

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

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

Before: -Court On Leave

Date: -09/06/2023

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Regular Admission Matters						
1	OA1071/22	O'bad	Adv.Ganesh J Kore (Pratap S Sontakke)	Refund of Recovered Amount		25.7.2012
Order Matter						
10	MA588/19 In OAST2292/19	Nanded	Adv.Vikram S Kadam (Vyankat L Nilawar)	M.A. For Condonation of Delay	Reply Filed by R-1 to R-4	26.7.2023
11	MA227/21 In OAST901/21	J'gaon	Adv.K.B. Jadhav (Anil V Mahajan) <u>Adv.V.G. Pingle For R.No.6</u>	M.A. For Condonation of Delay	Reply Filed by R-1 to R-4	26.7.2023
12	MA231/21 In OAST782/21	A'nagar	Adv.S.P. Chate (Raju T Kamble)	M.A. For Condonation of Delay	<u>For Further Consideration</u> Reply Filed by R-1, R-2 & R-4	25.7.2023
13	MA300/22 In OAST855/22	P'bhani	Adv.M.M. Patil(Beedkar) (Tukaram S Pawar)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-2	25.7.2023
14	MA301/22 In OAST856/22	P'bhani	Adv.M.M. Patil(Beedkar) (Uttam V Bhumre)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 & R-2	25.7.2023
15	MA304/22 In OAST1027/22	Dhule	Adv.Mohit R Deshmukh (Ravikiran R Ahire & Ors.)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-3 & R-4	24.7.2023
16	MA129/23 In OA534/21	Dhule	Adv.S.D. Dhongde (Shaikh Mohamed Shoeb Sarfaraz)	M.A. For I.R.		28.7.2023

Due Admission Matters						
17	OA761/19	A'bad	Adv.Siddharth Shinde/ Adv.M.B. Sandanshiv (Vitthal G Jadhav)	Withdrawal of ACPS/ Revision of Pension	Reply Filed by R-1 to R- 3	24.7.2023
18	OA247/21	A'bad	Adv.Suchita A Dhongde (Ashok B Dhokle) <u>Adv.S.B. Mene for R.No.2</u>	Time Bound Promotion/ ACPS	For Hearing Reply Filed by R-1 & R- 4	24.7.2023
19	OA369/21	O'bad	Adv.Sushant B Choudhari (Naushadbee Ibrahim Shaikh)	Compassionate Appointment	Reply Filed by R-1 to R- 5	28.7.2023
20	OA381/21	J'gaon	Adv.Pramod S Gaikwad (Swapnil S Shimpi)	Compassionate Appointment	For Hearing Reply Filed by R-2 & R- 3	28.7.2023
21	OA441/21	P'bhani	Adv.S.S. Gangakhedkar/ (Shriram S Ghuge)	Time Bound Promotion/ ACPS/ Benefit of G.R.	Reply Filed by R-1 to R- 4	26.7.2023
22	OA516/21	A'bad	Adv.Ajay S Deshpande Adv.Ajay S Deshpande has Filed Leave Note From 06.06.2023 to 11.06.2023 (Vishwasrao V Kulkarni)	Recovery/ Refund of recovered Amount	For Hearing Reply Filed by R-1 & R- 2	26.7.2023
23	OA766/21	Latur	Adv.V.B. Wagh (Narandra K R Joshi)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R- 3	28.7.2023
24	OA27/22	Nanded	Adv.I.D. Maniyar (Shaikh Hamed Shaikh Hyder)	Deemed Date of Promotion	Reply Filed by R-1 to R- 3	27.7.2023
25	OA269/22	A'nagar	Adv.A.S. Shelke (Sharda V Andure & Ors.) <u>Adv.M.P. Gude for R.Nos.1 & 3</u>	Compassionate Appointment	Reply Filed by R-2 & R- 3	28.7.2023

26	OA296/22	Beed	Adv.Amar V Lavte (Madhuri U Choudhari)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R- 5	28.7.2023
27	OA338/22	Nanded	Adv.I.D. Maniyar (Khwaja Munneruddin Mohammad Naseeruddin)	2 nd Benefit of T.B.P. & A.C.P.S	For Further Consideration Reply Filed by R-1 to R- 3	27.7.2023
28	OA404/22	Beed	Adv.K.G. Salunke (Manesh D Nagargoje)	Appointment on Compassionat Ground	For Hearing Reply Filed by R-3	28.7.2023
29	OA410/22	Nanded	Adv.Nikhil P Dube (Anand T Chintakute)	Compassionate Appointment	For Hearing	28.7.2023
30	OA438/22	A'nagar	Adv.V.G. Pingle (Sunita S Gaikwad & Ors.)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R- 3	28.7.2023
31	OA470/22	P'bhani	Adv.Vivek G Pingle (Prasad D Mule) <u>Adv.S.B. Mene for R.No.3</u>	Compassionate Appointment	For Hearing Reply Filed by R-2 & R- 3	28.7.2023
32	OA481/22	A'nagar	Adv.S.D. Joshi (Dhanwantsing H Saini)	Minor Punishment	For Hearing Reply Filed by Respondent	24.7.2023
33	OA522/22	Nanded	Adv.S.B. Jadhav (Shobha B Parodwad & Ors.)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R- 4	28.7.2023
34	OA570/21	Nanded	Adv.C.R. Thorat (Shivkumar B Chamkure)	Compassionate Appointment	For Hearing Reply Filed by R-1, R-2 & R-4	28.7.2023
35	OA603/22	A'bad	Adv.S.D. Kotkar (Sachin G Shelke)	Directions/ Compassionate Appointment	For Hearing Reply Filed by R-2	28.7.2023
36	OA626/22	O'bad	Adv.M.B. Kolpe/ Adv.S.B. Choudhari (Darshan D Kale)	Compassionate Appointment	For Hearing Reply Filed by R-3	28.7.2023

37	OA634/22	N'bar	Adv.S.D. Joshi (Somnath R Baviskar)	Transfer	For Hearing Reply Filed by R-1 to R- 3	18.7.2023
38	OA668/22	Dhule	Adv.V.G. Salgare (Kishor C Koli)	Compassionate Appointment	For Hearing Reply Filed by R-3 to R- 5	28.7.2023
39	OA706/22	Nanded	Adv.Pratap G Rodge (Suhas T Waghmare) <u>Adv.Vaibhav B Dhage</u> <u>for R.No.4</u>	Directions/ Compassionate Appointment	For Hearing	28.7.2023
40	OA845/22	O'bad	Adv.S.D. Joshi (Mayur M Kakade)	Compassionate Appointment	For Hearing Reply Filed by R-1 & R- 2	28.7.2023
41	OA864/22	Jalgaon	Adv.Vidya A Taksal (Gajanan B Dandge&ors)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R- 3	28.7.2023
42	OA935/22	Latur	Adv.K.G. Salunke (Pooja M Patil & Ors.)	Appointment on Compassionate Ground	For Hearing Reply R-3 & R-4	28.7.2023
43	OA973/22	Nanded	Adv.K.B. Jadhav (Abhijeet G Kamble) <u>Adv.S.B. Mene for</u> <u>R.Nos.2 & 3</u>	Compassionate Appointment	For Hearing	28.7.2023
44	OA1144/22	Nanded	Adv.R.I. Wakade (Ritesh C Kamble)	Compassionate Appoitment	For Hearing Reply Filed by R-1 to R- 5	28.7.2023
45	OA1152/22	Latur	Adv.K.G. Salunke (Krishna P Rathod & Ors.)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R- 3	28.7.2023
46	OA33/23	Jalna	Adv.S.S. Thombre (Prajakta V Devkule)	Compassionate Appointment	For Hearing Reply Filed by R-3 & R- 4	28.7.2023
47	OA112/23	Latur	Adv.K.G. Salunke (Ajay L Sonkamble & Ors.)	Compassionate Appointment	For Hearing Reply Filed by R-2 & R- 3	28.7.2023

48	OA113/23	Latur	Adv.K.G. Salunke (Vaibhav R Kakade)	Compassionate Appointment	For Hearing Reply Filed by R-2 & R- 3	28.7.2023
Final Hearing Matters						
49	OA420/19	Jalgaon	Adv.Suresh D Dhongde (Raju P Gaikwad)	Compassionate Appointment	Reply Filed by R-1 to R- 3	28.7.2023
50	OA427/19	J'gaon	Adv.S.D. Dhongde (Ranjeet S Savale(Dhangar)	Compassionate Appointment	Reply Filed by R-2	28.7.2023
51	OA489/19	P'bhani	Adv.J.M. Murkute (Vinod R Kandere)	Compassionate Appointment as per G.R.	Reply Filed by R-1 to R- 3	28.7.2023
52	OA543/19	A'bad	Adv.Ganesh R Jadhav (Shivprasad C Potpalliwar & Ors.) <u>Adv.S.B. Mene for R.Nos. 2 & 3</u>	Compassionate Appointment	Reply filed by R-2 & R- 3	28.7.2023
53	OA584/19	A'nagar	Adv.Satish P Dhobale (Balu S Jambe)	Time Bound Promotion/ ACPS/ Difference of Salary & Arrears of T.B.P.	Reply Filed by R-1 to R- 4	27.7.2023
54	OA1048/19	Latur	Adv.K.M. Nagarkar (Ramchandra L Kulkarni) <u>Adv.S.B. Mene for R.Nos.2 to 4</u>	Recovery/ Refund of Recovered Amount	Reply Filed by R-3 to R- 4	27.7.2023
55	OA1080/19	J'gaon	Adv.A.D. Sugdare (Ravindra S Patil) <u>Adv.Sunita D Shelke for R.Nos.2 & 3</u>	Recovery/ Refund of Recovered Amount	Reply Filed by R-1 & R- 3	27.7.2023
56	OA542/20	A'naga r	Adv.Avinash S Deshmukh (Rajaram S Shendge)	Suspension	Reply Filed by R-1	28.7.2023

57	OA597/20	A'nagar	Adv.Sandip R Andhale (Amol S Shidore)	Compassionate Appointment	Reply filed by R-1 to R- 4	28.7.2023
58	OA51/21	Dhule	Adv.Amit S Savale (Devidas F Shinde)	Compassionate Appointment	Reply Filed by R-1 to R- 4	28.7.2023
59	OA160/21	Dhule	Adv.Avinash S Deshmukh (Mayur R Sonawane)	Compassionate Appointment	Reply Filed by R-3 & R- 4	28.7.2023
60	OA226/21	J'gaon	Adv.P.S. Gaikwad (Khilesh K Choudhari)	Appointment on Compassionate Ground	Reply Filed by R-2	28.7.2023
61	OA270/21	J'gaon	Adv.Avinash S Deshmukh (Nanda V Solanki & Ors.)	Compassionate Appointment	Reply Filed by R-2 & R- 3	28.7.2023
62	OA296/21	N'bar	Adv.B.K. Patil (Rekhabai C Bahiram)	Compassionate Appointment	Reply Filed by R-2	28.7.2023
63	OA393/21	J'gaon	Adv.Avinash S Deshmukh (Anjanabai M Ingale & Ors.)	Compassionate Appointment	Reply filed by R-1 & R- 2	28.7.2023
64	OA550/21	J'gaon	Adv.C.V. Dharurkar (Shobha S Bidhe & Ors.)	Compassionate Appointment	Reply Filed by R-1 & R- 2	28.7.2023
65	OA35/22	A'bad	Adv.K.B. Jadhav (Vikas R Pradhan)	Compassionate Appointment on the Ground	Reply Filed by R-1 to R- 3	31.7.2023
66	OA63/22	P'bhani	Adv.K.G. Salunke (Sandeep S Jadhav)	Appointment on Compassionate Ground	Reply Filed by R-3 & R- 4	28.7.2023
67	OA173/22	Nanded	Adv.V.P. Kadam (Ajay G Dawane & Ors.)	Compassionate Appointment	Reply Filed by R-1 to R- 4	28.7.2023
68	OA248/22	N'bar	Adv.Ajinkya S Mirajgaonkar (Mogra G Thakre) Adv.Amit Savale for R.No.2	Police Patil	Reply filed by R-1	27.7.2023

69	OA363/22	Jalna	Adv.Nitin T Tribhuwan (Ranjit P Ratnaparkhe)	Compassionate Appointment	Reply Filed by R-2	28.7.2023
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Date: -09/06/2023

S.B. For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	OA1/20	Nanded	Adv Mujahed Hussain (Seema S Dalvi & Ors.)	Compassionate Appointment	For Filing Affidavit in Rejoinder	28.7.2023
2	OA174/20	Nanded	Adv.A.A. Khande (Ravindra P Bibekar) <u>Adv.G.N. Patil for R.No.4</u>	Compassionate Appointment	Await Service	28.7.2023
3	TA12/22 In WP3413/22	A'bad	Adv A S Shejwal (Shubham K Gadve)	Compassionate Appointment	Await Service	28.7.2023
4	OA376/22	P'rbn	Adv S D Joshi (Priyanka S Bansode)	Compassionate Appointment	By Way of Last Chance For Filing Affidavit in Reply	28.7.2023
5	OA405/22	Beed	Adv.Bharat N Gadegaonkar (Sujata R Parsode & Ors.)	Compassioante Appointment	For Filing Affidavit in Reply	28.7.2023
6	OA440/22	P'bhani	Adv Shaikh Wajeed Ahmed (Khan Mohammed Arbaz Mohammed Kazim Khan)	Compassionate Appointment	By Way of Last Chance For Filing Affidavit in Reply <u>Ref Order Dtd. 30.11.2022</u>	28.7.2023
7	OA469/22	A'nagar	Adv.A.S. Deshmukh (Arun S Joshi)	Directions/ Pension & Monetary Benefits	For Filing Affidavit in Reply	18.7.2023

8	OA517/22	Latur	Adv M B Kolpe (Shital A Gundewad) <u>Adv K B Jadhav For</u> <u>R.Nos.6 to 8</u>	Compassionate Appointment	Reply Filed By R- 1 to R-5 <u>Ref Order</u> <u>Dtd.</u> <u>03.01.2023</u>	28.7.2023
9	OA649/22	A'bad	Adv S D Joshi (Prerna S Gadve)	Compassionate Appointment	Reply Filed By R-1 & R- 2	28.7.2023
10	OA770/22	A'nagar	Adv V B Wagh (Surendra M Pawar)	Compassionate Appointment	For Filing Affidavit in Reply	28.7.2023
11	OA965/22 with	O'bad	Adv.Ganesh J Kore (Prabhakar M Kawathekar)	Annual Increments/ Other Monetary Benefits	One More Last Chance For Filing Affidavit in Reply <u>Ref Order</u> <u>Dtd.</u> <u>16.03.2023</u>	13.7.2023
12	OA966/22 with	O'bad	Adv.Ganesh J Kore (Bhalchandra P Dharurkar)	Annual Increments	One More Last Chance For Filing Affidavit in Reply	
13	OA967/22 with	O'bad	Adv.Ganesh J Kore (Pandharenath B Dhorge)	Annual Increments/ Other Monetary Benefits	One More Last Chance For Filing Affidavit in Reply	
14	OA968/22 with	O'bad	Adv.Ganesh J Kore (Jilani Azimoddin Shaikh) <u>Adv S D Dhongde For</u> <u>R- No.2</u>	Annual Increments/ Other Monetary Benefits	One More Last Chance For Filing Affidavit in Reply	13.7.2023
15	OA969/22 with	O'bad	Adv Ganesh J Kore (Shaikh Rahim Shaikh Chand)	Annual Increments/ Other Monetary Benefits	One More Last Chance For Filing Affidavit in Reply	13.7.2023

16	OA880/22 with	O'bad	Adv.Ganesh J Kore (Ajgar Ali Mohiddin Shaikh)	Annual Increments	Reply Filed By R- 1 & R-2	13.7.2023
17	OA881/22 with	O'bad	Adv.Ganesh J Kore (Vilas V Sathe)	Annual Increments/ Other Monetary Benefits	One More Last Chance For Filing Affidavit in Reply	13.7.2023
18	OA1028/22	O'bad	Adv Ganesh J Kore (Dipak S Sherkhane)	Annual Increments/ Other Monetary Benefits	Reply Filed By R- 1 & R-2	13.7.2023
19	OA997/22	Dhule	Adv S N Suryawanshi (Rekha D Shinde & Ors.)	Appointment on Compassionate Ground	Reply Filed By R- 2 & R-3	28.7.2023
20	OA1036/22	Nanded	Adv.A.D. Gawale (Sumedh D Waghmare)	Compassionate Appointment	For Reply	28.7.2023
21	OA1138/22	J'gaon	Adv Dipesh Pande/ Adv Girish Nagore (Nilesh S Salve)	Compassionate Appointment	For Reply	28.7.2023
22	OA1154/22	A'bad	Adv Mohit R Deshmukh (Mangesh R Kale & Ors.)	Compassionate Appointment	For Reply	28.7.2023
23	OA29/23	N'bar	Adv Yogesh H Jadhav (Malsing T Naik) (Bhil)	Compassionate Appointment	For Reply	28.7.2023
24	OA32/23	Beed	Adv Avinash S Deshmukh (Babamiya P Pathan)	Compassionate Appointment	Reply Filed By R-1 to R-4	28.7.2023
25	OA165/23	A'bad	Adv Priya R Bharaswadkar (Ramesh B Narwade)	Compassionate Appointment	For Reply	28.7.2023
26	OA214/23	Jalgaon	Adv S D Joshi (Salim S Tadvi)	Compassionate Appointment	For Reply	28.7.2023
27	OA216/23	A'nagar	Adv A P Gunge (Nanasaheb K Thorat)	Recovery (Medical Advances)	For Reply	25.7.2023

28	OA221/23	A'bad	Adv Dr Kalpalata Patil- Bharaswadkar (Govind D Marewad & Ors.)	Increment	For Reply	25.7.2023
29	OA232/23	Latur	Adv.V.D. Gunale (Anjali B Narhare) <u>Adv K P Rodge For R-3</u>	Appointment on Compassionate Ground	Await Service R-3 & For Filing Affidavit in Reply	28.7.2023
30	OA250/23	Latur	Adv A D Sugdare (Popat D Sonwane)	Direction/ Recovery	For Reply	25.7.2023
31	OA327/23	Nanded	Adv P P Uttarwar (Dr. Hanmant V Bainwad)	Payment of Bills	Await Service	25.7.2023
32	OA389/23	A'bad	Adv Kiran G Salunke (Sau. Vandana G Sukale) <u>Adv A B Rajkar For R-3</u>	Transfer	Await Service	25.7.2023
Order Matter						
33	MA203/23 In OAS728/23	A'bad	Adv A S Shelke (Kailas V Daghale)	M.A. For Condonation of Delay	Await Service	25.7.2023

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

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

Before: - **THE HON'BLE SHRI. V.D. DONGRE, MEMBER (J)**

And

THE HON'BLE SHRI. BIJAY KUMAR, MEMBER (A)

Date: -09/06/2023

Sr · N o	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Order Matters						
22	MA138/19 In OA805/17	A'bad	Adv.Vishnu Dhoble (Dr.Vanita N Puri) <u>Adv.Avinash Deshmukh for R.No.4 in OA805/17</u>	M.A. For Condonation of Delay	For Hearing	1.8.2023
23	MA449/19 In OAS1490/19	Hingoli	Adv.A.P. Sonpethkar (Sunil M Lagad)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R-4	1.8.2023
24	MA351/20 In OA470/18	Hingoli	Adv.V.P. Kadam (Mahadabai G Dhulekar) <u>Adv.A.D. Gadekar for R.No.4 in OA470/18</u>	M.A. for I.R.	For Hearing Reply Filed by R-1 to R-3 & For Filing Affidavit in Reply for R-4	25.7.2023
25	MA95/21 In OA170/21 with	A'bad	Adv.Talekar & Associates (Shivkumar V Chivde) <u>Adv.J.P. Legal for R.Nos.5, 6 & 7</u>	M.A. For Amendment	For Hearing	2.8.2023
26	MA96/21 In OA171/21	A'bad	Adv.Talekar & Associats (Shivkumar V Chivde) <u>Adv.J.P. Legal for R.Nos.5 & 6</u>	M.A. For Amendment	For Hearing	2.8.2023
High On Board Matters						
27	OA547/21	Jalna	Adv.S.D. Dhongde (Jalamsing D Valvi)	Enquiry/ All Pensionery Benefits	<u>Rehearing Part Heard</u> For Hearing Reply Filed by R-1 & R-2	19.6.2023

28	MASt664/22 In OAS665/22	A'bad & Ors.	Adv.S.S. Jadhavar (Reshma K Kamble & Ors.)	M.A. For Sue Jointly	Re Hearing With Office Objection	1.8.2023
29	OA124/17	Nanded	Adv.A.D. Gadekar (Govind B Rathod)	Appointment	Part Heard Reply Filed by R-1 & R-2	2.8.2023
30	OA603/17 With	Latur	Adv.Avinash S Deshmukh (Jaideep A Limbale & Ors)	Challenging G. R.	Part Heard Reply Filed by R-1, R-3, R-4, R-5 & R-6	27.6.2023
31	OA604/17 With	P'bhani	Adv.Avinash S Deshmukh (Kishor S Sabhadinde & Ors)	Challenging G. R.	Part Heard Reply Filed by R-1, R-3, R-4 to R-6	17.6.2023
32	OA605/17 With	O'bad	Adv.Avinash S Deshmukh (Pratap B Jalkute)	Challenging G. R.	Part Heard Reply Filed by R-1, R-3, R-4 to R-6	27.6.2023
33	OA606/17 With	Beed	Adv.Avinash S Deshmukh (Bhausahab B Rathod & Ors)	Challenging G. R.	Part Heard Reply Filed by R-1, R-3, R-4 to R-6	
34	OA607/17 With	Nanded	Adv.Avinash S Deshmukh (Praveen A Kulkarni & Ors)	Challenging G. R.	Part Heard Reply Filed by R-1, R-3, R-4 to R-6	
35	OA608/17 With	A'nagar	Adv.Avinash S Deshmukh (Sachin M Ralebhat)	Challenging G. R.	Part Heard Reply Filed by R-1 & R-3 to R-5	
36	OA609/17 With	A'bad	Adv.Avinash S Deshmukh (Pramod U Nade)	Challenging G. R.	Part Heard Reply Filed by R-1, R-3, R-4 to R-6	
37	OA780/17	Beed	Adv.P. R.Wankhade (Ramhari N Kamble)	Challenging G. R.	Part Heard Reply Filed by R-1, R-3, R-4 to R-6	
38	OA259/18	A'bad	Adv.Avinash S Deshmukh (Naseem Banu Nazir Patel)	Departmental Enquiry	Part Heard For Hearing Reply Filed by R-1 to R-3	2.8.2023
39	MA544/22 In OA762/18	O'bad	Adv.V.V. Deshmukh in MA544/22 Adv.V.V. Deshmukh has Filed Leave Note On 09.06.2023	M.A. For Adding Party Respondents	Part Heard of OA762/18 Reply Filed by R-1	30.6.2023

			(Maharashtra Rajya Bazar Samiti Karmachari Seva Nivrutti Vetan Yojna, Pune Through its CEO, Balasaheb G Katore) Adv.S.D. Joshi in OA762/18 (Sahebrao D Deshmukh & Ors.)	Challenging G.R.	to R-3 in OA762/18 For Filing Affidavit in Reply	
40	OA1069/19	A'bad	Adv.Vivek G Pingle (Prabhakar M Kathar)	Reinstate in Service	Part Heard Reply Filed by R-1 to R-6	24.7.2023
41	OA350/22	A'bad	Adv.K.G. Salunke (Pralhad C Shelke)	Seniority/ Promotion	Part Heard Reply Filed by R-2 to R-5	16.6.2023
42	OA537/19	J'gaon	Adv.Talekar & Associates (Narendra R Thakur)	Termination	For Expedited Hearing Reply Filed by R-1 to R-4	3.8.2023
43	OA677/22	Beed	Adv.K.G. Salunke (Ambrish K Bhusane & Ors.)	Promotion	For Expedited Hearing Reply Filed by R-2	16.6.2023
44	CP29/20 In OA1014/19	Beed	Adv.C.V. Dharurkar (Bade R Shridhar)	Contempt Petition	High On Board For Passing Necessary Order Additional Reply Filed by Respondents Reply Filed by R-1	3.8.2023
45	OA526/22	A'bad	Adv.G.A. Rathod (Sachin D Dahihande)	Appointment	High On Board For Hearing Reply Filed by R-1 & R-2	6.7.2023
46	MA173/23 In OA773/22	A'bad	Adv.V.B. Wagh (Mangala V Pawar)	M.A. For I.R.	High On Board	13.6.2023
47	MA189/23 In OA33/22	Nanded	Adv.V.B. Wagh (Vithal N Kokulwar)	M.A. For I.R.	OA33/22 is High On Board	13.6.2023
Due Admission Matters						

48	CP41/19 In OA25/18	A'bad	Adv.S.D. Joshi (Sachin R Salve)	Contempt Petition	For Heraring Reply Filed by R-1 to R-3	3.8.2023
49	OA906/16	J'gaon	Adv.A.G. Talhar (Dr. Atul R Ladwanjari & Ors.) <u>Adv.Hemraj P Shirsagar</u> <u>for R.No.4</u>	Advertisement	For Hearing Reply Filed by R-3 to R-5	3.8.2023
50	OA109/19	A'bad	Adv.V.B. Wagh (Dr. Sonali B Sayamber)	Pay Scale/ Recovery	For Hearing Reply Filed by R-1 to R-5	3.8.2023
51	OA294/19 with	A'bad	Adv.Abhishek C Deshpande (Sujata R Palve)	Advertisement	For Hearing	3.8.2023
52	OA296/19	Latur	Adv.Abhishek C Deshpande (Ashwini G Bele & Ors.)	Advertisement	For Hearing	3.8.2023
53	OA757/19	P'bhani	Adv.J.S. Deshmukh (Dr. Munna Afreen Abdul Gaffar)	Exemption From G.R./ Pay Protection	For Hearing Reply Filed by R-1 to R-4	4.8.2023
54	OA758/19	Nanded	Adv.J.S. Deshmukh (Dr. Satish V Totawar)	Exemption From G.R./ Pay Protection	For Hearing Reply Filed by R-1 to R-4	4.8.2023
55	OA759/19	Nanded	Adv.J.S. Deshmukh (Dr.Gopikrishna P Patil)	Exemption From G.R./ Pay Protection	For Hearing Reply Filed by R-1 to R-4	4.8.2023
56	OA760/19	Jalna	Adv.Swapnil A Deshmukh (Vishnu B Jaybhaye)	Major Punishment	For Hearing Reply Filed by R-2 & R-3	4.8.2023
57	OA850/19	Hingoli	Adv.D.G. Kamble/ Adv.K.N. Farooqui (Shrikant K Madilwar)	Departmental Enquiry/ Promotion/ Suspension Allowance	For Hearing Reply Filed by R-2 to R-4	7.8.2023
58	OA944/19	O'bad	Adv.Shamsunder B Patil (Dr. Anita A Kadam)	Voluntary Retirement/ Exdraordinary Leave	For Hearing Reply Filed by R-1 to R-4	7.8.2023

59	OA987/19	Jalna	Adv.M.R. Wagh (Bhimrao B Shrishipurkar)	Challenging Recruitment Rules	For Hearing Reply Filed by R-1	7.8.2023
60	OA107/20	Nanded	Adv.M.R. Kulkarni (Dr.Abdul Mubashir Abdul Majid Siddiqui & Ots.)	Count the Part Service/ Refixation of Pay	For Hearing	7.8.2023
61	OA115/20	A'bad	Adv.C.V. Dharurkar (Pravin S Thakre)	Appointment	For Hearing	8.8.2023
62	OA116/20	Nanded	Adv.P.B. Rakhunde (Shaikh Akhtar Hussain Mohd. Hanif)	Dismissal From Service	For Hearing Reply Filed by R-1 & R-2	8.8.2023
63	OA292/20	J'gaon	Adv.Ajay S Deshpande Adv.Ajay S Deshpande has Filed Leave Note From 6.06.2023 to 11.06.2023 (Bhatu J Borse & Ors.)	Appointment	For Hearing Reply Filed by R-1 & R-4 & For Filing Affidavit in Rejoinder	9.8.2023
64	OA480/20	Beed	Adv.R.D. Biradar/ Adv.S.U. Shaikh (Prakash P Nirmal & Ors.)	Reversion	For Hearing Reply Filed by R-1 & R-2	9.8.2023
65	OA508/20	A'nagar	Adv.C.V. Dharurkar/ Adv.A.S. Mirajgaonkar (Bhojane S Prabhakar)	Appointment	For Hearing Reply Filed by R-1	9.8.2023
66	OA14/21	Jalgaon	Adv.C. V. Dharurkar (Jaykumar R Koli)	Direction/ D. E	For hearing Reply filed By R-1 & R-2	9.8.2023
67	OA218/21	O'bad	Adv.C.V. Dharurkar (Mahamad Husain Tayyabsaheb Inamdar)	Enquiry/ Recovery	For Hearing Reply Filed by R-2 to R-4	9.8.2023
68	OA218/21	O'bad	Adv.C.V. Dharurkar (Mahamad Husain Tayyabsaheb Inamdar)	Enquiry/ Recovery	For Hearing Reply Filed by R-2 to R-4	9.8.2023

69	OA339/21	A'bad	Adv.Amol B Chalak (Arun S Jadhav)	Show Cause Notice/ Termination	For Admission Reply Filed by R-5 to R-7	6.7.2023
70	OA378/21	A'bad	Adv.Gaurav L Deshpande (Raju Husen Sayyed)	Selection	For Hearing Reply Filed by R-1 & R-2 For Filing Affidavit in Rejoinder	1.8.2023
71	OA716/21 With	Hingoli	Adv.Suchita A Dhongde (Navin J Sharma)	Reversion	For Hearing Reply Filed by R-2 & R-3	27.7.2023
72	OA717/21 With	Hingoli	Adv.Suchita A Dhongde (Meena V Shinde)	Reversion	For Hearing Reply Filed by R-2 & R-3	
73	OA718/21 With	Hingoli	Adv.Suchita A Dhongde (Gajanan B Aundhekar)	Reversion	For Hearing Reply Filed by R-2 & R-3	
74	OA719/21	Hingoli	Adv.Suchita A Dhongde (Khanderao N Pote)	Reversion	For Hearing Reply Filed by R-2 & R-3	
75	OA776/21	A'bad	Adv.S.D. Joshi (Lingoji K Pokale)	Deemed Date of Appointment/ Seniority/ Old Pension Scheme	For Admission Reply Filed by R-2	10.8.2023
76	OA827/21	J'gaon	Adv.Harshal P Randhir (Sanjaykumar U More)	Promotion	For Admission Reply Filed by R-1 to R-3	10.8.2023
77	OA196/22	Jalna	Adv.S.A. Deshmukh (Alka T Pagare)	Promotion	For Hearing Reply Filed by R-2 & R-3	10.8.2023
78	OA789/22	O'bad	Adv.R.K. Khandelwal (Sukhdeo R Solankar)	Termination	For Admission	3.7.2023
79	OA1019/22	Beed	Adv.Swaraj S Tandale (Indrakant H Shendurkar)	Promotion/ Deemed Date	For Admission	3.7.2023

80	OA271/23	A'nagar	Adv.A.S. Deshpande Adv.A.S. Deshpande has Filed Leave Note 06.06.2023 to 11.06/2023 (Anil S Chavan)	Selection Process (MPSC-Debar)	Additional Affidavit Filed	10.8.2023
Final Hearing Matters						
81	OA439/13	Beed	Adv.R.D. Khadap (Sakharam G Choughule)	D.E./ Increment	Reply Filed by R-2 & R-3	27.7.2023
82	OA624/13	P'bhani	Adv.M.C. Ghode (Yogesh P Ghuge & Ors.)	Post of Civil Engineer		27.7.2023
83	OA689/15	O'bad	Adv.S.B. Talekar (Dr.Shrikant B Tambe) <u>Adv.Pradeep R Patil for R.No.5</u> <u>Adv.V.B. Wagh for R.No.6</u>	Selection	Reply Filed by R-1 to R-4 & R-6	27.7.2023
84	OA201/16	Nanded	Adv.V.B. Wagh (Sayyed Habib Sayyed Abdul Rahim & Ors.)	Nanded	Reply Filed by R-1 to R-4	28.7.2023
85	OA482/16	J'gaon	Adv.Avinash S Deshmukh (Harshal V Patil)	Seniority	Reply Filed by R-1 & R-2	28.7.2023
86	OA595/16	O'bad	Adv.Bharat R Waramaa (Dhanraj R Dhumare) <u>Adv.Avinash S. Deshmukh for R.No.5</u>	Appointment	Reply Filed by R-2 & R-5	28.7.2023
87	OA78/17	Nanded	Adv.Talekar & Associates (Shivaji S Dahale)	Seniority/ Promotion	Reply Filed by R-2 & R-3	31.7.2023
88	OA82/17	A'bad	Adv.S.B. Talekar & Associates (Shaikh Rabbani Shaikh Dadubhai)	Promotion	Reply Filed by R-3	31.7.2023

89	OA268/17 With	Beed	Adv.Talekar & Associates (Vishal W Machave)	Promotion	Reply Filed by R-1 to R-4	31.7.2023
90	OA269/17 With	Beed	Adv.S.B. Talekar & Associates (Sachin B Kamble)	Promotion	Reply Filed by R-1 to R-4	31.7.2023
91	OA270/17 With	Beed	Adv.S.B. Talekar & Associates (Prashant B Pathak)	Promotion	Reply Filed by R-1 to R-4	31.7.2023
92	OA271/17	Beed	Adv.Talekar & Associates (Govind B Shelke)	Promotion	Reply Filed by R-1 to R-4	31.7.2023
93	OA799/21	O'bad	Adv.Jiwan J Patil (Shirish R Yadav)	Departmental Enquiry	Reply Filed by R-1 & R-2	6.7.2023

Date: -09/06/2023

D.B. For Reply Board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	CP4/20 In OA333/17 with	Jalna	Adv.J.S. Deshmukh (Shital A Soni) <u>Adv.M.S. Jagtap-Ware</u> <u>for R.No.5</u>	Contempt Petition	As a Last Chance For Filing Affidavit in Rejoinder	25.7.2023
2	CP5/20 In OA336/17 with	Jalna	Adv.J.S. Deshmukh (Dr.Yogesh V Solanke) <u>Adv.Mahesh S Taur for</u> <u>R.No.5</u>	Contempt Petition	As a Last Chance For Filing Affidavit in Rejoinder	
3	CP6/20 In OA332/17	Jalna	Adv.J.S. Deshmukh (Dr.Anil S Biradar) <u>Adv.V.P. Narwade for</u> <u>R.No.5</u>	Contempt Petition	As a Last Chance For Filing Affidavit in Rejoinder	

4	CP04/23 In OA304/18	Hingoli	Adv.J.S. Deshmukh (Sudhakar Mangalkar & 2 Others)	Contempt Petition	For Filing Affidavit in Rejoinder	4.7.2023
5	CP6/23 In OA467/21	A'nagar	Adv J S Deshmukh (Dr. Mohan P Shinde)	Contempt Petition	As One More Last Chance For Filing Affidavit in Reply Ref Order Dtd. 06.04.2023 & For compliance Ref Order Dtd. 20.04.2023	4.7.2023
6	OA906/18	O'bad	Adv S D Joshi (Chetan S Ahire)	Appointment	For Filing Affidavit in Rejoinder	26.7.2023
7	OA397/19	A'bad	Adv.V.B. Wagh (Shilpa J Ingale)	Challenging G.R.	For Filing Affidavit in Reply to the Amended O.A Ref Order Dtd.15.02.2023	27.7.2023
8	OA540/20	A'bad	Adv P R Wankhade (Shaikh Akbar Shaikh Rasul)	Deemed date of Appointment	Final Chance For Filing Affidavit in Rejoinder	27.7.2023
9	OA362/22	Beed	Adv.V.B. Wagh (Dr.Ashok S Gawali)	Departmental Enquiry	As One More last Chance For Filing Affidavit in Rejoinder	7.7.2023
10	OA495/22	Nanded	Adv Suchita Dhongde (Datta S Yelake)	Reversion	Cost is not Deposited By Respondents As Per Order Dtd. 01/03/2023 & For Filing Affidavit in Rejoinder	14.7.2023
11	OA525/22	Dhule	Adv Dhananjay Mane (Somnath B Satbhai)	Interview	For Filing Affidavit in Rejoinder	10.7.2023
12	OA676/22	Latur	Adv S B Solanke (Balaji B Takale & Ors.)	Seniority	For Filing Affidavit in Reply R-1, R-2 & R-4, R-6	28.7.2023
13	OA752/22	Jalgaon	Adv Amol B Chalak (Manisha C Panchal)	Show Cause Notice (Termination)	As a Last Chance For Filing Affidavit in Reply For R-1 & For Filing Affidavit in Rejoinder to the Reply Filed By R-2 & R-3	7.7.2023
14	OA885/22	Latur	Adv.V.G. Pingle (Chandrakant S Nakhate)	Exemption From Passing Examination for Crossing 45 Years of Age	For Filing Affidavit in Reply2 R-1 & R-2	28.7.2023

15	OA890/22	Nanded	Adv V B Wagh (Ganesh G Yerawar)	Departmental Enquiry	For Filing Affidavit in Reply	28.7.2023
16	OA08/23	Beed	Adv.S.D. Joshi (Gangadhar J Wadne)	Final Seniority List/ Promotion	For Filing Affidavit in Reply	28.7.2023
17	TA13/23 In WP10387/22	A'nagar	Adv Y S Choudhari/ Adv J J Patil (Digambar B Mule)	Advertisement	For Filing Affidavit in Reply R-1 & R-3	31.7.2023
18	OA18/23	Jalna/ Hingoli	Adv.Vidya A Taksal (Prakash S Jadhav & Ors.)	Promotion	For Filing Affidavit in Reply	24.7.2023
19	OA55/23	P'bhani	Adv.J.K. Bansod (Madhuri B Panzade)	Appointment	For Reply	31.7.2023
20	OA190/23	Latur	Adv S D Joshi (Kishan B Mane)	Departmental Enquiry/ Punishment	For Reply	31.7.2023
21	OA191/23	Latur	Adv S D Joshi (Deorao A Sawal)	Departmental Enquiry/ Punishment	For Reply	31.7.2023
22	OA328/23	N'bar	Adv A S Savale (Harshal V Marathe)	Promotion	Await Service	26.7.2023
23	OA375/23	Beed	Adv P R Bharaswadkar (Balasaheb A Wanve)	Show Cause Notice (Termination)	For Reply	31.7.2023
Order Matters						
24	MA528/22 In OA651/22	Jalna	Adv.V M.Jaware in MA (Vithal M. Wagh) Adv.V B. Wagh in OA (Santosh S. Suparkar)	MA for Intervention and adding Party as respondents	For Filing Affidavit in Reply	24.7.2023
25	MA12/23 In OAS2072/22	Latur	Adv.A.B. Rajkar (Yograj V Pawar)	M.A. For Condoantion of Delay	For Reply	24.7.2023
26	MA13/23 In OAS2076/22	Latur	Adv.A.B. Rajkar (Govind S Keshtraphale)	M.A. For Condoantion of Delay	For Reply	24.7.2023
27	MA87/23 In OA259/21	A'bad	Adv.C.V. Dharurkar/ Adv.Vinaya Mule-Dharurkar (Megharani P Tarkase & Ors.) Adv.A.S. Deshmukh For R.Nos.4 & 5 in OA259/21	M.A. For Direction	Await Service	25.7.2023

**M.A. No. 62/2022 with O.A. St. No. 209/2022
(Vijay Uttamrao Kale Vs. State of Maharashtra & Ors.)**

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

DATE : 09.06.2023.

O R D E R

(Per : Shri Bijay Kumar, Member (A))

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

2. This Miscellaneous Application (St.) No. 208 of 2022 in Original Application (St.) No. 209 of 2022 has been filed by the Original Applicant Shri Vijay Uttamrao Kale 27.01.2022, invoking provisions of Section 21 (3) of the Administrative Tribunals Act, 1985, thereby, seeking condonation of delay in filing the said Original Application, which has also been filed on 27.01.2022. This Miscellaneous Application (St.) No. 208 of 2022 was later on, registered as M.A. No. 62/2022 in O.A. (St.) No. 209/2022.

3. Another O.A. No. 95/2022 has also been filed by the same applicant i.e. by Shri Vijay Uttamrao Kale on 01.02.2022 invoking provisions of Section 19 of the Administrative Tribunals Act, 1985.

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O.A. St. No. 209/2022

4. Third O.A. No. 97/2022 has been filed by the same applicant i.e. by Shri Vijay Uttamrao Kale on 01.02.2022 invoking provisions of Section 19 of the Administrative Tribunals Act, 1985

5. Relief Prayed For in the Miscellaneous Application: - The applicant has prayed for relief in terms of para (V) of the present Miscellaneous Application No. 62/2022 in O.A. (St.) No. 209/2022, which is quoted verbatim as follows :-

“IT IS THEREFORE PRAYED THAT

- (A) *The application be allowed.*
- (B) *The delay of 7 years 4 months 3 days in filing the present application be condoned and Original Application be allowed to proceed forthwith.*
- (C) *Any other order be passed in the interest of justice.”*

6. Relief Prayed for in O.A. (St.) No. 209/2022: relief in terms of para 18 of the O.A. (St.) No. 209/2022 has been prayed for which is reproduced verbatim for ready reference:-

“18. FINAL RELIEF SOUGHT

- A) *It be held that the Enquiry Report dt. 18.06.2014 with its conclusions / findings*

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O.A. St. No. 209/2022

and consequent order is illegal and unsustainable under provisions of law and same be quashed and set aside.

B) *It be held that the Nomination Letter dt. 1/11/1996 issued by respondent No. 3 is valid and legal in law in terms of Gov. Resolution dt. 4/3/1991.*

C) *It be held and declared that the Government Resolution dated 24/06/1997 is arbitrary, illegal and unsustainable and contrary to the provisions of Article 311 of the Constitution of India to the extent of remedy which is taken away expressly under para no. 4 of the said Government Resolution forthwith and further relevant impugned portion of the Government Resolution dated 24/06/1997 be quashed and set aside.”*

7. Relief Prayed for in O.A. No. 95/2022: relief has been prayed in terms of para 13 of the said O.A. which is reproduced verbatim for ready reference:-

“13. FINAL RELIEF SOUGHT

A) *It be held and declared that the impugned order dated 14/01/2022 issued by respondent no.3 directing termination of the applicant retrospectively w.e.f. 07/05/2019 and recovery of monetary benefits in furtherance of such order is prima facie illegal and contrary to the settled position of law and hence the same deserves to be quashed and set aside.*

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O.A. St. No. 209/2022

- B) *It be held and declared that the recovery of amount of voluntary retirement benefits of Rs. 20,41,750/- under letter dated 19/01/2022 issued by respondent no.5 is illegal and unsustainable under the provisions of law and same be quashed and set aside.*
- C) *Any other suitable/appropriate order be passed in favour of applicant in the interest of justice.”*

8. Relief Prayed for in O.A. No. 97/2022: relief has been prayed in terms of para 14 of the said O.A. which is reproduced verbatim for ready reference:

“14. FINAL RELIEF SOUGHT

- A) *It be held and declared that the impugned order dated 12/01/2022 issued by respondent no.3 cancelling sanction of voluntary retirement and recovery of monetary benefits in furtherance of such order is prima facie illegal and contrary to the settled position of law and hence the same deserves to be quashed and set aside.*
- B) *By appropriate order it be directed to restore the sanction letter dated 28/2/2019 granting voluntary retirement and paying benefits there under forthwith in respect of applicant.*
- C) *Any other suitable/appropriate order be passed in favour of applicant in the interest of justice.”*

9. As all the three matters have been filed by the same applicant for the similar cause of action emanating from common facts and they were decided to be heard together vide oral Orders dated 20.07.2022 and 17.11.2022. However, this decision has been reviewed while giving final hearing for Misc. Application No.

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O.A. St. No. 209/2022

62/2022 in O.A. St. No. 209/2022 and reserving the same for orders. Accordingly, O.A. Nos. 95/2022 with 97/2022 will be heard separately by the Tribunal addressing to the background facts, extant rules and reliefs prayed for.

10. Chronology of filing Affidavit in Reply, Rejoinder Affidavits etc.:- The learned Presenting Officer filed Affidavit in Reply on behalf of respondent no. 2 in M.A. No. 62/2022 in O.A. St. No. 209/2022 on 13.12.2022, which was taken on record and the same was served on the other side. The respondent No. 1 and 3 did not file affidavits in reply in the lead matter and the O.A. No. 95/2022 and O.A. No. 97/2022, nor did the applicant file any rejoinder affidavit to the affidavit in reply filed by respondent No. 2 in M.A. No. 62/2022 in O.A. (St.) No. 209/2022. Thereafter, with consent of the two sides, the matter was treated as part heard vide Oral Order dated 25.01.2023 in order to expedite final hearing of Miscellaneous Application No. 62/202022 in O.A. (St.) No. 209/2022 which, in turn, was finally heard on 18.04.2023 and reserved for order.

11. The admitted background facts and Court Orders/ Judgments in the lead matter-

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(a) The applicant was initially appointed by the Joint Director, Vocational Education and Training, Regional Office, Aurangabad who is respondent No. 2, as clerk-cum-typist, a class-III post on the basis of Freedom Fighter Nomination Letter dated 01.11.1996 issued by respondent No. 3 .e. the Collector, Aurangabad.

(b) A Public Interest Litigation No. 43 of 2011 was filed by one Shri Pandurang s/o Nivruti Mone raising grievance that in Aurangabad and Jalna districts sizable number of persons have been benefitted by getting service as nominee of Freedom Fighters. The petitioners placed reliance on GR dated 24.06.1997 which provided mechanism to look into these issues. Hon'ble High Court directed vide its order dated 26.07.2012 the Collectors of Aurangabad and Jalna districts to initiate appropriate inquiry / investigation in accordance with the GR dated 24.06.1997 and arrive at appropriate conclusion after hearing all the concerned beneficiaries.

(c) In compliance with the orders of Hon'ble High Court, the Respondent No. 3 constituted a six member enquiry squad in the year 2013 under provisions of Government Resolution dated 14.06.1997, for the purpose of verification of the nomination of the applicant and others. Inquiry was made by the said squad on

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22.11.2013 which submitted its report dated 18.06.2014 with finding that the nomination letters issued in favour of applicant and several others were found to be false/ bogus.

(d) During intervening period, adversely affected parties filed a bunch of writ petitions, including W.P. No. 3175 of 2014 which were withdrawn on 11.09.2014 citing communication issued by General Administration Department dated 03.09.2014 based on direction issued by the then Chief Minister for not terminating services of those who were reported by the enquiry Squad to have secured government jobs on the basis of false / bogus nomination letters issued by Freedom Fighters.

(e) **Order passed in W.P. No. 8009 of 2014-** Shri Pandurang s/o Nivruti Mone, who had initially filed PIL No. 43/ 2011, had also filed W.P. No. 8009 of 2014 for quashing and setting aside communication issued by GAD dated 03.09.2014 directing Collectors of Aurangabad and Jalna Districts to protect the services of such nominees of Freedom Fighters. Hon'ble High Court finally issued order 25.02.2019 operating part of which is reproduced as follows :-

“ORDER

I. *The writ petition is allowed.*

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- II. *The decision given initially of taking action as against 48 nominees mentioned in the affidavit in February, 2015 is to be executed.*
- III. *The communication under challenge, if it relates to those 48 cases, stands quashed and set aside.*
- IV. *The action is to be taken within 30 days and compliance report is to be submitted in this Court.*
- V. *Rules made absolute accordingly.*
- VI. *Pending civil applications stand disposed of.”*

(f) **SLP No. 9302 of 2019 filed by nominees of Freedom Fighters against the Order passed by Hon’ble Aurangabad Bench of Bombay High Court in W.P. No. 8009 of 2014** - The nominees of Freedom Fighters filed a Special Leave Petition No. 9302 of 2019 before Hon’ble Supreme Court which was dismissed as withdrawn as the petitioners preferred to seek alternative relief by filing review petition before Hon’ble High Court of its order passed in W.P. No. **8009 of 2014**, dated 25.02.2019.

(g) **Review Application (Civil) No. 66 of 2019 with RA No. 67/2019 in W.P. No. 8009/2014 with RA No. 68/2019 in W.P. No. 8009/2014** The review petitions were filed by nominees of freedom fighters against the

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order passed by Hon'ble High Court in W.P. No. 8009/2014, in which Hon'ble Division Bench passed following order on 02.05.2019 :-

“Coram : T.V. Nalawade & Sunil K. Kotwal, JJ.
Date : 2 May 2019

ORDER:

1) *During submissions for issuing notice, learned counsels for the applicants first showed to this Court the order made by the Hon'ble Apex Court in SLP No. 9302 of 2019, dated 15.04.2019. The operative part of the order shows that the SLP was dismissed and withdrawn. Learned counsel for the petitioner had sought permission to withdraw the proceedings with liberty to file review before High Court. Submissions made only recorded by the Apex Court and the proceeding was dismissed as withdrawn. This order was made on 15.04.2019.*

2) *It appears that the present matter was taken before other Court and not before the present Court which had decided Writ Petition No. 8009/2014. This Court has seen the order made by other Court dated 22.04.2019. As the main matter, Writ Petition No. 8009/2014, was decided by this Court it was improper to place the matter before other Court when this Court was available. As per the procedure of this Court the matter could have been mentioned before any one of the two judges of this Court and the matter ought to have been taken before the Court which decided Writ Petition No. 8009/2014.*

3) *Today learned Assistant Government Pleader submitted that after the decision given by this Court*

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on 25.02.2019 time for execution of the order made by this Court was sought and so on 22.04.2019 extension of six weeks was sought from the other Court.

4) *This Court had given time only of 30 days for taking action and to submit compliance report and that order was delivered on 25.02.2019. In view of these circumstances and as no stay was granted for subsequent time by any Court including the Hon'ble Apex Court, it was not proper on the part of the Government to move the matter before other Court. When one Court has decided the matter, it is the duty of the counsel who moves the Court for obtaining such order to inform the Court that the other Court had decided the matter. When the Hon'ble Apex Court had dismissed the SLP on 15.04.2019 it was not proper on the part of the Government to ask for such extension. The order made by the other Court dated 22.04.2019 does not show that the circumstance that the Apex Court had dismissed the SLP by order dated 15.04.2019 was brought to the notice of that Court. These things are serious. This Court expects that the Counsels including the AGP/GP to observe the procedure and make statements which are proper and are as per the procedure.*

5) *As the other Court was virtually misled and due to that the order dated 22.04.2019 was made and so this Court revokes the order of extension of six weeks granted by other Court. It is to be presumed that there is no such extension. The Government is expected to implement the decision given by this Court on 25.02.2019 immediately. This Court is avoiding to take action at present but the concerned including office staff should take note of the order so that such things are not repeated in future.*

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O.A. St. No. 209/2022

6) *In the review applications there is point of limitation. Though the Apex Court has dismissed the SLP on 15.04.2019, it cannot be said that the pendency of that matter in Apex Court had stopped running of limitation period. As the matter was decided by this Court on 25.02.2019 and the present proceedings were filed in April, they came to be fled beyond the period of limitation of 30 days. So application for condonation of delay has to be filed in each review application. List the matter after vacation only when such applications for condonation of delay are filed. There is nothing pending before this Court as the review application cannot be said to be pending as they are not filed along with delay condonation applications.”*

(h) **ORDER PASSED IN W.P. No. 3923 of 2019 and batch, dated 07.06.2019:**

“CORAM: S. V. Gangapurwala & Mangesh S. Patil, JJ.

Date: 07.06.2019

PER COURT:

1. *Prima facie, we feel that it would not be possible to entertain these writ petitions. The co-ordinate bench has passed an order. It is submitted that, Review is filed. If the petitioners are affected, the petitioners have remedy before the Tribunal. The judicial discipline has to be maintained and the order passed by the co-ordinate bench has to be considered.*

2. *The petitioners have a remedy against the order of termination to challenge the same on merits before the Tribunal. Finally, the Tribunal is required to consider the contentions raised by the petitioners on merit.*

3. *In view of above, writ petitions are disposed of. No costs.”*

//12// M.A. No. 62/2022 with
O.A. St. No. 209/2022

(i) Voluntary Retirement Taken by the Applicant Pending Court Proceedings- The applicant gave notice of voluntary retirement dated 07.02.2019 to the respondent No. 2 who in turn accepted the same vide order dated 28.02.2019 and relieved the applicant from service on 07.05.2019 (A.N.). Copy of the notice of Voluntary Retirement dated 07.02.2019 has not been submitted by the applicant along with the O.A. or at subsequent stage. However, a copy of acceptance by respondent No. 2 of notice of VRS has been appended at page No. 105 of the present O.A. and marked as Annexure A-10.

(j) From the copies of the orders passed by Hon'ble High Court in W.P. No. 8009/2014 dated, 25.02.2019 and also order passed in Review Application (Civil) No. 66/2019, 67/2019 and 68/2014 dated, 02.05.2019, the applicant has not clarified that he had disclosed the fact of submission of his notice of VRS dated 07.02.2019 and acceptance of the same on 07.05.2019. Even in the present O.A. the applicant has made a passing reference to this fact in para 11 of the present O.A. at page No. 19 of the paper-book of the O.A.

12. GROUNDS GIVEN BY APPLICANT FOR JUSTIFYING DELAY IN FILING THE PRESENT O.A.-

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O.A. St. No. 209/2022

The applicant has given mainly following two grounds justifying delay in filing the present O.A. : -

(I) *The delay caused neither is not intentional one nor deliberate nor by way of neglect on the part of applicant. Most of the delay up to November 2019 is loss due to final result of cause of justice at Hon'ble High Court Bench Aurangabad and before Hon'ble Collector respondent no. 3 awaiting decision on application dated 11.05.2019 by way of review of order dated 18.06.2014.*

(II) *That the delay on account of pandemic started in March 2020 and the "Corona" pandemic still continued one wave after another still on the way of commencement of third wave. By the time applicant got two vaccines from Government and therefore, encouraged to file present appeal to seek justice.*

13. **Assessment of Period of Delay:** - In order to assess the actual period of delay in filing the present O.A., we refer to the Prayer Clause in terms of para 18 of the Original Application, to know the date of issue of impugned order (s) and the date of filing the present O.A. as follows :-

(a) *The applicant has, first of all, prayed for the conclusions/ findings and consequent order passed on the basis of Enquiry Report dated 18.06. 2014 is illegal and*

//14// M.A. No. 62/2022 with
O.A. St. No. 209/2022

unsustainable under the provisions of law and same be quashed and set aside.

(b) The applicant further has prayed for declaring nomination letter dated 01.11.1996 as valid in terms of Government Resolution dated, 04.03.1991.

(c) The applicant has also prayed for declaring that the Government Resolution dated, 24.06.1997, to the extent of its para 4, is arbitrary, illegal and unsustainable and contrary to the provisions of Article 311 of the Constitution of India.

INFERENCE: - (a) From above details, it is inferred that as the applicant has prayed for *declaring that the Government Resolution dated, 24.06.1997, to the extent of its para 4, is arbitrary, illegal and unsustainable and contrary to the provisions of Article 311 of the Constitution of India and therefore, the first cause of action occurred on 24.06.1997. Thus, the actual delay in filing the present O.A. is over 23 years. If the delay is counted as proposed by the applicant then the relief in terms of prayer clause 18 (C) in the O.A. gets excluded.*

(b) The ground stated by the applicant that his review application dated 11.05.2019 filed before respondent No. 3 in M.A. No. 62/2022 in O.A. St. No. 209/2022 in

//15// M.A. No. 62/2022 with
O.A. St. No. 209/2022

respect of the order passed by the respondent No. 3 i.e. the Collector Aurangabad dated 18.06.2014 is not sustainable, as respondent No. 3 has no power to review his own order.

(c) Further the ground of applicant that the order passed by the respondent No. 3 is violative of provisions of Article 311 of the Constitution of India as the order dated 18.06.2014 against the applicant had been passed after due enquiry.

(d) The applicant had not come with clean hands and as such has not produced any document that he disclosed the enquiry report of the Collector, Aurangabad dated 18.06.2022 while filing application of VRS and even during hearing on Writ Petition filed before the Hon'ble High Court.

14. **Inference Drawn Regarding Mandate for this Tribunal flowing from the three Orders passed by Hon'ble Aurangabad Bench of Bombay High Court:** It is clear that the SLP No. 9302 of 2019 in W.P. No. 8009/2014, was filed by the applicant before Hon'ble Apex Court which was **dismissed** as withdrawn for filing review Application before the Hon'ble High Court, by order/ judgment dated 15.04.2019.

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O.A. St. No. 209/2022

(a) Accordingly, Review Application Nos. 66/2019, 67/2019 and 68/2019 in W.P. No. 8009/2014 were filed by the applicant and others in which order was passed by a Division Bench of Hon'ble Aurangabad bench of Bombay High Court on 02.05.2019 directing the applicant to file the Review Application along with application for condonation of delay.

(b) However, the applicant has not adduced any evidence to show that he complied with the said order and instead filed W.P. No. 3923 of 2019 and batch before another Bench (Coram: S. V. Gangapurwala & Mangesh S. Patil, JJ.), which has observed on 07.06.2019 that :-

“1. Prima facie, we feel that it would not be possible to entertain these writ petitions. The co-ordinate bench has passed an order. It is submitted that, Review is filed. If the petitioners are affected, the petitioners have remedy before the Tribunal. The judicial discipline has to be maintained and the order passed by the co-ordinate bench has to be considered.”

(c) The applicant has not clarified whether he had brought to the notice of Hon'ble High Court in W.P. No. 3923 of 2019 that review application has to be filed in judgment of Aurangabad Bench (Coram: T.V. Nalawade & Sunil K. Kotwal, JJ) in W.P. No. 8009/2014.

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O.A. St. No. 209/2022

(d) Ambiguities in various submissions made by the applicant leaves scope for suspicious that he has not availed remedy available to him by filing Review Application along with delay condonation application before the Hon'ble High Court (Aurangabad Bench) as directed by its Division Bench on 25.02.2019 (Coram: T.V. Nalawade & Sunil K. Kotwal, JJ).

INFERENCE: - The applicant has not come with clean hands before this Tribunal and prima-facie appears to misuse judicial process amounting to violation of Judicial Discipline. However, final decision in this regard may be taken by Hon'ble High Court while dealing with the Review Application which may be filed by the Applicant.

15. **CONCLUSION:** After considering all the facts on record and submissions made by the two sides, we are of considered opinion that the Applicant is prima-facie circumventing the Order passed by the Division Bench of Hon'ble Bombay High Court (Bench at Aurangabad), dated 02.05.2019. The applicant has been doing so by careful non-discloser of true background facts. Therefore, does not deserve consideration, hence, the following order :-

//18// M.A. No. 62/2022 with
O.A. St. No. 209/2022

ORDER

- (A) Miscellaneous Application No. 62/2022 in O.A. (St.) No. 209/2022 is hereby dismissed for reason being devoid of merit.
- (B) Accordingly O.A. St. No. 209/2022 does not survive and therefore, the same stands dismissed.
- (C) No order as to costs.

MEMBER (A)

MEMBER (J)

DATE : 09.06.2023
ORIGINAL APPLICATION NO. 428 OF 2023
(Sanjiv P. Bodkhe Vs. The State of Maha. & Ors.)

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

1. Shri S.G. Kulkarni, learned Advocate for the applicant and Shri S.K. Shirse, learned P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on **10.07.2023**. The case be listed for admission hearing on **10.07.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Kpb/ Registrar notice

M.A. St.1007/2023 with O.A. 203 OF 2023
(Aditi Vinayak Banchod Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023.

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. This Original Application has been filed by one Ms. Aditi Vinayak Banchod on 13.03.2023 invoking provisions of Section 19 of the Administrative Tribunals Act, 1985.

2. The facts of the matter is that the Directorate of Vocation Education and Training, Government of Maharashtra (in short- *'the Directorate'*) had issued advertisement No. 1/2022 dated 17.08.2022 calling for online applications from eligible candidates for various posts Of Craft Instructors (Grade-C) for different trades in various Government Industrial Training Institutes of the State according to the vacancies to be filled up in all the six Revenue Divisions of the State.

3. One of the selection criterion which is relevant in the present matter is, condition No. 15.15 which requires that a candidate must secure minimum 45% marks in

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preliminary examination for becoming eligible for appearing in Vocation Examination. Those candidates who fail to secure minimum of 45% marks as aforesaid shall not be eligible for participating in further stages of recruitment. This condition of selection has been adopted by the said Directorate of Vocational Education & Training as per directions issued by the General Administration Department of the Government dated 04.05.2022, a copy of which has been submitted by the respondent No. 2 as Annexure R-2 of Affidavit in Reply filed on its behalf on 09.08.2023.

4. Total of 50474 candidates appeared in the preliminary test out of which 45113 candidates secured minimum of 45% of marks calculated by normalisation-mean standard deviation method. And only 5361 candidates failed to qualify for further stages of recruitment as they failed to secure minimum of 45% of marks in preliminary examination. Applicant in the present O.A. is one such candidate out of 5361 candidates who could not secure minimum of 45% marks in the preliminary examination.

5. It is after failing to secure minimum qualifying marks the applicant has approached this Tribunal by filing the present O.A. pleading that different cut-off marks should have been provided by the Directorate of

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Vocational Education & Training for various categories of candidates.

6. Relief Sought- On this basis the applicant has sought relief in terms of para 10 of the original application which is reproduced as below for ready reference-

“RELIEF SOUGHT:

- A) *This Original Application may kindly be allowed.*
- B) *By issuing appropriate order or directions, Clause No.10.3 to the extent of providing mechanism for appointment of male candidates on the post reserved for female candidates so also Clause No.15.15 and 15.20 of the Advertisement No.1/2022 issued by respondent No.2 to fill up the post of Craft Instructor (Group-C), may kindly be quashed and set aside.*
- C) *By issuing appropriate order or directions, the respondent No.2 may kindly be directed to prepare list of the eligible candidates for vocational test (further written examination) by applying criteria of 1:10 i.e. 10 candidates for 1 vacancy and to call such candidates for further selection process and for that purpose to revise result of the common examination, at least of the category for which number of qualified candidates in common examination are less than 10 as against 1 vacancy.*
- D) *By issuing appropriate order or directions, the respondent No.2 may kindly be directed to declare applicant as qualified candidate for Vocational Test (further written examination) for the post of Craft Instructor (Group-C) in view of*

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Advertisement No.1/2022 issued by respondent No.2 and respondent No.2 be further directed to accept online application form of applicant for Vocational Test by extending period for accepting such form.

E) *Any other suitable, just and equitable relief may kindly be granted in favour of the applicant.”*

7. INTERIM RELIEF:- The applicant has sought interim relief in terms of para 11 of the Original Application which is reproduced for ready reference as below :-

“11. INTERIM RELIEF

Pending hearing and final disposal of the present Original Application, the respondent No.2 may kindly be directed to allow the applicant to participate at every stage of further selection process till finalization of select list.”

8. Filing of Miscellaneous Application No. 237/2023-

As the respondent No. 2 had scheduled Vocational Test from 05.06.2023 to 13.06.2023, the applicant has filed Miscellaneous Application NO. 237/2023 on 09.06.2023 seeking leave to amend the relief clauses in para 10 of the present O.A. by inserting clause **B-1** and for inserting clause **B** in clause for Interim Relief in para 11 of the O.A., which read as follows :-

“Amended/added prayer clause

B-1) *By issuing appropriate order or directions, the respondent No.2 may kindly be directed to allow applicant to appear for Vocational Test (CBT-2) for the post of Craft Instructor (Group-*

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C) in view of Advertisement No.1/2022 and Circular No.10, dated 25.05.2023, issued by respondent No.2, by making necessary arrangements and by issuing 'Admit Card'."

"Amended Interim Relief:

- B) *Pending hearing and final disposal of this Original Application, the respondent No.2 may kindly be directed to allow applicant to appear for Vocational Test (CBT-2) for the post of Craft Instructor (Group-C) in view of Advertisement No.1/2022 and Circular No.10, dated 25.05.2023, issued by respondent No.2, by making necessary arrangements and by issuing 'Admit Card'."*

This M.A. No. 237/2023 has already been allowed.

9. Filing of Miscellaneous Application (St.) No. 1007 /2023 The applicant has also filed a Miscellaneous Application (St.) No. 1007/2023 in O.A. No. 203 of 2023 for interim relief for grant of permission to appear in further stages of recruitment process despite having failed in securing minimum of 45% of marks in preliminary examination in following terms:-

"HENCE IT IS PRAYED THAT:

- A) *This Miscellaneous Application may kindly be allowed.*
- B) *By issuing appropriate order or directions, the respondent No.2 may kindly be directed to allow applicant to appear for Vocational Test (CBT-2) for the post of Craft Instructor (Group-C) in view of Advertisement No.1/2022 and Circular No.10, dated 25.05.2023, issued by respondent No.2, by making necessary arrangements and by issuing 'Admit Card'.*

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C) *Any other suitable, just and equitable relief may kindly be granted in favour of the applicant."*

10. Critical Issues to be analysed and conclusions drawn- Following issues emerge for analysis and drawing conclusions :-

ISSUE NO. 1- *Whether clause No. 15.15 of the advertisement No. 01/2022 issued by the Directorate of Vocational Education & Training is violative of General Directions Issued by General Administration Department?*

Inference- The clause no. 15.15 of the aforesaid advertisement is accordance with provisions of clause 8 (C) of the G.R. No. प्रानिमं १२२२/प्र.क.५४/का.१३-अ, मंत्रालय, मुंबई, dated 04.05.2022 and therefore, is in order.

ISSUE NO. 2- *Whether percentage of qualifying candidates in preliminary examination is excessively lower so as to require lowering of cut off marks?*

Inference- As per the result sheet for preliminary examination dated 23.02.2023, appended at page No. 61 -92 of paper-book of the O.A. and marked as Annexure A-8, it has been submitted by the applicant that out of 56703 candidates who applied, 50474 candidates appeared in the examination and 45113 candidates qualified for appearing in further stages of recruitment which is 89% of candidates who appeared in the preliminary examination. This shows that any further

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relaxation in cut off marks may defeat the very purpose of holding screening test / preliminary examination.

ISSUE No. 3 – Whether it will defeat the objective of providing level playing ground to all the similarly situated candidates by relaxing rules of the game for the applicant by granting interim relief and that too, at the stage when the results for the preliminary examination has been published.

Inference- In our considered opinion, by allowing the applicant to participate in all further stages of recruitment process would defeat the objective of providing level playing grounds to all similarly situated candidates.

CONCLUSION - In view of facts on record and oral submissions made by the learned counsel for the applicant, the Chief Presenting Officer for the respondents, we are of the considered opinion that the Miscellaneous Application (St.) No. 1007/2023 in O.A. No. 203/2023 is devoid of merit; hence following order-

ORDER

- (A) Miscellaneous Application St. No. 1007/2023 in O.A. No. 203/2023 is dismissed for being devoid of merit.

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- (B) As O.A. No. 203 of 2023 becomes infructuous, the same stands disposed of.
- (C) No order as to costs.

MEMBER (A)

KPB ORAL ORDERS 09.06.2023

MEMBER (J)

**ORIGINAL APPLICATION NO. 547 OF 2021
(Jalamsing D. Valvi Vs. State of Maharashtra & Ors.)**

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

DATE : 09.06.2023.

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. S.O. to 19.06.2023 for rehearing. **High on Board.**

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 752 OF 2022
(Manish C. Panchal Vs. State of Maharashtra & Ors.)**

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

DATE : 09.06.2023.

ORAL ORDER :

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

2. At the request of learned P.O., time is granted as one more last chance for filing affidavit in reply on behalf of respondent No. 1.

3. S.O. to 07.07.2023 for filing rejoinder affidavit to the affidavit in reply filed on behalf of respondent Nos. 2 and 3.

4. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 339 OF 2021
(Arun S. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 09.06.2023.

ORAL ORDER :

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

2. S.O. to 06.07.2023 for admission. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 525 OF 2022
(Somnath B. Satbhai Vs. State of Maharashtra & Ors.)**

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

DATE : 09.06.2023.

ORAL ORDER :

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

2. S.O. to 10.07.2023 for filing rejoinder affidavit. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 799 OF 2021
(Shirish R. Yadav Vs. State of Maharashtra & Ors.)**

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

DATE : 09.06.2023.

ORAL ORDER :

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

2. S.O. to 06.07.2023 for final hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 362 OF 2022
(Dr. Ashok S. Gawali Vs. State of Maharashtra & Ors.)**

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

DATE : 09.06.2023.

ORAL ORDER :

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

2. Record shows that in spite of grant of opportunities, the rejoinder affidavit is not filed on behalf of the applicant. Hence, the present matter will proceed further without rejoinder affidavit of the applicant in accordance with law.

3. S.O. to 07.07.2023 for admission.

4. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

**C.P. No. 04/2020 in O.A. No. 333/2017
(Shital A. Soni Vs. State of Maharashtra & Ors.)**

WITH

**C.P. No. 05/2020 in O.A. No. 336/2017
(Dr. Yogesh V. Solanke Vs. State of Maharashtra & Ors.)**

WITH

**C.P. No. 06/2020 in O.A. No. 332/2017
(Dr. Anil B. Biradar Vs. State of Maharashtra & Ors.)**

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

DATE : 09.06.2023.

ORAL ORDER :

Shri J.S. Deshmukh, learned Advocate for the applicants in all these cases and S/shri M.S. Mahajan, S.K. Shirse & M.P. Gude, learned Chief Presenting Officer and Presenting Officers for the respective respondent authorities in respective cases, are present.

Shri M.S. Taur, learned Advocate for respondent No. 5 in C.P. 05/2020, Smt. M.S. Jagtap-Ware and Shri V.P. Narwade, learned Advocate for respondent No. 5 in C.P. 4/2020 & 6/2020 respectively, are **absent**.

2. At the request of learned Advocate for the applicants, time is granted as one more last chance for filing rejoinder affidavit, if any in all these cases.

3. S.O. to 25.07.2023.

MEMBER (A)

MEMBER (J)

T.A.NO.03/2023 (W.P.NO.13847/2021)
(Kapil Gujar & Ors. Vs. State of Maharashtra & Ors.)

T.A.NO.04/2023 (W.P.NO.3935/2021)
**(Gramvikas Shaskiya Kantrati Karmachari Sanghatna Through
its President & Ors. Vs. State of Maharashtra & Ors.)**

T.A.NO.05/2023 (W.P.NO.4762/2020)
(Vinayak Ware & Ors. Vs. State of Maharashtra & Ors.)

T.A.NO.06/2023 (W.P.NO.4765/2020)
(Sunil Suresh Ubale & Ors. Vs. State of Maharashtra & Ors)

T.A.NO.07/2023 (W.P.NO.5233/2020)
(Pralhad K. Ugale Vs. State of Maharashtra & Ors.)

T.A.NO.08/2023 (W.P.NO.5591/2020)
(Pravin Hadade & Ors. Vs. State of Maharashtra & Ors.)

T.A.NO.09/2023 (W.P.NO.5588/2020)
(Sonali Bhosale Vs. State of Maharashtra & Ors.)

T.A.NO.10/2023 (W.P.NO.5592/2020)
(Surekha Wani Vs. State of Maharashtra & Ors.)

T.A.NO.11/2023 (W.P.NO.7243/2020)
**(Maharashtra State Contractual Employees Federation, Through
its working President Sachin S. Jadhav Vs. State of Maha.& Ors.)**

T.A.NO.16/2023 (W.P.NO. 5776/2021)
(Gajanan N. Tehare & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

ORAL ORDER :

Heard Shri Rahul M. Jade holding for Dr. Suresh Mane (T.A.04/23), Shri M.S. Karad, learned Advocate holding for Shri S.S. Thombre (T.A. 8/23 & 10/23), Shri Sayyed Tauseef Yaseen (T.A.06/23 & 16/23) and Shri S.S.Jadhavar (T.A.09/23) respective learned Advocates for respective applicants.

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Shri Abhijit S. More (T.A.03/23), Shri Sachin S. Deshmukh (T.A.05/23), Shri S.A.Nagargoje (T.A.07/23), and Shri Mahadev Chaudhari (T.A. 11/23), respective learned Advocates for respective applicants, are **absent**.

Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, Shri Umesh Mote, learned Advocate for respondent Zilla Parishad and Shri R.R. Bangar, learned Advocate for respondent No. 1 in T.A. 03/23, 07/2023 & 16/23, are present.

2. By consent of all the parties, S.O. to 21-06-2023 for hearing.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 09.06.2023.

ORIGINAL APPLICATION NO.413/2023
(Raosaheb S. Shirsat Vs. State of Maharashtra & Ors.)

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

DATE : 09-06-2023

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, 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 10.07.2023.

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 10.07.2023.

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

MEMBER (J)

ORIGINAL APPLICATION NO.416/2023
(Yeshwant S. Jamadar (Koli) Vs. State of Maharashtra & Ors.)

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

DATE : 09-06-2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri A.S.Deshmukh, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 28.07.2023.

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 28.07.2023.

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

MEMBER (J)

ORIGINAL APPLICATION NO.417/2023
(Chandrashekhar P. Nikam Vs. State of Maharashtra & Ors.)

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

DATE : 09-06-2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri A.S.Deshmukh, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 10.07.2023.

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 10.07.2023.

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

MEMBER (J)

ORIGINAL APPLICATION NO.422/2023
(Vitthal Bhosle Vs. State of Maharashtra & Ors.)

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

DATE : 09-06-2023

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 23.06.2023. **Point of interim relief is kept open.**

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 23.06.2023.

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

MEMBER (J)

ORIGINAL APPLICATION NO.423/2023
(Niketa Nayak Vs. State of Maharashtra & Ors.)

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

DATE : 09-06-2023

ORAL ORDER :

Heard Shri Rakesh Jain, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 28.06.2023.

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 28.06.2023.

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

MEMBER (J)

ORIGINAL APPLICATION NO.424/2023
(Lahu M. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 09-06-2023

ORAL ORDER :

Heard Shri Rakesh Jain, 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 28.06.2023.

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 28.06.2023.

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

MEMBER (J)

**ORIGINAL APPLICATION ST. NO.958/2023
(Indubai B. Kasbe Vs. State of Maharashtra & Ors.)**

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

DATE : 09-06-2023

ORAL ORDER :

Heard Shri K.G.Salunke, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 05.07.2023. **Point of limitation is kept open.**

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 05.07.2023.

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

MEMBER (J)

ORIGINAL APPLICATION NO.421/2023
(Dinesh Thakur Vs. State of Maharashtra & Ors.)

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

DATE : 09-06-2023

ORAL ORDER :

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

2. This O.A. is filed challenging the impugned transfer order dated 22-05-2023 (Annexure A-3) whereby the applicant has been transferred from the post of Inward-Outward Clerk, Deputy Superintendent, Land Record, Chalisgaon, Dist. Jalgaon to the post of Surveyor, Deputy Superintendent of Land Records, Bhadgaon, Dist. Jalgaon. Admittedly, this is an annual general transfer order. Learned Advocate for the applicant submitted that first two options given by the applicant were not considered. After issuance of this general transfer order, the applicant has made representations dated 24-05-2023 (Annexure A-4) and 31-05-2023 (Annexure A-5). He submits that respondent no.1 be directed to consider the said representations.

3. Considering the facts and circumstances of the case, it will be just and proper to direct the respondents to consider the said representations dated 24-05-2023 and 31-05-2023 within one month from the date of this order and communicate the decision to the applicant in writing.

4. Issue notices to the respondents, returnable on 12.07.2023.

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

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

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

=3=

O.A.NO.421/2023

8. 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.

9. S.O. to 12.07.2023.

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

MEMBER (J)

YUK ORAL ORDER 09.06.2023

C.P.NO. 36/2023 IN O.A.NO. 566/2020

(Nathu N. Khartade & Ors. Vs. State of Maharashtra & Ors.)

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

and

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 09.06.2023

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents in C.P., returnable on 12.07.2023.

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 12.07.2023.

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

MEMBER (A)

MEMBER (J)

C.P.ST.NO. 504/2023 IN O.A.NO. 57/2020
(Sayema Suleman Pathan & Ors. Vs. State of Maharashtra &
Ors.)

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

DATE : 09.06.2023

ORAL ORDER :

Shri Pranil Sonawane, learned Advocate for the applicants has filed a **leave note**. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note of learned Advocate for the applicants, S.O. to 07.07.2023

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 09.06.2023.

R.A.NO. 02/2023 IN O.A.NO. 562/2021
(Alka B. Naigaonkar Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned Advocate for the applicant, S.O. to 19.06.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 09.06.2023.

M.A.NO. 178/2023 IN O.A.ST.NO. 705/2023
(Vishnu B. Aghav & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

ORAL ORDER :

Heard Shri K.G. Gaikwad, learned Advocate holding for Shri N.S. Ingle, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicants seeks permission to add Shri Pramod Ramesh Charhate as co-applicant. Permission as prayed for is granted. Amendment be carried out within a week.

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

4. 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.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION ST.NO. 705 OF 2023
(Vishnu B. Aghav & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

ORAL ORDER :

Heard Shri K.G. Gaikwad, learned Advocate holding for Shri N.S. Ingle, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 01.08.2023.

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 01.08.2023.

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

MEMBER (A)

MEMBER (J)

M.A.NO. 179/2023 IN O.A.ST.NO. 707/2023
(Ganesh G. Zagade & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

ORAL ORDER :

Heard Shri K.G. Gaikwad, learned Advocate holding for Shri N.S. Ingle, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicants seeks permission to delete the name of the applicant No.3. Permission as prayed for is granted. Amendment be carried out within a week.

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

4. 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.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION ST.NO. 707 OF 2023
(Ganesh G. Zagade & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

ORAL ORDER :

Heard Shri K.G. Gaikwad, learned Advocate holding for Shri N.S. Ingle, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 01.08.2023.

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 01.08.2023.

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

MEMBER (A)

MEMBER (J)

**M.A.NO. 237/2023 IN M.A.St.NO. 1007/2023 IN
O.A.NO. 203/2023**

(Aditi V. Banchod Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

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. Affidavit in reply filed on behalf of the respondent No.2 in O.A. is taken on record.

3. By the Misc. Application No.237/2023, the applicant is seeking to bring on record the subsequent development pertaining to subject matter raised in the O.A.

4. Considering the same, the proposed amendment is not going to change the original proceeding. It is just and necessary to determine the real question of controversy between the parties. Hence, following order:-

ORDER

- (i) The Misc. Application No. 237 /2023 is allowed.
- (ii) Amendment as prayed for is granted.

//3// M.A. 237/2023 In
M.A.St.1007/2023
O.A.No. 104/2022

- (iii) The applicant to carry out the amendment within the period of one week from the date of this order and to serve the copy of amended O.A. on the other side.
- (iv) The respondents are at liberty to file additional affidavit in reply to the amended O.A.
- (v) No order as to costs.

MEMBER (A)

MEMBER (J)

M.A.NO. 193/2023 IN O.A.ST.NO. 61/2023
(Ramesh V. Mathpati & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

ORAL ORDER :

Heard Shri C.M. Ghodake, learned Advocate holding for Shri V.R. Nawathe, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicants, S.O. to 31.07.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 07.06.2023.

M.A.NO. 173/2023 WITH O.A.NO. 773/2022
(Mangala V. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

ORAL ORDER :

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

2. S.O. to 13.06.2023 for hearing finally. Interim relief granted earlier in O.A.No. 773/2022 to continue till then. **High on board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 09.06.2023.

O.A.NOS. 603 TO 609 AND 780 ALL OF 2017
(Jaideep A. Limbale & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicants in O.A.Nos. 603 to 609 all of 2017, Ms. Preeti R. Wankhade, learned Advocate for the applicant in O.A.No. 780/2017 and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities in all these O.As.

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

3. S.O. to 27.06.2023. **High on board.**

4. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 191 OF 2023
(Deorao A. Sawal Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. Affidavit in reply filed on behalf of the respondent Nos. 1 to 6 is taken on record.

3. S.O. to 31.07.2023 for filing affidavit in rejoinder, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 190 OF 2023
(Kishan B. Mane Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

ORAL ORDER :

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

2. Affidavit in reply filed on behalf of the respondent Nos. 1 to 6 is taken on record.

3. S.O. to 31.07.2023 for filing affidavit in rejoinder, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 18 OF 2023
(Prakash S. Jadhav & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

ORAL ORDER :

Heard Smt. Vidya A. Taksal, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Affidavit in reply filed on behalf of the respondent Nos. 1 to 3 is taken on record.

3. S.O. to 24.07.2023 for filing affidavit in rejoinder, if any.

MEMBER (A)

MEMBER (J)

M.A.ST.NO. 515/ 2023 IN O.A.ST.NO. 220/2023
(Shailendra M. Valvi & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

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 respondent authorities.

2. Learned Advocate for the applicants on written instructions seeks permission to withdraw the present M.A. & O.A.

3. We have no reason to refuse permission to withdraw the M.A. & O.A. Hence, permission is granted.

4. In view of above, M.A. & O.A. both stand disposed of as withdrawn. No order as to costs.

MEMBER (A)

MEMBER (J)

M.A.NO. 351 OF 2020 IN O.A.NO. 470 OF 2018
(Mahadabai G. Dhulekar Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

ORAL ORDER :

Heard Shri V.P. Kadam, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities and Shri A.D. Gadekar, learned Advocate for the respondent No.4.

2. Affidavit in reply filed on behalf of the respondent No.4 in O.A. is taken on record.

3. S.O. to 25.07.2023 for hearing. The applicant is at liberty to file affidavit in rejoinder, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 540 OF 2020
(Shaikh Akbar Shaikh Rasul Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, 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 27.07.2023 for admission.

MEMBER (A)

MEMBER (J)

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

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

DATE : 09.06.2023

ORAL ORDER :

Heard Shri A.P. Shejul, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities. Shri C.D. Fernandes/Pramod S. Brahmane, learned Advocate for the respondent No.5 (**Absent**). None present on behalf of the respondent No.4.

2. Record shows that affidavit in reply is already filed on behalf of the respondent No.5.
3. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of the respondent authorities.
4. S.O. to 06.07.2023.

MEMBER (A)

MEMBER (J)

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

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

DATE : 09.06.2023

ORAL ORDER :

Heard Shri A.P. Shejul, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities. Shri C.D. Fernandes/Pramod S. Brahmane, learned Advocate for the respondent Nos. 4 & 5 (**Absent**).

2. Record shows that affidavit in reply is already filed on behalf of the respondent Nos. 4 & 5 separately.

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

4. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of the respondent Nos. 1 & 3.

5. S.O. to 06.07.2023.

MEMBER (A)

MEMBER (J)

M.A.NO. 221/2023 IN O.A.ST.NO. 812/20230
(Reshama Ankush Bansode Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

ORAL ORDER :

Heard Shri E.S. Murge, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents in M.A., returnable on 31.07.2023.

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 31.07.2023.

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

MEMBER (A)

MEMBER (J)

C.P.NO. 6/2023 IN O.A.NO. 467/2021
(Dr. Mohan P. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

ORAL ORDER :

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

2. Record shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondents.

3. S.O. to 04.07.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 495 OF 2022
(Datta S. Yelake Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

ORAL ORDER :

Heard Shri Suresh Dhongde, learned Advocate holding for Smt. Suchita Dhongde, learned Advocate for the applicant and Shri M.P. Gude, 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 14.07.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 906 OF 2018
(Chetan S. Ahire Vs. State of Maharashtra & Ors.)

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

DATE : 09.06.2023

ORAL ORDER :

Heard Shri S.D. Jioshi, 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 Advocate for the applicant, time is granted as a last chance for filing affidavit in rejoinder.

3. S.O. to 26.07.2023.

MEMBER (A)

MEMBER (J)