

**ORIGINAL APPLICATION NO. 267/2022**  
**(Shri Subhash Selukar Vs. State of Maharashtra & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Shri R.P. Bhumkar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Original Application No. 231/2022, which is listed at sr. no. 15 in Regular Board, and the present Original Application will be heard together on 12.4.2023.

**VICE CHAIRMAN**

ARJ ORAL ORDER 9.3.2023

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

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

**DATE : 9.3.2023**

**ORAL ORDER :**

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

2. The learned counsel has tendered across the bar the rejoinder affidavit on behalf of the applicant. It is taken on record and copy thereof has been supplied to other side.

3. List the matter for hearing on 10.4.2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 860/2022**  
**(Shri Harichandra Gawali Vs. State of Maharashtra & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Smt. Vidya Taksal, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. The learned PO has tendered across the bar the affidavit in reply on behalf of respondent no. 4. It is taken on record and copy thereof has been supplied to other side. Time is sought for filing the affidavit in reply on behalf of respondent nos. 1 to 3. Already sufficient opportunities are give.

3. In the circumstances, the matter be listed for hearing on 24.4.2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 1045/2022**  
**(Shri Rajendra Desale Vs. State of Maharashtra & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Shri Navin Shah, learned counsel for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri V.G. Pingle, learned counsel for respondent no. 4, are present.

2. The affidavit in reply is filed on behalf of respondent no. 4. The learned PO also files on record the affidavit in reply on behalf of respondent nos. 1 to 3. Both the replies are taken on record and copies thereof are supplied to other side.

3. The matter be listed for hearing on 18.4.2023. In the meanwhile if the applicant intends to file rejoinder, it would be open for him to file the same.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 59/2023**  
**(Shri Deepak Kulkarni Vs. State of Maharashtra & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Smt. Supriya Bhilegaonkar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. The learned PO has sought time to file the affidavit in reply on behalf of the respondents. The request so made by the learned PO is opposed by the learned counsel for the applicant. However, in the interest of justice, last chance is granted till 20.4.2023. If the affidavit in reply is not filed on the given date, the matter will be heard without reply.

3. S.O. to 20.4.2023.

**VICE CHAIRMAN**

ARJ ORAL ORDER 9.3.2023

**M.A. NO. 32/2023 IN O.A. NO. 777/2021**  
**(Mohd. Usman Khan Mohd. Jafar Khan Vs. State of Maharashtra & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Shri Gopaldas Dahade, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. On request of learned Presenting Officer last chance granted to file the affidavit in reply till 3.4.2023. It is clarified that if the reply is not filed on or before the said date, the matter will be heard without reply.

**VICE CHAIRMAN**

ARJ ORAL ORDER 9.3.2023

**ORIGINAL APPLICATION NO. 407/2019**  
**(Sadhana U. Borse @ Sadhana S. Pachpol Vs. State of Maharashtra & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Smt. Amruta Paranjape - Menezes, learned counsel for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities and Shri Hemant P. Deshmukh, learned counsel for respondent no. 4, are present.

2. S.O. to 28.3.2023 for hearing. **First on Board.**

**VICE CHAIRMAN**

ARJ ORAL ORDER 9.3.2023

**ORIGINAL APPLICATION NO. 174/2017  
(Dr. Madhav Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Shri Avinash Deshmukh, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 13.3.2023 for hearing. **High on Board.**

**VICE CHAIRMAN**

ARJ ORAL ORDER 9.3.2023



**ORIGINAL APPLICATION NO. 236/2021**  
**(Shri Vikram B Garje Vs. State of Maharashtra & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

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

2. S.O. to 13.3.2023 for hearing. **High on Board.**

**VICE CHAIRMAN**

ARJ ORAL ORDER 9.3.2023

**ORIGINAL APPLICATION ST. NO. 334/2023  
(Shri Gunaji Mundhe Vs. State of Maharashtra & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Heard Shri SB Solanke, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities.

2. With objection, issue notice to respondents, returnable on 18.4.2023.
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 18.4.2023.
8. Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST. NO. 314/2023  
(Shri Dnyanoba L. Dahiphale Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Heard Shri SB Solanke, learned counsel for the applicant and Shri DR Patil, learned Presenting Officer for the respondent authorities.

2. With objection, issue notice to respondents, returnable on 18.4.2023.

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 18.4.2023.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 169/2023**  
**(Shri Nitin A. Shete Vs. State of Maharashtra & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Shri NK Tungar, learned counsel for the applicant (**absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 10.4.2023 in Regular Admission category.

**VICE CHAIRMAN**

ARJ ORAL ORDER 9.3.2023

**ORIGINAL APPLICATION NO. 166/2023**  
**(Shri Sunil Ramdas Kharat Vs. State of Maharashtra & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Heard Smt. Amruta Paranjape - Menezes, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 5.4.2023.
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 5.4.2023.
8. Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 162/2023**  
**(Shri Balaji M. Shinde Vs. State of Maharashtra & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Heard Shri YP Deshmukh, learned counsel for the applicant and Shri MS Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 27.3.2023.
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 27.3.2023.
8. Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**

**M.A. NO. 110/2023 IN O.A. ST. 431/2023  
(Shri Kailash T. Gadekar Vs. State of Maharashtra & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

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

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 and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly 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.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST. NO. 431/2023**  
**(Shri Kailash T. Gadekar Vs. State of Maharashtra & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Heard Shri SS Dambe, learned counsel for the applicant and Shri IS Thorat, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 19.4.2023.
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 19.4.2023.
8. Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**



**M.A. NO. 99/2023 IN O.A. ST. 390/2023  
(Shri Pritam R. Bansode & Anr. Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Heard Shri PV Suryawanshi, learned counsel for the applicants and Shri NU Yadav, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents in M.A., returnable on 19.4.2023.

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 19.4.2023.

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

**VICE CHAIRMAN**

**M.A. NO. 98/2023 IN O.A. ST. 75/2023**  
**(Shri Ashok Anant Keskar Vs. State of Maharashtra & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Heard Shri LK Pradhan, learned counsel for the applicant and Shri MP Gude, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents in M.A., returnable on 17.4.2023.

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 17.4.2023.

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

**VICE CHAIRMAN**

**M.A. NO. 111/2023 IN O.A. 163/2023  
(Shri Shantaram M. Shinde Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

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

2. By filing the present Misc. Application the applicant is seeking leave to carry out the amendment in the Original Application. The learned counsel for the applicant submitted that some facts inadvertently remained to be incorporated in the pleadings and they are sought to be incorporated.

3. Even the first notice has also not been issued in the Original Application there seems no impediment in allowing the present Misc. Application. It is accordingly allowed. The amendment be carried out forthwith.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 163/2023**

**(Shri Shantaram M. Shinde Vs. State of Maharashtra & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Heard Shri VB Wagh, learned counsel for the applicant and Shri IS Thorat, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 5.4.2023.
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 5.4.2023.
8. Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 618/2019**

**(Shri Dhondiram G. Kamble Vs. State of Maharashtra & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Shri UL Momale, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has tendered across the bar the affidavit in reply on behalf of respondent no.

5. It is taken on record. As reply is filed by the respondent no. 5, it can safely be presumed that respondent no. 5 is duly served.

3. Await service for respondent nos. 1 to 4.

4. S.O. to 19.4.2023.

**VICE CHAIRMAN**

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

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Ms. Preeti Wankhade, learned counsel for the applicant and Shri DR Patil, learned Presenting Officer for the respondent authorities, are present.

2. The learned PO has tendered across the bar the affidavit in reply on behalf of respondent no. 2. It is taken on record and copy thereof has been supplied to the other side.

3. S.O. to 10.4.2023 for hearing.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 294/2022**  
**(Shri Ganpat K. Sidam Vs. State of Maharashtra & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Shri AS Khedkar, learned counsel holding for Shri SS Gangakhedkar, learned counsel for the applicant, Shri BS Deokar, learned Presenting Officer for the respondent authorities and Shri NS Kadam, learned counsel for respondent nos. 3 to 5, are present.

2. S.O. to 5.4.2023 for hearing. The interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

ARJ ORAL ORDER 9.3.2023

**T.A.NO. 13 OF 2023 (W.P.NO. 10387/2022)**  
**(Digambar B. Mule Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri Jiwan J. Patil, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents in T.A., returnable on 06.04.2023.

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 06.04.2023.

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

**MEMBER (J)**



**C.P.NO. 14 OF 2023 IN O.A.NO. 533 OF 2022**  
(Diwakar M. Jadhav Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Smt. S.C. Thombre, learned Advocate holding for Shri C.V. Thombre, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 30.03.2023. The applicant is at liberty to produce on record the documents by appropriately amending the Contempt Petition.

**MEMBER (J)**

SAS ORAL ORDERS 09.03.2023.

**ORIGINAL APPLICATION ST. NO. 296 OF 2023**  
(Waseem Ayaz Baig Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri Sayyed Tauseef Yaseen, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, S.O. to 20.03.2023.

**MEMBER (J)**

SAS ORAL ORDERS 09.03.2023.

**M.A.NO. 112/2023 IN O.A.ST. 435/2023**  
(Yogesh S. Swami & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri Gaurav L. Deshpande, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

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 and the prayers are identical and since the applicants have prayed for same relief, to avoid the multiplicity, leave to sue jointly 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 (J)**

**ORIGINAL APPLICATION ST. NO. 435 OF 2023**  
**(Yogesh S. Swami & Ors. Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri Gaurav L. Deshpande, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 23.03.2023.

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 23.03.2023.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 183 OF 2023**  
**(Sahebrao S. Wyal Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 09.03.2023**

**ORAL ORDER :**

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

2. Issue notices to the respondents, returnable on 24.03.2023.
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 24.03.2023. Point of interim relief is kept open.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (J)**

**ORIGINAL APPLICATION ST.NO. 337 OF 2023**  
**(Kishan B. Mane Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 09.03.2023**

**ORAL ORDER :**

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

2. Issue notices to the respondents, returnable on 06.04.2023.
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 06.04.2023. Point of limitation to the extent of prayer clause 'C' & 'D' is kept open.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (J)**

**ORIGINAL APPLICATION ST.NO. 338 OF 2023**  
(Deorao A. Sawale Vs. State of Maharashtra & Ors.)

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

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

**DATE : 09.03.2023**

**ORAL ORDER :**

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

2. Issue notices to the respondents, returnable on 06.04.2023.
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 06.04.2023. Point of limitation to the extent of prayer clause 'C' & 'D' is kept open.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (J)**

**M.A.ST.NO. 432/2023 IN O.A.ST.NO. 295/2023**  
**(Shubham H. Waghmare & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri Sayyed Tauseef Yaseen, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. In respect of office objection, learned Advocate for the applicant seeks liberty to incorporate necessary pleadings. Liberty granted.
3. The applicant to carry out amendment on or before the next date.
4. S.O. to 14.03.2023.

**MEMBER (J)**

SAS ORAL ORDERS 09.03.2023



**M.A.ST.NO. 391/2023 IN O.A.NO. 139/2021**  
**(Sunil R. Barse Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri R.N. Bharaswadkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, S.O. to 03.04.2023.

**MEMBER (J)**

SAS ORAL ORDERS 09.03.2023

**M.A.43/2023 IN O.A.671/2021 WITH C.P.ST.05/2023  
(Nitin S. Bedse Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. 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 matters regarding Regularization/continuation in service are to be dealt with by the Single Bench. The Original Application is pertaining to Regularization.

3. In view of the same, the present matter be placed before the Single Bench.

4. S.O. to 15.03.2023 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 702 OF 2021**  
(Vivekanand P. Dhongade Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri Avinash S. Khedkar, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 17.03.2023. **High on Board.**

**MEMBER (J)**

**M.A.NO.542/2022 WITH M.A.NO. 261/2022 WITH  
M.A.NO. 257/2022 IN O.A.NO. 447/2022  
(Dr. Shivshakti D. Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant in M.A.No.542/2022 (intervenors), Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, Shri S.B. Bhosale, learned Advocate for the applicants in M.A.No.261/2022 & M.A.No.257/2022 and Shri G.M. Ghongade, learned Advocate holding for Shri Mohit Deshmukh, learned Advocate for the applicants in O.A.No.447/2022.

2. S.O. to 21.03.2023 for re-hearing. **High on Board.**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 49 OF 2015**  
(Dattatray G. Zade Vs. State of Maharashtra & Ors.)

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

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

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 28.03.2023. **High on Board.**

**MEMBER (J)**

SAS ORAL ORDERS 09.03.2023

**ORIGINAL APPLICATION NO. 587 OF 2016**  
(Vijaysing H. Bagul Vs. State of Maharashtra & Ors.)

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

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

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 28.03.2023. **High on Board.**

**MEMBER (J)**

**O.A.NO. 453/2018 WITH O.A.NO. 454/2018**  
(Balasaheb R. Mendhekar & Ors. Vs. State of Maharashtra &  
Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri R.N. Bharaswadkar, learned Advocate for the applicants in both the O.As., Shri M.P. Gude, learned Presenting Officer for the respondent authorities in both the O.As. and Shri S.S. Dambe, learned Advocate for the respondent Nos. 5 to 12 in O.A.No.453/2018.

2. The present matters have already been treated as part heard.

3. S.O. to 27.03.2023. **High on Board.**

**MEMBER (J)**

SAS ORAL ORDERS 09.03.2023

**ORIGINAL APPLICATION NO. 82 OF 2019**  
(Devendra R. Dandgavhal & Ors. Vs. State of Maharashtra &  
Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 09.03.2023**

**ORAL ORDER :**

Shri Shankar Borkute, learned Advocate for  
the applicant (**Absent**). Shri I.S. Thorat, learned  
Presenting Officer for the respondent authorities, is  
present.

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

3. S.O. to 28.03.2023. **High on Board.**

**MEMBER (J)**

SAS ORAL ORDERS 09.03.2023



**M.A.NO. 222/2019 IN O.A.ST.NO. 851/2019**  
**(Namdeo M. Bawiskar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri B.G. Lathe, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 30.03.2023. **High on Board.**

**MEMBER (J)**

SAS ORAL ORDERS 09.03.2023

**ORIGINAL APPLICATION NO. 1069 OF 2019**  
**(Prabhakar M. Kathar Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri V.G. Pingle, 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 20.03.2023. **High on Board.**

**MEMBER (J)**

SAS ORAL ORDERS 09.03.2023

**ORIGINAL APPLICATION NO. 660 OF 2022**  
**(Dr. Sunil D. Longne Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri Vishnu Khande, learned Advocate holding for Shri Ajinkya Reddy, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 23.03.2023. **High on Board.**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 93 OF 2019**  
(Priyanka J. Janephalkar Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 09.03.2023**

**ORAL ORDER :**

Shri J.M. Murkute, learned Advocate for the applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 27.03.2023 for hearing. **High on Board.**

**MEMBER (J)**

**O.A.NO. 39/2020 WITH O.A.NO. 477/ 2018 WITH  
O.A.NO. 982/2018 WITH O.A.NO. 983/2018  
(Anil B. Nikam & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, learned Advocate for the applicant in O.A.No.39/2020, Shri V.B. Wagh, learned Advocate for the applicants in O.A.Nos.477, 982 & 983 all of 2018 and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these O.As.

2. S.O. to 23.03.2023 for hearing. **High on Board.**

**MEMBER (J)**

**O.A.NOS. 56 TO 67 ALL OF 2019**

**(Dr. Balaji M. Mirkute & Ors. Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri M.R. Kulkarni, learned Advocate for the applicants in all these O.As., Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 3 in all these O.As. and Smt. Yogita S. Thorat, learned Advocate for the respondent Nos. 4 & 5 in all these O.As.

2. Affidavits in rejoinder filed on behalf of the applicants in all these O.As. are taken on record and copies thereof have been served on the other sides.

3. S.O. to 03.04.2023 for admission. Status quo granted earlier in all these O.As. to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1114 OF 2022**  
**(Pramod N. Kusneniwar Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, Shri Y.S. Thorat, learned Advocate holding for Shri V.P. Narwade, learned Advocate for the respondent No.3 and Shri Vishnu Khande, learned Advocate holding for Shri Ajinkya S. Reddy, learned Advocate for the respondent No.4.

2. Affidavits in reply filed on behalf of the respondent Nos. 1 & 2 jointly and on behalf of respondent No.5 separately are taken on record and copies thereof have been served on the other sides.

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

4. S.O. to 13.04.2023 for filing affidavit in rejoinder to the affidavit in reply filed on behalf of the respondent Nos. 1, 2 & 5.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 281 OF 2022**  
(Kirti M. Nagargoje Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Smt. Vidya Taksal, learned Advocate holding for Smt. Suchita Dhongde, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 18.04.2023 for admission.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 6 OF 2023**  
**(Pandurang G. Lomole Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Affidavit in reply filed on behalf of the respondent Nos. 1 & 2 is taken on record and copy thereof has been served on the other side.

3. S.O. to 10.04.2023 for filing affidavit in rejoinder, if any.

4. Interim relief granted earlier to continue till then.

**MEMBER (J)**

SAS ORAL ORDERS 09.03.2023

**ORIGINAL APPLICATION NO. 360 OF 2022**  
**(Anil P. Khaladkar Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri S.B. Bhosale, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri Y.S. Thorat, learned Advocate holding for Shri V.P. Narwade, learned Advocate for the respondent Nos. 4 & 5.

2. Affidavits in rejoinder filed on behalf of the applicant separately to the affidavit in reply filed on behalf of respondent Nos. 1 & 3 are taken on record and copies thereof have been served on the other sides.

3. S.O. to 28.03.2023 for admission.

**MEMBER (J)**

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

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

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

**DATE : 09.03.2023**

**ORAL ORDER :**

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

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

3. S.O. to 21.03.2023 for admission.

**MEMBER (J)**

SAS ORAL ORDERS 09.03.2023

**M.A.NO. 496/2022 IN O.A.ST.NO. 1939/2022**  
(Manjusha R. Jadhav & Ors. Vs. State of Maharashtra & Ors.)

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

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

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicants, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Shri K.B. Jadhav, learned Advocate for the respondent Nos. 6 & 7. Shri S.K. Patil, learned Advocate for the respondent No.4, is **absent**. None present on behalf of the respondent No.5, though duly served.

2. Affidavit in reply filed on behalf of the respondent Nos. 6 & 7 in M.A. is taken on record and copy thereof has been served on the other side.

3. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of the respondent Nos. 2 & 3.

4. S.O. to 30.03.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 277 OF 2021**  
(Shivaji N. Wagh Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Record shows that the affidavit in reply is already on record.
3. S.O. to 12.04.2023 for admission. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**C.P.NO. 5 OF 2022 IN O.A.NO. 69 OF 2020**  
(Suresh G. Tandale Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri S.S. Tandale, learned Advocate holding for Shri B.R. Kedar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 11.04.2023.

**MEMBER (J)**

SAS ORAL ORDERS 09.03.2023

**ORIGINAL APPLICATION NO. 430 OF 2022**  
(Swannand B. Thorve & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri R.O. Awasarmol, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

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

3. S.O. to 21.04.2023.

**MEMBER (J)**

SAS ORAL ORDERS 09.03.2023

**ORIGINAL APPLICATION NO. 547 OF 2022**  
(Ganesh S. Chavan Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
(This matter is placed before the Single  
Bench due to non-availability of Division  
Bench)

**DATE : 09.03.2023**

**ORAL ORDER :**

Heard Shri A.S. Khedkar, learned Advocate holding for Shri A.B. Chalak, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Record shows that affidavit in reply is only filed on behalf of respondent No.2.

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

4. S.O. to 06.04.2023. Interim relief granted earlier to continue till then.

**MEMBER (J)**



**O.A.NO. 430/2021 WITH M.A.NO. 105/2023**  
**(Dr. Prema Balasaheb Bansode Vs. State of Mah. & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

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

2. When the present matter is taken up for consideration it is noticed that the impugned order of transfer dated 9.8.2021 was stayed by this Tribunal vide order passed on 13.8.2021 observing that the daughter of the applicant is studying in 12<sup>th</sup> standard and retention was sought for one year. However, the matter could not be taken for consideration for whatsoever may be reason till date and interim relief has been extended. Having regard to the pleadings of the present matter, it appears that the very purpose of filing application has been served.

3. In the above circumstances the case of the applicant now can be considered by the respondents for her transfer in ensuing annual general transfers. The respondents shall accordingly consider the case of the applicant for her transfer from the existing place on usual terms and conditions.

**:: - 2 - :: O.A. 430/21 WITH M.A.105/23**

4. In the M.A. the applicant has prayed for her transfer on the vacant post of Assistant Commissioner (Animal Husbandry) Frozen Semen Laboratory at Harsul, Aurangabad. The Tribunal however, cannot issue any such mandate, making transfers of their employees is the prerogative of the Government and unless the action of the State is held *mala fide* or with ulterior motive ordinarily no interference is to be caused in such orders. In the circumstances, prayer as has been claimed in the M.A. cannot be granted by this Tribunal. The respondents may however, independently consider such request on its own merits.

5. The O.A. and M.A. both stand disposed of in the aforesaid terms. There shall be no order as to costs.

**VICE CHAIRMAN**

ORAL ORDER 9.3.2023-HDD

**ORIGINAL APPLICATION NO. 14 OF 2023**  
**(Rajesh Narayanrao Kadam Vs. State of Mah. & Ors.)**

**W I T H**

**ORIGINAL APPLICATION NO. 15 OF 2023**  
**(Balaji Govindrao Magare Vs. State of Mah. & Ors.)**

**W I T H**

**ORIGINAL APPLICATION NO. 16 OF 2023**  
**(Vilas Namdeorao Ingle Vs. State of Mah. & Ors.)**

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

**DATE : 9.3.2023**

**ORAL ORDER :**

Heard Ms. Preeti R Wankhade, learned counsel for the applicants and Shri M.P. Gude, Smt. Sanjivani Deshmukh-Ghate and Mrs. Deepali S. Deshpande, learned Presenting Officers for the respective respondents in respective matters.

2. Since in all these matters the grievance of the applicants is common and identical prayers are made in all these matters, I have heard all these matters together and deem it appropriate to decide all these matters by common reasoning.

3. The applicants have challenged the order of their posting after their promotion to the post of Senior Assistant from the post of Senior Clerk. It is the grievance of the applicants that on promotion they have

been posted at the places at the distance of more than four hundred k.ms. from their present posting. It is the further grievance of these applicants that though all these applicants have preferred representations with the respondent authorities and similar representations were presented by similarly situated other employees who can be termed as co-employees of these applicants, while considering the request of majority of them positively, the request of the applicants has been turned down without assigning any good reason therefor. Learned Counsel for the applicants pointed out certain instances and has placed on record documents in that regard showing that the representations of the similarly situated employees have been favourably considered by the respondents and their orders of posting have been suitably changed.

4. Learned Counsel for the applicants submitted that ordinarily Class-III employees should not be transferred at such a far distance from the existing posting. Learned Counsel further submitted that the ground on which the applicants have requested for change in their posting, the request of certain employees on similar ground has been accepted but the request of the applicants has not been considered. Learned Counsel submitted that the reasons as are submitted in the representation filed by

**:: - 3 - :: O.A.NOS. 14 TO 16 OF 2023**

the applicants are genuine and must have been considered by the respondents. In one matter the change in the posting has been sought on the ground of couple convenience; in other matter on the ground of serious ailment of mother; and in the another matter the posting sought to be changed on the ground that the posting is given at Jalgaon from Nanded at the distance of 400 k.ms. will be most inconvenient because there are no elderly persons to look after children of the applicant and as such, the entire responsibility is on the wife of the applicant.

5. Learned Presenting Officer has opposed contentions raised in the O.As. and the request made therein. Learned P.O. submitted that the cases of most of the employees are sympathetically considered by the respondents and utmost effort has been made to see that no inconvenience is caused to the employees. Learned P.O. submitted that since in comparison to the cases of the applicants, difficulties put-forth by the other employees were more serious, their cases have been considered and the postings are accordingly changed. However, the cases of these applicants could not be considered for want of suitable vacant posts for change in their posting.

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6. During course of the arguments it was pointed out by the learned counsel for the applicants that at Parbhani new Medical College has been established and seven posts are created of the Senior Assistant. Learned Counsel submitted that the present applicants can be considered for giving them posting at the said vacant posts. It is further contended that the applicants are not claiming the posting at any particular district or place, their only request is that they may be posted at nearby places.

7. Transfer is inevitable in the career of the Government employees which cannot be every time avoided. It is however, true that the difficulties of these applicants are to be considered by the respondents. The Tribunal, has its limitation in passing orders in such matters. The difficulties of the administration cannot be lost sight of and in the circumstances in rare cases the Tribunals are supposed to cause interference in the orders of transfer or in the orders of postings.

8. From the contentions raised in the applications and the argument as has been advanced on behalf of all these applicants it appears that these applicants feel that they have not been given the same treatment which has been given to the similarly situated other employees

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in their department. This feeling of being discriminatory needs to be removed. It can only be removed by the respondents by reconsidering the requests of these applicants. The applicants must know reasons may it be a rejection or acceptance of request. Moreover, a new development which has occurred during pendency of the present applications is establishment of new Medical College at Parbhani and availability of good number of posts of Senior Assistant in the said college.

9. As I noted hereinabove it cannot be permissible for this Tribunal to give any mandate for transfer at any particular place. The only direction which this Tribunal can issue is for reconsideration of the request of these applicants on equitable grounds. As such, the present applications can be disposed of with the following directions to the respondents: -

**ORDER**

The respondents shall reconsider the request of all these applicants seeking change in their posting on the grounds mentioned in their applications and the common ground that they have been transferred at far away distance of around 400 kms and having regard to availability of the posts at the newly established

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Government Medical College at Parbhani, within 6 weeks from the date of this order.

(ii) The Original Applications stand disposed of in the aforesaid terms. There shall be no order as to costs.

**VICE CHAIRMAN**

ORAL ORDER 9.3.2023-HDD