

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.942/2018  
(Dr. Meena R. Jadhav Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Heard Smt. A.N.Ansari, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents.

2. Present matter was heard on at least 2 to 3 occasions. Initially, when we heard the arguments of the learned Advocate appearing for the applicant, an impression was created in our minds that the applicant was not permitted to join her duties though her leave was duly sanctioned and though she has got herself examined and was declared fit to resume duties as per the guidelines given by the competent authorities. However, when we went through the reply filed by respondent nos.1 to 3, contrary facts were noticed. Today, when the matter is heard by us, learned Advocate for the applicant has admitted that no leave was sanctioned though was applied for on the ground that her husband was hospitalized. It is further contended that thereafter also for some genuine reasons, the applicant could not join the services. According to the applicant some onerous conditions were imposed and the bond was directed to be executed without her will.

3. After having considered the submissions advanced on behalf of the applicant and the facts which have come on record in view of the affidavit in reply of the respondents. Applicant's absence from the duty apparently appears unauthorized. However, merit in the application can be decided after we finally hear the arguments. At this juncture, the issue before us is to see that applicant resumes her duties and does no more remain away from the service. Keeping objections of the applicant open as about G.R. dated 04-01-2019, we direct the applicant to resume her duties at the place mentioned in the said G.R. within 2 weeks from the date of this order. The respondents shall permit her to join the duty. The issue as about the absence in the meanwhile period and the other objections raised in the O.A. will be decided on their merits at the time of final hearing of the matter. For the time being, the conditions as are mentioned in the G.R. dated 04-01-2019 would apply.

4. S.O. to 27-01-2022.

**MEMBER (A)**

**MEMBER (J)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.384/2019  
(Vinayak B. Kapse & Ors. Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

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

2. Arguments are concluded. Reserved for order.

**MEMBER (A)**

**MEMBER (J)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.311/2021  
(Shaikh Irfan Shaikh Zakir Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2021**

**ORAL ORDER :**

Smt. Suchita Dhongde learned Advocate holding for Shri Amit Dhongde, learned Advocate for the applicants and Shri N.U.Yadav, learned Presenting Officer for the respondents.

2. At the request and consent of both the sides, S.O. to 27-01-2022.

**MEMBER (A)**

**MEMBER (J)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**O.A.NO.769/2019, 770/2019, 771/2019 & 772/2019  
(Shaikh Imanan & Ors. Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Heard Smt. Suchita Dhongde learned Advocate holding for Shri Amit Dhongde, learned Advocate for the applicants and Shri N.U.Yadav, learned Presenting Officer for the respondents in all these cases.

2. Since the facts are common in all these O.As. and the relief sought is also the same, we have heard common arguments in all these applications and we deem it proper to decide these applications by common reasoning.

3. It is the case of the applicants that they had claimed appointment on compassionate ground, and more particularly, on the basis of recommendations made by Lad-Page Committee but the respondents have rejected their claims only on the ground that they did not apply for the said posts within the period of one year as prescribed in the Government Circular dated 21-10-2011. The applicants have therefore prayed for setting aside the said order and consequently have sought directions against the respondents for considering their cases for appointment by giving them benefits of recommendations of the Lad-Page Committee.

4. Learned P.O. had opposed the submissions stating that the delay was inordinate and considering the said

inordinate delay and more particularly the fact that the applications were not filed within the prescribed period of one year, the claims are rightly rejected by the respondents. It is also pointed out by the learned P.O. that in all these applications, applicants who are claiming appointment did not claim the same even after becoming major within reasonable period thereafter and have claimed the appointment averagely 6 or 7 years after becoming major. According to the learned P.O., the only inference which emerges from the conduct of the applicants is that they are not in need of any such appointment. Learned P.O. in the circumstances prayed for rejecting the Original Applications.

5. During the course of arguments, it was noticed that if it may be the only reason that the applicants did not approach or file the application within the period of one year as was prescribed in the Government Circular Dated 21-10-2011 then the respondents need to revisit their decision in light of subsequent G.R. dated 11-03-2016. The learned Advocate appearing for the applicants was fair in submitting that when O.As. were filed neither the applicants nor the Advocate was aware of the said G.R. wherein the condition of making an application within the period of one year appears to have been diluted. It was, therefore, contention of the learned Advocate that the requests of the applicants deserve to be accepted and consequently they need to be appointed on the post of Sweeper as has been prayed by them.

6. After hearing the arguments of the parties, we deemed it necessary to take the information from the respondents as to how many posts of Sweepers are vacant

on their establishment and how many persons the benefits of Lad-Page committee have been given and further whether any more applications seeking appointment on the same ground are pending with the said authority.

7. Today, learned P.O. has tendered across the bar the communication received from the respondents. The same is taken on record. It reveals that on the establishment of the District Civil Hospital, Parbhani there are 99 sanctioned posts of Sweeper, out of which 51 are filled in and 48 posts are still vacant. It is further revealed that the benefits of Lad-Page Committee recommendations are given to the 13 eligible candidates. In view of the information revealed, it is evident that several posts of Sweeper are vacant on the establishment of the respondent no.2.

8. As is revealing from the averments in the applications, the legal heirs of the deceased or retired Sweepers were not interested in getting appointment on the post of Sweeper and that is the reason that the present applicants who claim themselves to be in relation with the deceased or retired Sweepers have filed the present applications; but, about 7 years after their attaining the age of majority. It leads to an inference that these applicants were also not in any dire need of the appointment on the post of Sweeper on the strength of the recommendations of the Lad-Page Committee. However, when we received the information from the respondents that out of 99 sanctioned posts, 48 posts are lying vacant on the establishment of respondent no.3 which suggests that though there is large unemployment the people are not interested in job of Sweeper. It is possible that the present applicants may have also searched for some other

employment and after having failed in securing such employment have ultimately become ready to attempt for securing the present employment. It, therefore, appears to us that the request of the applicants may not be rejected merely on the ground that they did not apply within prescribed period of one year. Moreover, the Government Resolution dated 11-03-2016 can possibly be interpreted to mean that the said prescribed period of limitation has been diluted.

9. For the reasons stated above and predominantly having considered the large number of vacant posts of Sweeper on the establishment of respondent no.3, we deem it proper to direct the respondent no.3 to consider the present applicants for appointment on the vacant posts of Sweepers in light of the G.R. dated 11-03-2016 and taking into account the large number of vacant posts of Sweepers on their establishment. Respondent no.3 shall complete this exercise within two months from the date of this order.

10. We clarify that the order passed by us in the present matters cannot be cited as precedence since it has been passed in the peculiar circumstances involved in the present cases. The applications stand disposed of in the aforesaid terms. There shall be no order as to costs.

**MEMBER (A)**

**MEMBER (J)**



**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 748 OF 2017  
(Parasram N. Sonawane V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the Respondent Nos. 1, 2, 4 to 6. Smt. S.S. Bhuse, learned Advocate for respondent No. 3, **absent**.

2. Record shows that the present Original Application is amended as per the order dated 28.02.2020 in M.A. No. 343/2019.

3. In view of the same, learned Presenting Officer filed affidavits in reply jointly on behalf on behalf of respondent Nos. 1, 4 & 5 and separately on behalf of respondent No. 2 to the amended Original Application. Same are taken on record and copies thereof have been served on the other side.

4. Learned Advocate for the applicant submits that the applicant does not want to file rejoinder affidavit.

5. S.O. to 28.01.2022 for final hearing.

**MEMBER (J)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 241 OF 2019  
(Chandrakant P. Patange & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicants, Smt. M.S. Patni, learned Presenting Officer for the Respondent No. 1 and Shri S.B. Mene, learned Advocate for respondent Nos. 2, 3 & 5. Shri G.N. Patil, learned Advocate for respondent No. 4, **absent**.

2. Learned Advocate for the applicant has filed rejoinder affidavit to the affidavit in reply filed by the respondent Nos. 1 to 5. Same is taken on record and copy thereof has been served on the other sides.

3. As per the Circular No. MAT/MUM/ESTT/732/ 2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Division Bench. The present matters are pertaining to benefit of ACPS.

4. In view of the same, the present matters be placed before the Division Bench for further hearing.

5. S.O. to 17.01.2022.

**MEMBER (J)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 597 OF 2020  
(Amol S. Shidore V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Shri Govind B. Chate, learned Advocate holding for Shri S.R. Andhale, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the Respondents.

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

3. S.O. to 02.02.2022.

**MEMBER (J)**

KPB ORAL ORDER 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 399 OF 2021  
(Dr. Shivaji J. Rathod V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the Respondent Nos. 1 to 3. None present on behalf of respondent No. 4, though duly served.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 01.02.2022 for filing rejoinder affidavit, if any.

4. Interim relief granted earlier to continue till next date.

**MEMBER (J)**

KPB ORAL ORDER 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 436 OF 2021  
(Adinath V. Mundhe V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Shri Abhijeet Thombre, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. Learned Presenting Officer submits that para wise remarks are sent to the Government for approval. In this regard, he has placed on record a copy of the communication dated 15.12.2021. Same is taken on record.

3. Record shows that already two chances were granted to the respondents for filing affidavit in reply. One more last chance is granted to the respondents for filing affidavit in reply with the observation that, if the reply is not filed on or before the next date, the matter will proceed further without affidavit in reply of the respondents.

4. S.O. to 03.02.2022.

**MEMBER (J)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 498 OF 2021  
(Navnath R. Sanap V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Shri O.D. Mane, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant submits that respondents have not complied with the order of this Tribunal dated 08.10.2021.

3. Learned Presenting Officer for the respondents to take note of it.

4. Pleadings up to rejoinder are complete. The present matter is pertaining to transfer. Hence, the O.A. is admitted and it be kept for final hearing on 14.01.2022.

**MEMBER (J)**

KPB ORAL ORDER 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 521 OF 2021  
(Vijay S. Ghodake V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Shri O.D. Mane, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 20.01.2022.

**MEMBER (J)**

KPB ORAL ORDER 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 522 OF 2021  
(Ravindra D. Raut V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Shri O.D. Mane, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 20.01.2022.

**MEMBER (J)**

KPB ORAL ORDER 23.12.2021



**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 542 OF 2021  
(Dr. Sunil K. Palhal V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the Respondent Nos. 1 and 2 and Shri Vinod More, learned Advocate holding for Shri P.K. Ippar, learned Advocate for respondent No. 5, absent. None present on behalf of respondent Nos. 3 & 4, though duly served.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1 and 2.

3. S.O. to 27.01.2022.

**MEMBER (J)**

KPB ORAL ORDER 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**M.A. No. 407/2019 in O.A. St. No. 1458/2019  
(Savita U. Gaikwad @ Sangita S. Wagh V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Shri P.B. Salunke, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. Record shows that the affidavit in reply is filed on behalf of respondent Nos. 1 to 3 in M.A.

3. S.O. to 03.02.2022 for rejoinder, if any.

**MEMBER (J)**

KPB ORAL ORDER 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**M.A. No. 604/2019 in O.A. St. No. 2158/2019  
(Venkat S. Mundhe V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

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

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 4 in M.A. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 04.02.2022 for filing rejoinder affidavit, if any.

**MEMBER (J)**

KPB ORAL ORDER 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**M.A. No. 355/2021 in O.A. St. No. 1528/2021  
(Gopalrao V. Tompe & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

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

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

3. S.O. to 04.02.2022.

**MEMBER (J)**

KPB ORAL ORDER 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**M.A. No. 357/2021 in O.A. St. No. 1531/2021  
(Shantabai B. Tombre V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

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

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

3. S.O. to 04.02.2022.

**MEMBER (J)**

KPB ORAL ORDER 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 255 OF 2019  
(Subhash D. Thale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Shri P.B. Salunke, learned Advocate holding for Shri V.G. Salgare, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the Respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1, 3 & 4. Same is taken on record and copy thereof has been served on the other side.

3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent No. 2.

4. S.O. to 07.02.2022.

**MEMBER (J)**

KPB ORAL ORDER 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 461 OF 2021  
(Dr. Madhav B. Shinde V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

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

3. S.O. to 03.02.2022.

**MEMBER (J)**

KPB ORAL ORDER 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 720 OF 2021  
(Ramchandra G. Sawant V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

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

3. S.O. to 03.02.2022.

**MEMBER (J)**

KPB ORAL ORDER 23.12.2021



**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**M.A. No. 308/2019 in O.A. St. No. 1319/2019  
(Nathu N. Khartade V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

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

2. The present matter is closed for orders.

**MEMBER (J)**

KPB ORAL ORDER 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 725 OF 2021  
(Bhagwat R. Borchate V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Shri S.B. Ghatol Patil, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. Issue notices to the respondents, returnable on 07.02.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
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 07.02.2022.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (J)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

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

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

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

2. By this Misc. Application, the applicant is seeking amendment in the O.A. to the effect of adding one more prayer in view of the subsequent development in the matter.

3. The Original Application is filed seeking to quash and set aside the impugned memorandum dated 08.08.2017 (Annexure A-13 in O.A.), whereby punishment is imposed upon the applicant to the effect of 6% deduction from the monthly pension of the applicant for one year and to recover an amount of Rs. 2,74,400/- towards loss caused to the Government subject to decision in the departmental enquiry.

4. It is the contention of the applicant that the applicant filed reply dated 25.09.2017 (Annexure A-14 in O.A.) to the impugned memorandum dated 08.08.2017 (Annexure A-13 in O.A.). It is further contended that the Department Enquiry continued

against the applicant during the pendency of the Original Application.

5. Now the final order in the Departmental Enquiry is issued, which is dated 12.11.2020 and it is annexed to the present Misc. Application. The applicant seeks to challenge the said final order in the D.E. dated 12.11.2020.

6. In view of the same, it seems that the proposed amendment is not going to change the nature of proceedings and the same is just and necessary to decide the real controversy between the parties, as it is continuation of the impugned order. Hence, I proceed to pass following order :-

**ORDER**

1. The M.A. No. 142/2021 is allowed.
2. The applicant shall carry out the necessary amendment in the O.A. within a period of one week and amended copy of the O.A. be served to the learned Presenting Officer.
3. Accordingly, M.A. stands disposed of without any order as to costs.

**MEMBER (J)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**O.A. No. 758/2017  
(Dadarao D. Borade V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

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

2. Record shows that the affidavit in reply is filed on behalf of respondent Nos. 1 and 2, to which the rejoinder affidavit is also filed by the applicant.

3. Learned Presenting Officer filed additional affidavit on behalf of respondent No. 1. Same is taken on record and copy thereof has been served on the other side.

4. S.O. to 04.02.2022.

**MEMBER (J)**

KPB ORAL ORDER 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 433 OF 2020  
(Ajay R. Lahot V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

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

2. The present matter is closed for orders.

**MEMBER (J)**

KPB ORAL ORDER 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 264 OF 2019  
(Supadu V. Bhalerao V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2021**

**ORAL ORDER :**

As the present matter was before the single bench the same has been heard at length and it is closed for order on 17.12.2021. However, from facts on record, it is evident that question of Time Bound Promotion is also associated in the present matter and the subject of Time-Bound Promotion has been allotted to Division Bench as per the Circular No. MAT/MUM/ESTT/732/ 2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai.

2. In view of the same, the present matter be placed before the Division Bench for further hearing.
3. S.O. to 17.01.2022.

**MEMBER (A)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**M.A. No. 433/2019 in O.A. St. No. 1789/2019  
(Samadhan Balchand Rathod Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021.**

**O R D E R**

1. By this Misc. Application, the applicant is seeking condonation of delay of about 3 years, 1 month and 15 days caused for filing the accompanying Original Application seeking relief of interest on delayed payment of pensionary benefits.

2. Undisputedly, the applicant retired on 31.01.2011 on attaining the age of superannuation. The applicant was initially appointed on 03.03.1975 as a Clerk. Lastly he was promoted to the post of Sub-Registrar in the year 2004 and was transferred at Sakri. While working there in or about 01.03.2006, he and one another viz. Makaram Zamshing Chavan, stamp vendor were arrested for accepting bribe for registration of documents. In view of the same, the applicant was suspended by the order dated 08.03.2006 (Annexure A-1). He remained under suspension till his retirement on superannuation on 31.01.2011. Before that as stated earlier the crime was registered against the applicant and another under section 7, 12, 13 (1)(d) r/w Section 13(2) of the Prevention of Corruption Act, 1988. In that respect, Special Case No. 05/2007 was registered against them. By the judgment and order dated 19.11.2011



(Annexure A-2) in the said case No. 05/2007, the applicant and one another were acquitted. In view of the same, the applicant made representation dated 17.03.2012 (Annexure A-3 collectively) seeking pensionary benefits. He was not paid pensionary benefits. Instead in the year 2013, the Departmental Enquiry was initiated against the applicant. As per the order dated 10.10.2014 (Annexure A-12), the applicant was imposed the punishment of Rs. 100/- per month from his pensionary benefits. The applicant challenged the said order dated 10.10.2014 (Annexure A-12) by filing O.A. 173/2015 before the Maharashtra Administrative Tribunal Mumbai, Bench at Aurangabad. By the order dated 24.06.2014 (Annexure A-18) in O.A. No. 173/2015, punishment order was set aside. During pendency of the said O.A. No. 173/2015, the respondents paid the pensionary benefits to the applicant during the period from 10.06.2015 to 10.02.2016 and amount of difference between suspension period was subsequently paid on 05.04.2017.

3. It is the contention of the applicant that in view of the acquittal order in criminal case and quashing of punishment order in Departmental Enquiry, the applicant is entitled for interest on the delayed payment from the date of his retirement on superannuation.

4. It is further contended by the applicant that after receipt of last payment of pensionary benefits on 05.04.2017, the applicant made representation dated 27.10.2017 (Annexure A-21) seeking interest on delayed payment. The said representation is not yet decided by the respondents. Hence, the applicant filed Original Application along with the present Misc. Application for condonation of delay on or about 04.09.2019. There is delay of about 3 years and one and half month. The delay is not deliberate and intentional one. The applicant was fighting for his right during that period and hence, he seeks condonation of delay.

5. The affidavit in reply on behalf of respondent Nos. 2 to 4 is filed by one Shri Kailas Ramchandra Davange working as In-charge Joint Director Registrar and Collector of Stamps, Dhule, District Dhule. He has admitted the criminal and departmental proceedings initiated against the applicant in which the applicant was exonerated in both court proceedings. According to him after finalization of the O.A. No. 173/2015, retirement benefits were paid to the applicant after his acquittal from the criminal cases. In view of the same, there is no merit in the contentions of the applicant that he is entitled for interest on delayed payment. There is no in fact delay in payment of pensionary benefits. There is considerable period of delay in filing the Original Application and no sufficient cause has been shown by

the applicant for condonation of inordinate delay in filing the accompanying O.A. Hence, the present M.A. deserves to be rejected.

6. I have heard the arguments advanced by Shri K.B. Jadhav, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

7. After having considered the facts on record, it is evident that the applicant was suspended by the order dated 08.03.2006 (Annexure A-1) in view of contemplation of disciplinary action. In view of bribery case registered against the applicant and one another on 01.03.2006, the applicant was suspended till retirement on 31.01.2011. The applicant was acquitted in Criminal Case No. 05/2007 by the order dated 19.11.2011. Thereafter, the Departmental Enquiry was initiated against the applicant in the year 2013 by serving charge sheet on him. By the order dated 10.10.2014 (Annexure A-12), the punishment of Rs. 100/- per month was imposed on the applicant in the said D.E. The applicant challenged the said order by filing O.A. No. 173/2015. By the order dated 24.06.2016 in the O.A. No. 173/2015, the order of imposing of punishment was set aside. During the pendency of the said Original Application, the amounts of pensionary benefits were paid to the applicant.

8. In the circumstances, the question arises as to whether the entitlement of the applicant in view of the abovesaid development would relate back to his date of retirement and consequently whether he would be entitled for interest on delayed payment.

9. In the facts as discussed above, prima-facie, it seems that the applicant has a good case on merits. The cause of action for the applicant to file the O.A. at best arose on 24.06.2016, when the punishment order in D.E. was set aside by the M.A.T. Aurangabad Bench in O.A. No. 173/2015. However, it seems that the applicant had made representation dated 27.10.2017 (Annexure A-21). The said representation was made after about one year and 4 months.

10. It is contended that the applicant was waiting for the result of the said representation. However, nothing was communicated to him and therefore, he filed the Original Application in September 2019. In the circumstances, there is delay of about 3 years and one and half month in filing the accompanying Original Application. It cannot be said that the said delay is deliberate one. Thereby the applicant had nothing to gain. The applicant is seeking personal rights attributable to him. Considering the nature of relief sought for in this matter, it cannot be said that it is going to adversely affect any other Government servant, if the claim is allowed.

//6// M.A. 433/2019 in  
O.A. St. 1789/2019

11. It is a settled principle of law that the expression “sufficient cause” is to be construed liberally. Refusing to give indulgence in the matters is likely to defeat cause of justice at the threshold. Till the year 2017, the applicant was fighting for his lawful rights. In the circumstances, in my opinion, this is a fit case to condone the delay by construing the expression “sufficient cause” liberally by imposing moderate costs of Rs. 2,000/- on the applicant. In the result, I proceed to pass following order :-

**ORDER**

The Misc. Application No. 433/2019 is allowed in following terms:-

- (i) The delay of 3 years, 1 month and 14 days caused for filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 2000/- by the applicant. The amount of costs shall be deposited in the Registry of this Tribunal by the applicant within a period of one month from the date of this order.
- (ii) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

**MEMBER (J)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**M.A.NO.454 OF 2019 IN O.A.ST.NO.1892 OF 2019  
(Dnyaneshwar B. Sanap V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORDER**

This Misc. Application is filed seeking condonation of delay of one year and three months in filing the Original Application under Section 19 of the Administrative Tribunals Act, 1985 seeking the relief of grant of benefit of Government Resolution dated 02.09.2016 and absorb his services in the Government employment since 2018 onwards, with consequential benefits like seniority, further promotion, interest on amount due etc..

2. It is the case of the applicant that he holds qualification for appointment as Class-III employees in any Government office. The respondent Nos.2 and 3 appointed the applicant as Clerk, but not on regular basis but as an unpaid candidate in the year 2000. The scheme for appointment for unpaid candidate is

derived from the provisions of the Maharashtra Land Revenue Code.

3. It is further contended that the Government has already absorbed such candidates by issuing Government Resolutions respectively dated 19.11.2003, 10.03.2005, 25.08.2005, 25.10.2005, 23.09.2011 and lastly on 02.09.2016.

4. In view of same, the applicant submitted written applications on 03.09.2015, 30.09.2015, 24.07.2017 and lastly on 13.05.2019 (Annex. 'A-3' collectively). The said representations are still not considered by the respondents. Therefore, the applicant has filed delay condonation application with accompanied Original Application for seeking the benefit of requisite G.Rs.

5. It is contended that considering the last G.R. dated 02.09.2016, there is delay of about one year and three months in filing the said Original Application. It is not deliberate or intentional. The said delay is caused as the representations of the applicant were not considered in time. Hence, this application.

6. Affidavit-in-reply is filed on behalf of respondent Nos.2 and 3 by Shri Harishchandra Rangnath Sonwane who is working as Naib Tahsildar (Revenue-1), in the office of Tahsildar, Jintur, District Parbhani. He has denied the adverse contentions and has stated that there is considerable delay and no sufficient cause has been shown by the applicant for its condonation.

7. I have heard Shri S.D. Dhongde, learned Advocate for the applicant on one hand and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents on other hand.

8. Considering the facts on record, it is apparent that the cause of action for filing the original application arose on the date of issuance of last G.R. dated 02.09.2016.

9. Section 21 of Administrative Tribunals Act, 1985 deals with the limitation. Sub Section 3 of Section 21 of Administrative Tribunals Act, 1985 is as follows:-

*“(3) Notwithstanding anything contained in subsection (1) of subsection (2), an application may be*



//4//

M.A.454/2019 IN  
O.A.St.No.1892/2019

*admitted after the period of one year specified in clause (a) or clause (b) of sub-section (1) or, as the case may be, the period of six months specified in sub-section (2), if the applicant satisfies the Tribunal that he had sufficient cause for not making the application within such period.”*

10. In view of same, the limitation period of one year from the G.R. dated 02.09.2016 would come to an end on 02.09.2017, whereas limitation period of six months for deciding representation dated 24.07.2017 made after issuance of G.R. dated 02.09.2016 would come to an end on 24.01.2018.

11. The present Original Application along with delay condonation application is filed on 18.09.2019. In view of Sub Section 3 of Section 21 of Administrative Tribunals Act, 1985, there is delay of one year and eight months in filing the Original Application.

12. It is a settled principle of law that the expression “sufficient cause” is to be construed liberally. Considering the same, in this case, it cannot be said that the applicant is deliberately sleeping over his

rights. Infact, he has made representations since before the last G.R. dated 02.09.2016. Subsequently to the said G.R. also, he made representations on 24.07.2017 and 13.05.2019. The first representation in this regard after issuance of G.R. dated 02.09.2016 is dated 24.07.2017. Six months period from its representation would come to an end on 24.01.2018. The present proceedings are filed in September, 2019. In view of same, there is delay of about one year and 8 months.

13. In the circumstances, refusing to condone the delay is likely to defeat the cause of justice at the threshold. The applicant has rendered services as unpaid Clerk for more than 21 years. Similarly situated persons have already been absorbed and got benefits. In such circumstances, in my considered opinion, this is a fit case to construe the reasons shown by the applicant liberally. Hence, this is fit case to condone the delay of one year and eight months in filing the Original Application subject to imposition of cost of Rs.1000/- (Rupees One Thousand

//6//

M.A.454/2019 IN  
O.A.St.No.1892/2019

only) on the applicant. Therefore, I proceed to pass the following order:-

**ORDER**

The Misc. Application No. 454/2019 is allowed in following terms:-

- (i) The delay of about one year and eight months in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 1000/- (Rupees One Thousand only) by the applicant. The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.
- (ii) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

**MEMBER (J)**

***FARAD CONTINUATION SHEET***  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.319 OF 2021**  
**(Netaji G. Shinde V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Takelar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the Respondents.

2. By consent of both the sides, S.O. to 14.01.2022.

**MEMBER (J)**

SAS ORAL ORDER 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.356 OF 2020  
(Kiran B. Kolpe V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Shri N.B. Narwade, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the Respondents.

2. The present matter be treated as part heard.
3. By consent of both the sides, S.O. to 07.01.2022.

**MEMBER (J)**

SAS ORAL ORDER 23.12.2021

***FARAD CONTINUATION SHEET***

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.357 OF 2020  
(Vinod R. Borge V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Shri N.B. Narwade, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the Respondents.

2. The present matter be treated as part heard.
3. By consent of both the sides, S.O. to 07.01.2022.

**MEMBER (J)**

SAS ORAL ORDER 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.723 OF 2018  
(Arjun N. Kolmare V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Shri D.T. Devane, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the Respondents.

2. By consent of both the sides, S.O. to 27.01.2022.

**MEMBER (J)**

SAS ORAL ORDER 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**M.A. 334/2020 IN O.A. 894/2019  
(Suman B. Wavdhane Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Shri Gaurav L. Deshpande, learned Counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 13.1.2022 for hearing.

**MEMBER (A)**

**MEMBER (J)**

ARJ ORAL ORDERS 23.12.2021



**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**M.A. 372/2021 WITH M.A. 333/2021 IN O.A. 337/2021  
(Sandip D. Golwal Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Shri A.R. Borulkar, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 20.1.2022 for hearing.

**MEMBER (A)**

**MEMBER (J)**

ARJ ORAL ORDERS 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 153/2017  
(Dr. Ramnath B. Hemke Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
**AND**  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Shri J.S. Deshmukh, learned Counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent nos. 1 to 3, are present. Shri A.D. Aghav, learned Counsel for respondent nos. 4 & 5 (**absent**).

2. At the request of learned Counsel for the applicant, S.O. to 3.1.2022 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ARJ ORAL ORDERS 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 12/2019  
(Dr. Deepak K. Shejwal Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Shri Shamsunder B. Patil, learned Counsel for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent nos. 1 to 3 and Ms. Angha Pandit, learned Counsel holding for Shri S.B. Talekar, learned Counsel for respondent no. 4, are present.

2. With the consent of both the sides, S.O. to 11.1.2022 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ARJ ORAL ORDERS 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 293/2019  
(Babasaheb S. Pagare Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Shri V.B. Wagh, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 18.1.2022 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ARJ ORAL ORDERS 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 464/2019  
(Dayanand F. Gange Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Shri Ashish B. Rajkar, learned Counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 27.1.2022 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ARJ ORAL ORDERS 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**O.A. NOS. 389 & 390 BOTH OF 2020  
(Radhika S. Khare & Anr. Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Shri J.M. Murkute, learned Counsel for the applicants in both the matters and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in both the matters, are present.

2. With the consent of both the sides, S.O. to 14.1.2022 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ARJ ORAL ORDERS 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**O.A. NO. 424/2020 WITH O.A. NO. 454/2020  
(Anil D. Kondhare & Anr. Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Shri S.R. Shirsath, learned Counsel for the applicants in both the matters and Shri M.P. Gude, learned Presenting Officer for the respondents in both the matters, are present.

2. With the consent of both the sides, S.O. to 11.1.2022 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ARJ ORAL ORDERS 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 435/2020  
(Ratikant R. Sonwane Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Shri V.G. Pingle, learned Counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 31.1.2022 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ARJ ORAL ORDERS 23.12.2021



**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**M.A. 364/2019 IN C.P. 43/2018 IN O.A. 838/2015 WITH O.A. 122/2018  
WITH O.A. 558/2018  
(Ramdas T. Patil Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Shri R.P. Bhumkar, learned Counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 31.1.2022 for hearing.

**MEMBER (A)**

**MEMBER (J)**

ARJ ORAL ORDERS 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**M.A. 413/2021 IN O.A. 959/2019  
(Rahul D. Sathe & Ors. Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

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

2. The present M.A. for grant of interim relief deserves to be rejected only on the ground that previously also such M.A. bearing No. 554/2019 in O.A. 959/2019 was filed and the same was rejected vide order dated 20.11.2019. The order passed by the Tribunal in the said M.A. was challenged before the Hon'ble High Court by filing writ petition No. 8083/2021, however, same also has been rejected vide order dated 12.8.2021. In the circumstances, the present M.A. would not have been filed by the applicant. Therefore, the present M.A. deserves to be rejected on that ground alone and it is accordingly rejected.

3. O.A. be placed for final hearing on 19.1.2022.

**MEMBER (A)**

**MEMBER (J)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

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

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

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

2. When the present matter is taken up for consideration the learned Counsel for the applicant tendered across the bar the communication dated 7.12.2021 received to the applicant whereby the disciplinary authority has given ultimatum for him for making his statement of defense within a particular period, else to proceed further in the enquiry. After receiving such communication the applicant is apprehending that though this Tribunal has restrained the respondents vide order dated 17.11.2021 not to take any final decision in the enquiry, the same is likely to be taken. In the circumstances he has prayed for further clarification of the order passed by this Tribunal. He further submitted that he is ready to argue the matter finally.

3. The learned P.O. submits that say is filed and the matter can be finally disposed of. The learned P.O. further submits that the applicant cannot deny the submission of reply on the strength of interim order.

4. In the circumstances, the applicant is directed to submit the statement of defense as has been required vide aforesaid communication within a period of one week. The P.O. shall inform the disciplinary authority not to take any final decision in the enquiry, since the O.A. is likely to be heard on the next date.

5. Steno copy allowed for the use of learned P.O.

6. S.O. to 31.1.2022.

**MEMBER (A)**

**MEMBER (J)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 372/2018  
(Shankar J. Khedkar Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
**AND**  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Heard Shri Sandeep D. Munde, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. When the present matter is taken up for consideration, the learned Counsel for the applicant has brought to our notice the order passed by the Tribunal on 8.6.2018. More particularly he invited our attention to the observations made and directions given in para 11 of the said order, which read as under :-

*“11. In the circumstances without making any comment on merit, the respondent M.P.S.C. is directed to publish the result of the present applicant and other similarly situated candidates, if any to find out as to whether the applicant has secured more marks. In case the present applicant and / or of similarly situated candidates have secured more marks than the aforesaid candidates, the respondent M.P.S.C. is directed not to recommend name of these candidates until further orders.”*

3. The learned Counsel for the applicant submits that on 15.7.2019 the M.P.S.C. has published the result and

thereby has complied with the order passed by this Tribunal on 8.6.2018. However, no further steps are taken. The learned Counsel, in the circumstances, has prayed for further directions to the M.P.S.C. to consider his claim for appointment on the subject post reserved for Open Sports person. The learned Counsel submits that previously the candidate selected from the said category has secured 114 marks, whereby the applicant has secured 115 marks and is therefore entitled to be appointed to the said post.

4. In view of the submissions made, we direct the respondent no. 3 (M.P.S.C.) to consider the request of the applicant in the light of law laid down by the Hon'ble Apex Court in the case of **Saurav Yadav & Ors. Vs. State of Uttar Pradesh & Ors.** in **Misc. Application No. 2641/2019 in Special Leave Petition (Civil) No. 23223/2018 dated 18.12.2020** and also in the light of judgment delivered by Hon'ble High Court in the case of **Charushila d/o Tukaram Chaudhari & Ors. Vs. the State of Maharashtra & Ors.** in **writ petition No. 4159/2018 and the batch** decided on 8.8.2019 (Aurangabad Bench), if the applicant is otherwise fulfilling all norms and if no similarly situated candidate has secured more marks than the applicant in his category, within the period of one month from the date of this order.

5. Accordingly, the Original Application stands disposed of with no order as to costs.

**MEMBER (A)**

**MEMBER (J)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**C.P. 26/2019 IN O.A. 793/1996  
(Chokhoba S. Kharat Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Shri V.B. Wagh, learned Counsel for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent no. 1 and Shri S.B. Mene, learned Counsel for respondent nos. 2 & 3, are present.

2. With the consent of both the sides, S.O. to 19.1.2022 for hearing.

**MEMBER (A)**

**MEMBER (J)**

ARJ ORAL ORDERS 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 393/2020  
(Sanjay B. Barde Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

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

2. With the consent of both the sides, S.O. to 31.1.2022 for hearing.

**MEMBER (A)**

**MEMBER (J)**

ARJ ORAL ORDERS 23.12.2021



**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 31/2021  
(Sattar Khan Jamal Khan Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Smt. A.N. Ansari, learned Counsel for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent no. 1 and Shri M.P. Gude, learned Counsel for respondent no. 2, are present.

2. At the request of learned Counsel for the respondents, S.O. to 20.1.2022 for filing reply of the respective respondents.

**MEMBER (A)**

**MEMBER (J)**

ARJ ORAL ORDERS 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 518/2021  
(Asmita M. Kekan & Ors. Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Shri R.D. Khadap, learned counsel holding for Shri S.S. Thombre, learned Counsel for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. At the request of learned Counsel for the applicant, S.O. to 12.1.2022.

**MEMBER (A)**

**MEMBER (J)**

ARJ ORAL ORDERS 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 615/2018  
(Desai T. Gaikwad Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Ms. Angha Pandit, learned Counsel holding for Shri S.B. Talekar, learned Counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 25.1.2022 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ARJ ORAL ORDERS 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 690/2018  
(Pramod A. Kulkarni Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Shri Ajay S. Deshpande, learned Counsel for the applicant and Shri M.S. Mahajan, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 24.1.2022 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ARJ ORAL ORDERS 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 141/2021  
(Shubham A. Pagare Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

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

2. With the consent of both the sides, S.O. to 27.1.2022 for hearing.

**MEMBER (A)**

**MEMBER (J)**

ARJ ORAL ORDERS 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**M.A. 83/2020 IN O.A. 1036/2019  
(Dr. Naresh S. Shinde Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Ms. Angha Pandit, learned Counsel holding for Shri S.B. Talekar, learned Counsel for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 1 to 3 and Shri Rakesh Jain, learned Counsel for respondent nos. 4 & 5, are present.

2. With the consent of both the sides, S.O. to 27.1.2022 for hearing.

**MEMBER (A)**

**MEMBER (J)**

ARJ ORAL ORDERS 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**O.A.NO. 517/2018 WITH O.A. NO. 47/2019  
(Puja B. Pansare & Anr. Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Shri S.D. Munde, learned Counsel for the applicants in both the matters and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in both the matters, are present.

2. With the consent of both the sides, S.O. to 14.2.2022 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ARJ ORAL ORDERS 23.12.2021

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.98 OF 2019  
(Pandurang M. Chandanshiv V/s. State of Maharashtra & Ors.)**

**WITH**

**ORIGINAL APPLICATION NO.719 OF 2016  
(Pandurang M. Chandanshiv V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicants in both these O.As., Shri B.S. Deokar, learned Presenting Officer for the Respondent Nos. 1 & 4 in O.A.No.98/2019 and for respondent Nos.1 to 3 in O.A.No.719/2016 and Shri V.M. Chate, learned Advocate for the respondent Nos. 2 & 3 in O.A.No.98/2019 and for respondent Nos. 4 & 5 in O.A.No.719/2016.

2. As per the Circular No. MAT/MUM/ESTT/732/ 2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Division Bench. The Original Applications are pertaining to time bound promotion/A.C.P.S.

3. In view of the same, the present matter be placed before the Division Bench for further hearing.

4. S.O. to 02.02.2022

**MEMBER (J)**



**Date :23.12.2021**

**ORIGINAL APPLICATION NO.828 OF 2021**

**(Sambhaji Dattatraya Karle V/s The State of Maharashtra & Ors.)**

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

1. Shri H.P. Jadhav, ld. Advocate for the applicant and Shri V.R. Bhumkar, ld. P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 18.01.2022. The case be listed for admission hearing on 18.01.2022.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on 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**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**C.P.NO.41/2019 IN O.A.NO.25/2018  
(Sachin R. Salve Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2021**

**ORAL ORDER :**

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

2. Learned counsel for the applicant sought time for filing rejoinder affidavit. Granted.

3. S.O. to 1.2.2022.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 23.12.2021-HDD

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 149 OF 2016  
(Madhukar U. Sonwane & Ors. Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2021**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned counsel for the applicants, Shri B.S. Deokar, learned Presenting Officer for the respondent No. 1 and Shri Sham B. Patil, learned counsel for respondent No. 2.

2. Pursis is tendered across the bar duly signed by the applicant No. 5 to the effect that the said applicant does not wish to prosecute the matter further and consequently for deletion of his name from the array of the applicants. Pursis is duly verified. Moreover it is countersigned by the learned counsel, who is representing the said applicant. In the circumstances, the name of applicant No. 5 be deleted from the array of the applicants.

3. The present O.A. be kept along with O.A. Nos. 86, 88, 89, 92, 93, 148, 150. S.O. to 7.2.2022.

**MEMBER (A)**

**MEMBER (J)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 443 OF 2017  
(Dr. Uttam B. Jadhav Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

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

2. When the present O.A. is taken up for consideration, the learned counsel for the applicant and learned Presenting Officer have jointly submitted that in view of the Government Resolution dated 3.5.2021 the grievance raised by the applicant in the present OA stands redressed.

3. In the circumstances, in view of the aforesaid Government Resolution and in view of the statement made in that regard in the affidavit in reply, the present OA stands disposed of without any order as to costs.

**MEMBER (A)**

**MEMBER (J)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 685 OF 2019  
(Shivaji R. Thakare Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant sought time for filing rejoinder affidavit. Granted.

3. S.O. to 25.1.2022.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 23.12.2021-HDD

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 140 OF 2020  
(Shrikant K. Bhale Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2021**

**ORAL ORDER :**

Shri H.A. Joshi, learned counsel for the applicant and B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. Affidavit in reply is not filed by the respondents though on the last occasion time was granted as a last chance. Today, again learned Presenting Officer sought time. Granted as a most last chance.

3. S.O. to 25.1.2022.

**MEMBER (A)**

**MEMBER (J)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 307 OF 2021  
(Vaishali K. Korde Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Shri J.S. Deshmukh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant sought time for filing rejoinder affidavit. Granted.

3. S.O. to 27.1.2022.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 23.12.2021-HDD

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 455 OF 2021  
(Anil T. Patil Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2021**

**ORAL ORDER :**

Shri S.D. Kotkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply. Granted.

3. S.O. to 28.1.2022.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 23.12.2021-HDD



**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 664 OF 2021  
(Sanjay D. Gangawane & Ors. Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 23.12.2021**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Affidavit in reply is not filed by the respondents though on the last occasion time was granted as a last chance. Today, again learned Chief Presenting Officer sought time. Granted as a most last chance.

3. S.O. to 19.1.2022.

**MEMBER (A)**

**MEMBER (J)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 722 OF 2021  
(Ashok K. Bhalerao & Ors. Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Shri A.B. Rajkar, learned counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply. Granted.

3. S.O. to 25.1.2022.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 23.12.2021-HDD

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**M.A.NO. 614/2019 IN O.A.ST.NO. 2365/2019  
(Hanuman P. Jarare Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

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

2. Learned counsel for the applicant sought time for filing rejoinder affidavit. Granted.

3. S.O. to 20.1.2022.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 23.12.2021-HDD

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 814 OF 2021  
(Ramkishan N. Todkar Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

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

2. Issue notices to the respondents, returnable on 28.1.2022.

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

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

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

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 28.1.2022.

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

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 23.12.2021-HDD

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 818 OF 2021  
(Dr. Aswini A. Patil Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Issue notices to the respondents, returnable on 10.1.2022.

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

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

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

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 10.1.2022.

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

**MEMBER (A)**

**MEMBER (J)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**M.A.NO. 395/2021 IN O.A.ST.NO. 1723/2021  
(Annasaheb M. Shinde & Ors. Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Heard Shri Jiwan J. Patil, learned counsel for the applicants and Shri P.R. Katneshwarkar, learned special counsel along with Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned special counsel has tendered across the bar affidavit in reply on behalf of respondent No. 1 and the same is taken on record and copy thereof has been served on the other side.

3. After hearing the arguments of the learned counsel for both the sides, for time being we treat the present O.A. to have been filed only by applicant No. 1. Insofar as other applicants are concerned, it would be open for them to pursue their grievance before the appropriate forum.

4. S.O. to 24.1.2022 for hearing.

**MEMBER (A)**

**MEMBER (J)**



**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 1083 OF 2021  
(Shivaji Shankar Pisule Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Heard Shri S.P. Bhujbal, learned counsel holding for Shri U.A. Khekale, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned counsel for the applicant, on instructions, submits that the applicant has also preferred an appeal before the Hon'ble Minister and in the circumstances, the applicant does not wish to prosecute the present OA and, therefore, he sought permission to withdraw the same. The applicant is present before the Tribunal.

3. In view of the aforesaid submission made on behalf the applicant, the following order is passed: -

**ORDER**

(i) The applicant is permitted to withdraw the present O.A.

(ii) The O.A. stands disposed of since withdrawn. There shall be no order as to costs.

**MEMBER (A)**

**MEMBER (J)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**C.P.NO.22/2021 IN O.A.NO.947/2018  
(Bhagwat Trimbak Daga Chaudhari Vs. State of Maha. & Ors.)**

**WITH**

**C.P.NO.23/2021 IN O.A.NO.432/2018  
(Ajabrao Rambhau Patil Vs. State of Maha. & Ors.)**

**WITH**

**C.P.NO.24/2021 IN O.A.NO.169/2018  
(Shankar Daga Chaudhari Vs. State of Maha. & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Heard Shri A.D. Sugdare, learned counsel for the applicants in all these matters and S/Shri M.S. Mahajan, M.P. Gude & Smt. M.S. Patni, learned Chief Presenting Officer and learned Presenting Officers for the respective respondents in respective matters.

2. When the present contempt petitions are taken up for consideration, the learned Chief Presenting Officer submits that the department has taken decision to file Special Leave Petition before the Hon'ble Apex Court challenging the order passed by the Division Bench of the Hon'ble High Court on 20.1.2021 in W.P. No. 1041/2021 with other WPs. On a query made, learned Chief Presenting Officer submitted that the approval is accorded by the Law & Judiciary Department for filing Special Leave Petition before the Hon'ble Apex Court in the month of September, 2021. If this be so, we fail to understand as to why after lapse of more than 3 months also Special Leave Petition has not been filed. It also cannot be ignored that the order has been passed by the Hon'ble High Court in the month of January, 2021. It has also to be noted that during

pendency of the said Writ Petition the department could not secure stay to the order passed by the Tribunal. In the circumstances, though it is the contention of the department that they are intending to file Special Leave Petition which they may proceed with, in view of the order passed by the Hon'ble High Court dismissing the Writ Petition the obligation is on the respondents to comply with the order passed by the Tribunal, unless the said order is stayed. Learned Chief Presenting Officer shall seek the necessary instructions and advise the authorities to comply with the order may be reserving their right to file Special Leave Petition before the Hon'ble Apex Court, or else the contempt petitions will be proceeded further in accordance with law.

3. S.O. to 31.1.2022.

**MEMBER (A)**

**MEMBER (J)**

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,  
BENCH AT AURANGABAD**

**M.A.NO. 415/2021 IN O.A.NO. 717/2021  
(Mrs. Meena V. Shinde Vs. State of Maharashtra & Ors.)  
WITH  
M.A.NO. 416/2021 IN O.A.NO. 716/2021  
(Navin Jagdish Sharma Vs. State of Maharashtra & Ors.)  
WITH  
M.A.NO. 417/2021 IN O.A.NO. 718/2021  
(Gajanan B. Aundhekar Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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**CORAM :** Hon'ble Justice Shri P.R. Bora, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)

**DATE :** 23.12.2021

**ORAL ORDER :**

Smt. Suchita Dhongde, learned counsel for the applicants in all these matters and Shri S.K. Shirse, learned Presenting Officer for the respondents in all these matters, are present.

2. S.O. to 7.1.2022.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 23.12.2021-HDD