri V.B.Wagh ld. Advocate for the applicant and Shri N.U.Yadav ld. PO for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 12.01.2022. The case be listed for admission hearing on 12.01.2022.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

09.12.2021/yuk registrar notice/