

M.A.NO.443/2019 IN O.A.NO.335/2019
(Hanumant Patil & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Shri R.N.Bharaswadkar, learned Counsel for the applicant in M.A., Shri R.N.Dhorde learned Counsel for the applicant in O.A. and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. At the request of learned Presenting Officer, S.O. to 22-03-2022.

MEMBER (A)

MEMBER (J)

**M.A.ST.NO.355/2022 IN O.A.ST.NO.356/2022
(Mayur Kalyankar & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri Sanjay Kolhare, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Counsel for the applicant, S.O. to 13-04-2022.

MEMBER (A)

MEMBER (J)

**C.P.NO.15/2014 IN O.A.NO.1128/1999
(Revannath Landge Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri A.S.Deshmukh, learned Counsel for the applicant and Shri S.B. Bedwai, learned Counsel holding for Shri S.V.Adwant, learned Special Counsel for the respondents, are present.

2. With the consent of both the sides, S.O. to 30.3.2022 for hearing.

MEMBER (A)

MEMBER (J)

C.P.NO.48/2019 IN O.A.NO.933/2018
(Gajanan Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Shri L.S.Shaikh, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 23.3.2022 for hearing.

MEMBER (A)

MEMBER (J)

C.P.NO.28/2020 NO.113/2012
(Bhagwat Kadam Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Shri K.G.Salunke, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 23.3.2022 for hearing.

MEMBER (A)

MEMBER (J)

C.P.NO.06/2021 IN O.A.NO.165/2019
(Supriya Deshpande & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Shri V.V.Ingle, learned Counsel for the applicant and
Shri M.P.Gude, learned Presenting Officer for the
respondents, are present.

2. With the consent of both the sides, S.O. to 1.4.2022
for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.694/2018
(Somnath Reddy Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri A.S.Deshmukh, learned Counsel for the applicant, Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent nos.1 to 3 and Shri M.S.Sonawane learned Counsel for respondent no.4 and Shri S.G.Kulkarni learned Counsel holding for Shri Ajay Deshpande learned Counsel for respondent no.5 and 6, are present.

2. With the consent of both the sides, S.O. to 21.3.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.643/2019
(Majid Ismail Shaikh Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri R.P.Bhumkar, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 4.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.758/2019
(Dr. Satish Totawar Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Shri J.S.Deshmukh, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 25.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.783/2019
(Anil Chittarwad Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri Sunil B. Jadhav, 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 29.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.788/2019
(Santoshkumar Kaul Vs. State of Maharashtra & Ors.)

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

DATE : **11.03.2022**

ORAL ORDER :

Shri S.D. Munde, learned Counsel holding for Shri Santosh B. Bhasale, learned Counsel for the applicant, Shri N.U.Yadav, learned Presenting Officer for the respondent authorities and Shri S.D.Dhongde learned Counsel for respondent no.2, are present.

2. With the consent of both the sides, S.O. to 29.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.944/2019
(Dr. Anita Kadam Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri Shamsundar B. Patil, 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 23.3.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.1029/2019
(Suraj Bavat Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri M.S.Chaudhari, learned Counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri V.B.Wagh learned Counsel for respondent no.4, are present.

2. With the consent of both the sides, S.O. to 18.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.1057/2019
(Jivan Thosar Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri Swapnil A. Deshmukh, 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 7.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.21/2020
(Dnyanoba Kale Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri P.G.Tambde learned Counsel holding for Shri S.S.Jadhavar, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 20.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.232/2020
(Rohini Charole Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri S.K.Mathpati, learned Counsel for the applicant,
Shri S.K.Shirse, learned Presenting Officer for the
respondents, B.S.Chondhekar learned Counsel for
respondent no.4 and Shri N.V.Gaware learned Counsel for
respondent no.5, are present.

2. With the consent of both the sides, S.O. to 7.4.2022
for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.294/2020
(Ramakant Padale Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Shri A.D.Sonkawade, 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 19.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.589/2020
(Anil Karbhari Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri R.B.Deshmukh, 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 20.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.09/2021
(Ulhas Kawade Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri H.U.Dhage, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 21.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.608/2021
(Pawansing Bight Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri A.S.Deshmukh, 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 7.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**O.A.NO.48/2022, 49/2022, 50/2022, 51/2022 and
52/2022**

(Suhas D. Vasave & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Shri T.M.Venjane, learned Counsel for the applicants and Shri M.S.Mahajan, learned Chief Presenting Officer, Smt. Deepali Deshpande, S/Shri N.U.Yadav, V.R.Bhumkar and Shri S.K.Shirse learned Presenting Officers for the respondents, are present.

2. With the consent of both the sides, S.O. to 20.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

M.A.362/2019 IN O.A.ST.NO.1539/2019
(Prakash Bhambre Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Smt. Sonal Bali, learned Counsel holding for Shri Harish S. Bali, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 6.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**M.A.NO.141/2021 WITH M.A.NO.121/2021 IN
O.A.NONO.=/20=
(Nishant H. Narkhede & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri M.S. Mahajan, learned Chief Presenting Officer for the applicants in M.A. / respondents in O.A., Shri Vinod Patil, learned Counsel for applicant in M.A. 121/2021 and Ms. Preeti Wankhade, learned Counsel for applicants in O.A. / C.P., are present.

2. With the consent of both the sides, S.O. to 22.3.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.535/2013, 575/2013
(Shubhangi Shejul & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri P.G.Tambde learned Counsel holding for Shri S.S.Jadhavar, learned Counsel for the applicants and Shri S.K.Shirse, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 20.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.680/2013
(Vilas Gandhane & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Shri P.V.Suryavanshi, 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 4.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.807/2016
(Madhukar N. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Shri V.B.Wagh, learned Counsel for the applicant, Shri N.U.Yadav, learned Presenting Officer for the respondent authorities and Shri Shamsundar B. Patil learned Counsel for respondent no.2, are present.

2. With the consent of both the sides, S.O. to 11.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**T.A.NO.05/2018 IN W.P.NO.9261/2018
(Pravin Janjal Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri Nitin S. Kadarale, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 12.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

T.A.NO.06/2018 IN W.P.NO.9314/2018
(Prasanna Raut & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Shri Nitin S. Kadarale, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 12.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.330/2018
(P. L. Giri Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri Omprakash Y. Kashid, learned Counsel for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 8.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.399/2018
(Kantilal Golwal Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri S.S.Dambe, 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 18.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.896/2018
(Madhukar Madarase & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Shri R.P.Bhumkar, learned Counsel for the applicants and Shri S.K.Shirse, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 4.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.337/2019
(Namdev D. Londhe Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri Omprakash Y. Kashid, 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 8.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.561/2019
(Ramesh Barhe Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri Suresh D. Dhongde, learned counsel holding for Smt. Suchita Dhongde, learned Counsel for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri Subhash S. Chillarge, learned Counsel for respondent no.3., are present.

2. With the consent of both the sides, S.O. to 19.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 362/2018
(Ganesh S. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Shri Sujeet D. Joshi, 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 7.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 422/2020
(Nilesh R. Tagad & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri Rahul Karpe, learned Counsel holding for Shri Sandeep D. Munde, learned Counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Arguments of both the sides are complete. Matter is closed for orders.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 456/2022

(Dr. Atul A. Deshmukh & Ors. Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 241/2022

(Dr. Ravi K. Tale Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 242/2022

(Dr. Faisalkhan Salimkhan Pathan Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION ST. NO. 478/2022

(Dr. Shubhendra S. Khandewale Vs. State of Maharashtra & Ors.)

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

DATE : 11.3.2022

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Counsel for the applicants in O.A. St. no. 456/2022, Shri G.K. Kshirsagar, learned Counsel for the applicants in O.A. No. 241/2022 & 242/2022, Shri Amit Yadkikar, learned Counsel for the applicants in O.A. St. 478/2022 and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these matters.

2. It is the common contention of all the applicants that the applicants are being treated ineligible for selection to the post of Dental Surgeon by the respondent M.P.S.C. as age bar despite being eligible

as per the Government Resolution dated 17.12.2021 read with Government Resolution dated 25.4.2016 issued by the General Administration Department and their application forms have not been accepted for the said reason.

3. It was brought to our notice that contrary to the decisions, which are revealing from the aforesaid G.Rs. upper age limit of 35 years has been prescribed in the advertisement. It is submitted that in the Writ Petition No. 3432/2022 presented before Aurangabad Bench of the Hon'ble Bombay High Court, in similar facts and circumstances the Division Bench has directed the M.P.S.C. to provisionally accept the application form of the petitioner in the said petition. It is the common contention of the learned Counsel for all these applicants in the present matters that the present applicants being similarly situated, deserve the same relief to be granted in their favour.

4. The learned Chief Presenting Officer appearing for the respondents has confirmed the fact of passing an order by the Hon'ble High Court and submitted for passing appropriate orders in the present matters.

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O.A. ST. NO. 456/2022 & ORS.

5. After having heard the learned Counsel for the parties and after having gone through the pleadings and documents filed on record we are convinced that a prima-facie case is made out by the applicants for grant of interim relief as prayed for. Moreover in view of the fact that Hon'ble High Court has granted interim relief in the case of similarly situated candidate we are bound to follow the same course.

6. So far as the applicant no. 7, Dr. Pravinkumar Vishnu Handge, in O.A. St. No. 456/2022 is concerned, his case is bit different. However, Shri Dharurkar has brought to our notice 2 orders passed by the Hon'ble High Court, one in Interim Application No. 2391/2021 in W.P. No. 704/2021 (Smt. Sarita Ishwarsingh Kushwah Vs. State of Maharashtra & 3 Ors.) and the other in Interim Application No. 2538/2021 in W.P. No. 3297/2021 (Maharashtra Rajya RBSK, Directors Va Karmachari Sanghatana Vs. State of Maharashtra). After having gone through the said orders, we are inclined to pass interim order in favour of applicant no. 7, Dr. Pravinkumar Vishnu Handge, in O.A. St. No. 456/2022 also.

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O.A. ST. NO. 456/2022 & ORS.

7. Hence, the following order :-

ORDER

(1) Issue notice to respondents in all these matters, returnable on 7.4.2022.

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

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

(4) 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.

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

(6) The M.P.S.C. is directed to provisionally accept the application forms of all these applicants in the present O.As.

(7) The M.P.S.C. shall make alternate arrangement for accepting the application forms of all these applicants physically, in the event the online acceptance fails.

(8) The learned C.P.O. is requested to communicate this order telephonically to the M.P.S.C.

(9) S.O. to 7.4.2022.

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

MEMBER (A)

MEMBER (J)

M.A. 103/2022 IN O.A. ST. NO. 456/2022
(Dr. Atul A. Deshmukh & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 11.3.2022

ORAL ORDER :

Heard Shri C.V. Dharurkar learned Counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

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

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

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

MEMBER (A)

MEMBER (J)

M.A. 110/2022 IN O.A. ST. NO. 478/2022
(Dr. Shubhendra S. Khandewale Vs. State of Maharashtra & Ors.)

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

DATE : 11.3.2022

ORAL ORDER :

Heard Shri Amit Yadkikar, learned Counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

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

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

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.75/2019
(Bharat Pralhad Bargaje Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri Saket Joshi learned Advocate holding for Shri A.S.Deshmukh, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents.

2. Learned Counsel for the applicant seeks to withdraw the O.A. Hence, the following order:

ORDER

O.A. stands disposed of since withdrawn without any order as to costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 362 OF 2019
(Neelabai A. Done & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

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

2. Learned Advocate for the applicants submits that the applicants do not wish to file affidavit-in-rejoinder.
3. S.O. to 11.04.2022 for admission.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1049 OF 2019
(Pralhad L. Bhalerao Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri Anand D. kawre, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Record shows that the pleadings upto affidavit-in-rejoinder are complete.
3. The matter is pertaining to advance increment. It is admitted and fixed for final hearing on 18.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 99 OF 2020
(Jitendra M. Chaudhari Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Shri M.R. Wagh, learned Advocate for the applicant is **absent**. Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. S.O. to 18.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 173 OF 2020
(Dr. Santosh S. Palve Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Shri V.M.Mane, learned Advocate for the applicant is **absent**. Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos.1 to 3 and Shri D.T. Devane, learned Advocate for the respondent No.4.

2. At the request of learned P.O. and learned Advocate for the respondent No.4, time is granted for filing affidavit-in-reply on behalf of the respondents.
3. S.O. to 06.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 567 OF 2020
(Rajendra V. Marale Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL:

Heard Shri V.B. Narke, learned Advocate holding for Shri P.M. Nagargoje, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf respondents.
3. S.O. to 11.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 106 OF 2021
(Manoj C. Salgar Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri Umakant P. Giri, learned Advocate for the applicant is **absent**. Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 12.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 109 OF 2021
(Ashok D. Shriadkar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

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

2. Record shows that the pleadings upto affidavit-in-rejoinder are complete.
3. The matter is pertaining to retirement benefits. It is admitted and fixed for final hearing on 11.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 113 OF 2021
(Vajjnath B. Navande Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Shri V.B. Dhage, learned Advocate for the applicant is **absent**. Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Record shows that the affidavit-in-reply is already filed on behalf of all the respondents.

3. In view of absence of learned Advocate for the applicant, time is granted for filing affidavit-in-rejoinder, if any.

4. S.O. to 13.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 167 OF 2021
(Rupesh S. Nagrale Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Shri M.B. Kolpe, learned Advocate for the applicant is **absent**. Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf respondents.
3. S.O. to 13.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 235 OF 2021
(Hiraingh K. Chandelhakure Vs. State of Maharashtra &
Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri K.A. Ingle, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf respondents.
3. S.O. to 13.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 313 OF 2021
(Pandurang M. Kamble Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

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

2. Record shows that the pleadings upto affidavit-in-rejoinder are complete.
3. S.O. to 13.04.2022 for admission.

MEMBER (J)

**ORIGINAL APPLICATION NO. 373 OF 2021
(Ramesh N. Wagh Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri S.S. Jadhavar, learned Advocate for the applicant is **absent**. Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf respondents.
3. S.O. to 13.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 414 OF 2021
(Shaikh Gulab Sher Muhammad Shaikh Vs. State of
Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri S.B. Patil, learned Advocate holding for Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf respondents.
3. S.O. to 08.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 416 OF 2021
(Dr. Ajit R. Kothari & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri Suresh S. Pidgewar, learned Advocate holding for Shri N.L. Choudhari, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

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

3. S.O. to 11.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 449 OF 2021
(Dr. Arun S. Shirurkar Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent Nos.1 to 4 and Shri P.R. Tandale, learned Advocate for the respondent No.5.

2. At the request made on behalf of the respondents, time is granted as a last chance for filing affidavit-in-reply.

3. S.O. to 08.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 451 OF 2021
(Dr. Suresh M. Betkar Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos.1 to 4 and Shri P.R. Tandale, learned Advocate for the respondent No.5.

2. At the request made on behalf of the respondents, time is granted as a last chance for filing affidavit-in-reply.

3. S.O. to 08.04.2022.

MEMBER (J)

SAS ORAL ORDERS 11.03.2022

ORIGINAL APPLICATION NO. 712 OF 2021
(Dr. Subhash G. Kabade Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

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

2. Learned P.O. for the respondents submits that he would file affidavit-in-reply during the course of the day.

3. S.O. to 30.03.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

**M.A.NO.105 OF 2022 IN O.A.NO.836 OF 2021
(Rahul R. Rathod Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri Avinash Khedkar, learned Advocate holding for Shri Nitin R. Bhavar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 04.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 105 OF 2022
(Amar J. Raut Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

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

2. At the request of learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.
3. S.O. to 11.04.2022.

MEMBER (J)

**M.A.NO.4 OF 2021 IN O.A.ST.NO.1401 OF 2020
(Sampat B. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri P.G. Gunale, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent Nos.5 and 6. Shri S.P. Pandit, learned Advocate for the respondent Nos.1 to 4 is **absent**.

2. Record shows that the affidavit-in-reply is filed on behalf of the respondent Nos.2 on 04.02.2022.
3. However, in farad sheet dated 04.02.2022 it is recorded that the same is affidavit-in-reply on behalf of the respondent Nos.1 to 4.
4. Record further shows that separate affidavit-in-reply is filed on behalf of the respondent No.5.
5. Learned Advocate for the applicant submitted that though it is recorded that learned Special Counsel is appointed on behalf of the respondent Nos.1 to 4, no VAKALATNAMA is filed by the concerned Advocate on behalf of the respondent Nos.1 to 4.

//2//

6. Learned P.O. for the respondent Nos.5 and 6 seeks time to file affidavit-in-reply on behalf of the respondent No.6.
7. In the interest of justice, time is granted to the respondent No.6 to file affidavit-in-reply.
8. S.O. to 12.04.2022.

MEMBER (J)

**M.A.NO.58 OF 2021 IN O.A.S.T.NO.136 OF 2021
(Mokgra G. Thakre Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri A.S. Mirajgaonkar, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent No.1 and Shri Amit Savale, learned Advocate for the respondent No.2.

2. By this application the applicant is seeking condonation of delay of 5 months and 26 days caused in filing the Original Application under Section 19 of Administrative Tribunals Act, 1985 seeking to challenge appointment order of the respondent No.2 dated 01.08.2019 to the post of Police Patil issued by the respondent No.1. In view of same, prescribed period of limitation of one year expired on 31.07.2020.

3. Learned Advocate for the applicant submitted that as per order of the Hon'ble Supreme Court lastly passed on 10.01.2022 in **Suo-Moto Writ Petition (C) No.3 OF 2020**, the limitation period is extended from the period of 15.03.2020 till 28.02.2022.

//2//

4. In the case in hand, the cause of action arose during the period referred to in the said dictum of the Hon'ble Supreme Court. In view of same, in my opinion, this is a fit case to condone the delay of 5 months and 26 days caused in filing the Original Application. I, therefore, proceed to pass the following order:-

ORDER

- (a) The M.A.No.58/2021 in O.A.St.No.136 of 2021 is allowed.
- (b) The delay of 5 months and 26 days caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned.
- (c) The accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.
- (d) No order as to costs.

MEMBER (J)

**ORIGINALA PPLICATION ST.NO.136 OF 2021
(Mogra G. Thakre Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri A.S. Mirajgaonkar, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent No.1 and Shri Amit Savale, learned Advocate for the respondent No.2.

2. Issue notice to the respondents, returnable on 13.04.2022

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.

//2//

O.A.St.No.136/21

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 13.04.2022.

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

MEMBER (J)

**M.A.NO.358 OF 2021 IN O.A.ST.NO.313 OF 2021
(Sarita V. Rode Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Shri Vikaram S. Undre, learned Advocate for the applicant is **absent**. Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.

3. In view of absence of learned Advocate for the applicant, S.O. to 12.04.2022 for taking necessary steps.

MEMBER (J)

SAS ORAL ORDERS 11.03.2022

ORIGINAL APPLICATION NO. 11 OF 2022
(Sahebrao D. Wankhade Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Shri Girish N. Kulkarni, learned Advocate for the applicant is **absent**. Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 30.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 24 OF 2022
(Jayant R. Ambhore Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Shri K.A. Ingle, learned Advocate for the applicant and Shri N.A. Jadhav, learned Advocate for the respondent No.3 are **absent**. Heard Shri N.U. Yadav, learned Presenting Officer for the respondent Nos.1 & 2.

2. In view of absence of learned Advocate for the applicant and learned Advocate for the respondent No.3, S.O. to 30.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 85 OF 2022
(Madhav B. Nilwad Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri M.B. Bharaswadkar, learned Advocate holding for Shri S.B. Jadhav, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 13.04.2022

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.

//2//

O.A.No.85/22

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 13.04.2022.

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

MEMBER (J)

**ORIGINAL APPLICATION NO. 188 OF 2022
(Gorakha M. Shinde Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri A. M. Lavharale, learned Advocate holding for Shri Girish L. Awale, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 13.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 218 OF 2022
(Vinod G. Mahire Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Smt. Rutuja L. Jakhade, learned Advocate for the applicant is **absent**. Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 31.03.2022.

MEMBER (J)

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

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

DATE : 11.03.2022

ORAL ORDER :

Heard Smt. Archana Bhange, learned Advocate holding for Shri A.S. Bayas, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 13.04.2022.

MEMBER (J)

ORIGINAL APPLICATION ST.NO. 75 OF 2022
(Sudhir S. Bramhane Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 29.03.2022 for taking necessary steps in respect of office objection.

MEMBER (J)

M.A.NO.18 OF 2020 IN O.A.NO.81 OF 2018
(Sayyed Wali Abdul Khadar Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri L.S. Shaikh, learned Advocate holding for Shri D.A. Bide, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 23.03.2022 for hearing.

MEMBER (J)

SAS ORAL ORDERS 11.03.2022

ORIGINAL APPLICATION NO. 844 OF 2019
(Ravirij R. Darak Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri P.R. Tandale, learned Advocate holding for Shri Vivek Bhavthankar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 17.03.2022.

MEMBER (J)

SAS ORAL ORDERS 11.03.2022

ORIGINAL APPLICATION NO. 810 OF 2018
(Somnath G. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 12.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 1082 OF 2019
(Naresh W. Sakpal Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri L.V. Sangit, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. In the midst of arguments learned Advocate for the applicant submitted that considering the document dated 27.06.2017 (Annex. 'A-6') issued by the respondent No.2 i.e. the Commissioner short affidavit is required to be filed explaining the situation.

3. Learned P.O. for the respondents is also at liberty to produce any supportive document in respect of said document dated 27.06.2017 (Annex. 'A-6')

4. S.O. to 06.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 771 OF 2021
(Sunil A. Thete Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

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

2. Record shows that the pleadings upto affidavit-in-rejoinder are complete.
3. The matter is pertaining to taking of charge. It is admitted and fixed for final hearing.
4. S.O. to 06.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 800 OF 2021
(Sunil A. Thete Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

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

2. Record shows that the pleadings upto affidavit-in-rejoinder are complete.

3. The matter is pertaining to suspension. It is admitted and fixed for final hearing.

4. S.O. to 06.04.2022.

MEMBER (J)

M.A.NO.348 OF 2019 IN O.A.ST.NO.1436 OF 2019
(Laxmibai U. Potdar Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri S.P. Dhobale, learned Advocate holding for Shri Anand V. Patil (Indrale), learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 11.04.2022.

MEMBER (J)

SAS ORAL ORDERS 11.03.2022

**M.A.NO.524 OF 2019 IN O.A.ST.NO.1944 OF 2019
(Jayprakash A. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri Avinash M. Lavharale, learned Advocate holding for Shri A.M. Hajare, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 13.04.2022.

MEMBER (J)

SAS ORAL ORDERS 11.03.2022

M.A.NO.36 OF 2020 IN O.A.NO.940 OF 2019
(Ashok D. Phadnis Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 12.04.2022.

MEMBER (J)

SAS ORAL ORDERS 11.03.2022

**M.A.NO.218 OF 2020 IN O.A.ST.NO.456 OF 2020
(Ashok B. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

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

2. The present Misc. Application is reserved for order.

MEMBER (J)

SAS ORAL ORDERS 11.03.2022

**M.A.NO.71 OF 2021 IN O.A.NO.80 OF 2021
(State of Maharashtra & Ors Vs. Bhimrao N. Kokate)**

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri V.R. Bhumkar, learned Presenting Officer for the applicants in M.A./original respondents and Shri Shamsundar B. Patil, learned Advocate for the respondent in M.A./original applicant.

2. By consent of both the sides, S.O. to 08.04.2022.

MEMBER (J)

SAS ORAL ORDERS 11.03.2022

M.A.NO.101 OF 2022 IN O.A.NO.309 OF 2021
(Dinesh R. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri P.D. Patil, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 11.04.2022.

MEMBER (J)

SAS ORAL ORDERS 11.03.2022

M.A.NO.104 OF 2022 IN O.A.NO.629 OF 2021
(Dr. Archana V. Bhosle Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 15.03.2022.

MEMBER (J)

SAS ORAL ORDERS 11.03.2022

ORIGINAL APPLICATION NO.335 OF 2020
(Arjun N. Pache Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, 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 30.03.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.79 OF 2021
(Anil S. Puranik Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 31.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.83 OF 2021
(Ashok R. Tonde & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 28.03.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.395 OF 2017
(Shobha R. Pathak Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent No.1 and Shri Santosh B. Mene, learned Advocate for the respondent Nos.2 & 3.

2. By consent of all the parties, S.O. to 12.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.963 OF 2018
(Vitthal G. Mhashal Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO.964 OF 2018
(Laxman C. Zole Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO.965 OF 2018
(Navnath G. Vairal Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri V.B. Narke, learned Advocate holding for Shri R.J. Godbole, learned Advocate for the applicants in all these matters and Shri M.P. Gude, learned Presenting Officer for the respondents in all these matters.

2. By consent of both the sides, S.O. to 18.04.2022.

MEMBER (J)

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

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

DATE : 11.03.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 30.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.386 OF 2019
(Gautam R. Fasale Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

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

2. Affidavit-in-rejoinder filed on behalf of the applicant to the amended affidavit-in-reply filed by the respondent Nos.1,2 and 5 is taken on record and copy thereof has been served on the other side.

3. By consent of both the sides, S.O. to 31.03.2022.

MEMBER (J)

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

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

DATE : 11.03.2022

ORAL ORDER :

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

2. In view of absence of learned Advocate for the applicant, S.O. to 19.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.16 OF 2020
(Sahebrao S. Kale Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri Jayant S. Deshmukh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officers for the respondents.

2. By consent of both the sides, S.O. to 05.04.2022.

MEMBER (J)

SAS ORAL ORDERS 11.03.2022

ORIGINAL APPLICATION NO.17 OF 2020
(Bapurao R. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri Jayant S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officers for the respondents.

2. By consent of both the sides, S.O. to 05.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.18 OF 2020
(Shivnath U. Vyavhare Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 05.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.211 OF 2020
(Nilesh B. Dighe Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 19.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.350 OF 2020
(Ramraje G. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 04.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.351 OF 2020
(Ramraje G. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 04.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.352 OF 2020
(Ramraje G. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 11.03.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 04.04.2022.

MEMBER (J)

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

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

DATE : 11.03.2022

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 12.04.2022.

MEMBER (J)

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

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

DATE : 11.03.2022

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 13.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.498 OF 2021
(Navnath R. Sanap Vs. State of Maharashtra & Ors.)

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

DATE : 11.03.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 01.04.2022.

MEMBER (J)

C.P.NO. 36/2019 IN O.A.NO. 229/2015
(Dr. Bhaskar S. Borgaonkar Vs. State of Maharashtra &
Ors.)

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

DATE : **11.3.2022**

ORAL ORDER :

Shri P.R. Tandale, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing sur-rejoinder. Time granted by way of last chance. Even if the sur-rejoinder is not filed, the matter will be heard on the next date.

3. S.O. to 11.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 11.3.2022-HDD

**C.P.NO. 37/2019 IN O.A.NO. 230/2015
(Dr. Dilip S. Ramkrishanarao Tandale Vs. State of
Maharashtra & Ors.)**

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

DATE : 11.3.2022

ORAL ORDER :

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

2. Learned Presenting Officer has sought time for filing sur-rejoinder. Time granted by way of last chance. Even if the sur-rejoinder is not filed, the matter will be heard on the next date.

3. S.O. to 11.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 11.3.2022-HDD

**ORIGINAL APPLICATION NO. 312 OF 2019
(Dr. Ashok P. Misal Vs. State of Maharashtra & Ors.)**

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

DATE : 11.3.2022

ORAL ORDER :

Shri J. S. Deshmukh, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 18.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 336 OF 2019
(Anil S. Navale Vs. State of Maharashtra & Ors.)**

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

DATE : 11.3.2022

ORAL ORDER :

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

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

3. S.O. to 19.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 617 OF 2019
(Rohit S. Mhaske & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 11.3.2022

ORAL ORDER :

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

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.
3. S.O. to 19.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 668 OF 2019
(Sonal D. Agrawal Vs. State of Maharashtra & Ors.)**

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

DATE : 11.3.2022

ORAL ORDER :

Shri Anup S. Dhanuka, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 20.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 776 OF 2019
(Gulchand F. Gangawane Vs. State of Maharashtra & Ors.)**

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

DATE : 11.3.2022

ORAL ORDER :

Shri Kiran G. Salunke, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. Affidavit in reply on behalf of the respondents has already been filed on record. No rejoinder affidavit is to be filed as stated by the learned counsel for the applicant.

3. List the matter for hearing on 20.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 41 OF 2020
(Nagesh C. Kumbre & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 11.3.2022

ORAL ORDER :

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

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

3. S.O. to 29.3.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 93 OF 2020
(Jayshree S. Tusamkar Vs. State of Maharashtra & Ors.)**

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

DATE : 11.3.2022

ORAL ORDER :

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

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

3. S.O. to 20.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 438 OF 2020
(Anil P.Chavan Vs. State of Maharashtra & Ors.)**

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

DATE : 11.3.2022

ORAL ORDER :

Shri Siddheshwar M. Gaikwad, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.
3. S.O. to 21.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 719 OF 2021
(Khanderao N. Pote Vs. State of Maharashtra & Ors.)**

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

DATE : 11.3.2022

ORAL ORDER :

Shri Suresh D. Dongde, learned counsel holding for Smt. Suchita A. Dhongde, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 22.3.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 767 OF 2021
(Baliram B. Rathod Vs. State of Maharashtra & Ors.)**

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

DATE : 11.3.2022

ORAL ORDER :

Shri Suresh D. Dongde, learned counsel holding for Smt. Suchita A. Dhongde, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 2 & 3 and the same is taken on record and copy thereof has been served on the other side.

3. Learned counsel has sought time for filing rejoinder affidavit. Time granted.

4. S.O. to 22.3.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 810 OF 2021
(Ganesh B. Agale Vs. State of Maharashtra & Ors.)**

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

DATE : 11.3.2022

ORAL ORDER :

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

2. Learned Presenting Officer has tendered across the bar common affidavit in reply on behalf of respondent Nos. 1 & 2 and separate affidavit in reply on behalf of respondent No. 3 and the same are taken on record and copies thereof have been served on the other side.

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

4. S.O. to 25.4.2022.

MEMBER (A)

MEMBER (J)

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

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

DATE : 11.3.2022

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

3. S.O. to 04.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 109 OF 2022
(Vinod H. Kulkarni Vs. State of Maharashtra & Ors.)**

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

DATE : 11.3.2022

ORAL ORDER :

Ms. Sharwari M. Deshpande, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Await service.
3. S.O. to 25.4.2022.

MEMBER (A)

MEMBER (J)

**MA 364/19 IN CP 43/18 IN OA 838/15 WITH
OA 122/18 (SB) WITH OA 558/18 (SB) OA 376/19
(Ramdas T. Patil & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 11.3.2022

ORAL ORDER :

Shri R.P. Bhumkar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. At the request of learned Chief Presenting Officer, S.O. to 4.4.2022. **High on board.**

3. S.O. to 4.4.2022.

MEMBER (A)

MEMBER (J)

**M.A.NO. 14/2021 IN O.A.ST.NO. 1471/2020
(Varsha M. Kalyankar Vs. State of Maharashtra & Ors.)**

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

DATE : 11.3.2022

ORAL ORDER :

Shri Kishor B. Borde, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 19.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 11.3.2022-HDD

**M.A.NO. 16/2022 IN O.A.ST.NO. 1505/2021
(Ramesh R. Kulthe Vs. State of Maharashtra & Ors.)**

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

DATE : 11.3.2022

ORAL ORDER :

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

2. Await service.
3. S.O. to 19.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 11.3.2022-HDD

**O.A.NO. 249/2021 WITH O.A.NO. 251/2021
(Dr. Pandit R. Rathod & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 11.3.2022

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicants in both these cases, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities in both the cases, Shri Rakesh Jain, learned counsel for respondent No. 6, Shri B.S. Shinde, learned counsel for respondent No. 2 and Shri C.D. Biradar, learned counsel for respondent No. 5 in O.A. No. 249/2021 and Ms. Ashwini Hoge, learned counsel for respondent No. 4 in O.A. No. 251/2021, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 4 in O.A. No. 251/2021 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 22.4.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATIO NO. 230 OF 2022
(Dr. Seema M. Digraskar Vs. State of Maha. & Ors.)

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

DATE : **11.3.2022**

ORAL ORDER :

Heard Shri M.C. Swami, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 13.4.2022.
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 13.4.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

C.P.NO. 8/2022 IN O.A.NO. 773/2021
(Kalim Salim Inamdar Vs. State of Maharashtra & Ors.)

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

DATE : **11.3.2022**

ORAL ORDER :

Shri Sayeed T. Yaseen, learned counsel for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondents, is present.

2. Since nobody appears for the applicant, S.O. to 5.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 11.3.2022-HDD

REV. NO. 2/2021 IN O.A.NO. 654/2018
(Somnath B. Bagul & Ors. Vs. State of Maharashtra & Ors.)

WITH

REV. NO. 3/2021 IN O.A.NO. 653/2018
(Gorakshanath N. Londhe & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : **11.3.2022**

ORAL ORDER :

Shri S.D. Dhongde, learned counsel for the applicants in both these cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in both these cases, are present.

2. S.O. to 12.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 11.3.2022-HDD

**ORIGINAL APPLICATION ST. NO. 376 OF 2022
(Abhilash Vilas Gore Vs. State of Maharashtra & Ors.)**

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

DATE : 11.3.2022

ORAL ORDER :

Heard Shri O.Y. Kashid, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. It is the contention of the applicant that the departmental enquiry has been initiated against him for the same charges for which the criminal case is also registered against him and is pending. Learned counsel appearing for the applicant has brought to our notice that the witnesses, which are cited in the departmental enquiry proceedings are same witness which are cited as witnesses in the criminal case. According to the learned counsel, if the departmental enquiry is proceeded prior to the criminal case the applicant would be constrained to disclose his defense and it would prejudicially affect, his right to defend the criminal case against him. In the circumstances, learned counsel has prayed for staying the departmental enquiry till conclusion of the criminal trial against him.

3. Learned Presenting Officer has opposed for granting any such interim relief stating that type of evidence may be

different in the departmental enquiry and the criminal proceedings and as such, no prejudice is likely to be caused, if the departmental enquiry is permitted to be proceeded further.

4. After having heard the learned counsel for the applicant and the learned Presenting Officer and after having perused the documents on record, it appears to us that a *prima facie* case is made out by the applicant for grant of interim relief as has been prayed by him. The contents of the charge framed in the departmental enquiry appear similar to the charge for which the criminal case is filed against the present applicant. Witnesses cited in the criminal case and the departmental enquiry are same. In the circumstances, it is difficult to rule out the contention raised by the applicant that if the departmental enquiry is proceeded prior to the criminal case, his right to defend the criminal case may get prejudicially affected. We are, therefore, inclined to pass the following order: -

ORDER

1. Issue notice to respondents, returnable on 8.4.2022; **till then the respondents shall not proceed with the departmental enquiry against the present applicant.**
2. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

3. 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.

4. 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.

5. 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.

6. S.O. to 8.4.2022.

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

MEMBER (A)

MEMBER (J)

M.A. 109/2022 IN O.A. 104/2022
(Shri Bhagwan Namdeo Ugalmugale Vs. State of Maharashtra & Ors.)

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

DATE : 11.3.2022

ORAL ORDER :

Heard Shri Sunil B. Jadhav, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Present Misc. Application has been filed by the applicant for leave to amend the O.A. as per the proposed amendment contained in para nos. 10 & 11 of the present M.A. and also place on record copies of relevant documents.

3. For the reasons stated in the Misc. Application, the amendment as prayed for is allowed. The learned Counsel submits that during the course of the day he will amend the O.A. and advanced arguments for grant of interim relief.

4. From the documents on record it reveals that the applicant got the appointment and entered into the Government services as the nominee of Shri Vitthal

Yadavrao Rakh, who had claimed himself to be a freedom fighter. It is the matter of record that in pursuance to the report of Justice Palkar Commission, the State Government has removed the name of said Shri Vitthal Yadavrao Rakh from the list of freedom fighters. Thereafter in compliance of the order passed by the Hon'ble High Court in Writ Petition No. 2246/2008, the Government initiated the process of cancelling the nominations of the freedom fighters by giving an opportunity of hearing to them. Accordingly the respondents have taken the decision to terminate the services of the present applicant. The applicant is not disputing the fact that the status and honor conferred upon Shri Vitthal Yadavrao Rakh has been withdrawn of whom the applicant claims to be a nominee.

5. In the aforesaid circumstances it does not appear to us that any case is made out by the applicant to grant any interim relief in his favour. It further appears to us that if ultimately the applicant succeeds in substantiating his claim, all necessary orders may be passed at the relevant time that of reinstating the applicant in services with all consequential benefits.

::-3-::

M.A. 109/2022 IN O.A. 104/2022

In the circumstances, we are not inclined to grant any interim relief in favour of the applicant.

6. Misc. Application therefore stands rejected without any order as to costs.

7. Original Application to come on board on 13.4.2022.

MEMBER (A)

MEMBER (J)

Date : 11.03.2022
ORIGINAL APPLICATION NO. 237 OF 2022
(Vinayak U. Banchod V/s State of Maha. & Ors.)

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

1. Shri P.G. Tambade, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 12.04.2022. The case be listed for admission hearing on **12.04.2022**.
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