M.A. FOR SPEAKING TO MINUTES [T.A.NO.01/2021 (W.P.NO.4908/2021)] (Shivaji T. Shinde V/s. State of Maharashtra & Ors.)

## OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 05-09-2022

#### **ORDER ON APPLIACTION FOR SPEAKING TO MINUTES:**

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

2. Matter is not on board. Taken on board.

3. The motion is moved for Speaking To Minutes.

4. learned Shri As contended bv Counsel Deshmukh, in the common order passed by this Tribunal on 26-08-2022 in T.A.No.01/2021 & T.A.No.02/2021, in clause 3 thereof inadvertently the date has been mentioned as 01-01-2004 which should Learned Counsel submitted that be 01-04-2004. according to the rules, the seniority list is to be prepared on the basis of the period of continuous

services of the concerned officer as on  $1^{st}$  day of April of the said year.

5. Aforesaid direction has been given by this Tribunal having regard to the fact that the seniority list which was impugned in the aforesaid matters was of the period ending on 31-12-2003. In the circumstances, it does not appear to us that the order passed as aforesaid require any modification as suggested by the learned Counsel.

6. Motion for Speaking to Minutes is disposed of.

MEMBER (A)VICE CHAIRMANYUK (!) ORAL ORDERS 05-09-2022

#### ORIGINAL APPLICATION NO.161/2019 (Laxman N. Dhakane V/s. State of Maharashtra & Ors.)

 OFFICE ORDER
 TRIBUNAL'S ORDERS

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

 DATE
 05-09-2022

 ORAL ORDER
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Heard Shri Mohit R. Deshmukh, learned Counsel for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondents.

2. Applicant was selected and appointed on the post of Talathi w.e.f. 06-01-2006. After entering into the service, the applicant passed the Sub Service Departmental Examination on 27-12-2007 and thereafter the applicant also passed the Revenue Qualifying Examination for which he appeared on 12-05-2008 and result of which was declared on 18-08-2008. The next promotion for which the applicant was entitled was of Circle Officer. Applicant was considered for promotion to the said post in the Departmental Promotion Committee (DPC) meeting held in 2014. However, was not given promotion.

As per the contention of the applicant since the vacant posts were limited, he could not be considered for promotion in the said DPC meeting.

3. Thereafter. in the subsequent years also promotions were effected and when the applicant noticed that the persons junior to him in the cadre of Talathi have been promoted to the post of Circle Officer, he enquired with the departmental authorities about the same. In the enquiry made by him, it was revealed to him that he was not promoted to the post of Circle Officer on the ground that when he passed the Revenue Qualifying Examination, he had not completed 3 years services on the post of Talathi. Subsequently, the order came to be passed on 19-11-2018 and the applicant was communicated to re-appear for the Revenue Qualifying Examination or else he will not be considered for promotion to the post of Circle Officer. In the circumstances, applicant has approached this Tribunal by filing the present O.A.

4. Learned Counsel for the applicant was fair in submitting that when the applicant passed Revenue

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Qualifying Examination, admittedly, he had not completed period of 3 years' service on the post of Talathi as prescribed in Rule 3 of the Maharashtra Revenue Qualifying Examination Rules, 1998 for promotion from the cadre of Talathi to the post of Circle Officer. Learned Counsel submitted that at the relevant time, applicant was unaware of the said provision and the respondent no.2 also did not restrain the applicant from appearing in the said examination. Subsequently, the result was declared.

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5. The learned Counsel further submitted that till the year 2018, respondents did not inform or explain to the applicant that his result of 2008 Revenue Qualifying Examination will not be considered by the authorities for promotion. Learned Counsel further submitted that the applicant was never directed by the respondents to appear for the Revenue Qualifying Examination or else his candidature will not be considered for further promotion. Learned Counsel submitted that, for the first time, on 19-11-2018 vide the impugned order the applicant has been directed to appear for the Revenue Qualifying Examination. 6. Learned Counsel further submitted that in the meanwhile period juniors to the applicant in the cadre of Talathi have been promoted and have been working on the promoted post since last 5 to 6 years. Learned Counsel submitted that the applicant has in fact Sub proved his merit by passing Services Departmental Examination in the first attempt and thereafter Revenue Qualifying Examination also in first attempt within 3 years of his joining service. Learned Counsel submitted that there is nothing adverse against the applicant in the entire service period. In the circumstances, the applicant has prayed for quashment of the impugned communication and direction issued in the said communication dated 10-10-2018.

7. Learned Counsel further submitted that the order so passed by the respondents directing the applicant to appear for the examination now cannot be executed for the reason that the period of 9 years has already lapsed after joining of the service by the applicant. In the circumstances, learned Counsel prayed for quashment of the impugned order.

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8. Shri Thorat, learned P.O. has supported the impugned order. Learned P.O. submitted that there is a clear provision in the rules that to render service on the post of Talathi for 3 years is a condition precedent for appearing in the Revenue Qualifying Examination and the applicant cannot take a plea that he was not aware of the said provision. In the said circumstances, according to the learned P.O. even if the applicant has passed the Revenue Qualifying Examination, the result of the said examination cannot be considered valid for promotion of the applicant in the promotional post of Circle Officer. Learned P.O. therefore prayed for rejecting the O.A.

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9. We have carefully considered the submissions advanced by the learned Counsel appearing for the applicant and the learned P.O. appearing for the respondents. We have also gone through the documents filed on record. It is not is dispute that the applicant resumed duties on the post of Talathi w.e.f. 06-01-2006. It is also not in dispute that within a year after joining, the applicant passed the Sub Services Departmental Examination. It is also not in dispute that on 12-05-2008, the applicant was permitted to appear in the examination and on 18-08-2008, he was declared to have passed the said examination by the respondents. It is also not disputed that till the date of impugned communication, the applicant was never informed by the respondents that the result of his Revenue Qualifying Examination will not be considered for promotion to the post of Circle Officer since at the relevant time, he had not completed 3 years' service on the post of Talathi. It is further not in dispute that till the date of communication, there were no instructions from the respondents to the applicant that he will have to appear for the Revenue Qualifying Examination again and only thereafter he will be qualified for the promotional post. There is further no dispute that in DPC meeting held in 2014, applicant was considered for promotion to the post of Circle Officer.

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10. Though the respondents have referred to Rule 3 and on the basis of the said Rule it has been contended that the result of the Revenue Qualifying Examination for which the applicant had appeared before completing 3 years period of service cannot be considered, there is no explanation why the applicant was permitted to appear in the said examination at the relevant time and why his result was then declared by the respondents. The question also arises, why in the long span of 10 years nothing is communicated to the applicant that he will have to reappear for the Revenue Qualifying Examination for the aforesaid reasons. Though it is true that at the relevant time the applicant was not entitled for appearing for the Revenue Qualifying Examination for not completing the period of 3 years of service on the post of Talathi, it cannot be ignored that the applicant had passed the said examination in first attempt. The Rules provide 3 chances to pass the examination, the applicant had passed the said examination in the first attempt. It also cannot be ignored that prior to that applicant had cleared Sub Services Departmental Examination also in first attempt.

11. Minutes of the DPC meeting held in 2014 are placed on record, from which it can be gathered that the applicant was held entitled for promotion by the DPC and only for lack of vacancies in that year, he was not promoted, however, he was placed in the waiting list. From the DPC meeting held in 2014, it is quite evident that at that time issue was not raised of applicant passing the Revenue Qualifying Examination without completing 3 years on the post of Talathi.

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12. It has been argued by the learned P.O. that the ignorance of Rule 3 cannot be pleaded by the applicant. Question arises, why the same analogy shall not be applied to the officer concerned who permitted the applicant to appear for Revenue Qualifying Examination before completing 3 years' service on the post of Talathi. Rule 15 provides that for appearing in Revenue Qualifying Examination the Talathi has to make an application to the Sub Divisional Officer in the prescribed form. It is not the case of the respondents that without making any such application the applicant appeared for Revenue Qualifying Examination. It is also not the case of the respondents that by providing any false information the applicant got permission for appearing in the said examination. The Sub Divisional Officer also cannot plead the ignorance of Rule 3. When applicant was

permitted to appear for the examination, his result was declared and more importantly DPC held the applicant eligible for promotion in the year 2014, it has to be held that compliance of Rule 3 has been impliedly waved by the respondents. Thereafter, the applicant has been working on the post of Talathi for more than 15 years. In the circumstances, in our opinion, constructive and purposive interpretation has to be made of Rule 3. Having regard to the facts and circumstances involved in the present matter, noncompliance of Rule 3 shall not come in the way of the applicant particularly when he has been already held eligible for promotion to the post of Circle Officer by the DPC. We are of the opinion that when the applicant had passed examination when few months period was falling short for completing 3 years, its result cannot be annulled on that ground and applicant has to be held to have passed the said examination, as if he has passed the said examination after 3 years.

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13. For the reasons elaborated hereinabove, we see no justification in the communication dated

10-10-2018 issued by respondent no.2 and it deserves to be set aside.

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14. During the course of arguments, learned Counsel for the applicant had submitted that the applicant will not mind if his seniority in the promoted post is considered from the date his junior was promoted on the post of Circle Officer.

15. It is brought to our notice that in the DPC meeting held in 2014, one Mr. Hange who falls in the Open category was considered for promotion to the post of Circle Officer and has been actually promoted w.e.f. 28-08-2017. Learned Counsel further submitted that in the seniority list and also in the select list prepared after the DPC meeting held in 2014, the name of the applicant stands immediately after the name of Mr. Hange. In the circumstances, learned Counsel has made 2 prayers on behalf of the applicant; first, that the communication dated 10-10-2018 be set aside and consequently the applicant be promoted to the post of Circle Officer immediately, and second, that seniority of the applicant in the cadre of

Circle Officer be reckoned from the date the promotion is given to the candidate subsequent to the promotion given to Mr. Hange. The prayers made by the applicant are worth considering.

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16. In the facts and circumstances discussed hereinabove, we are inclined to allow the present O.A. with the following order:

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(i) Order dated 10-10-2018 issued by respondent no.2 is quashed and set aside.

(ii) Respondents are directed to promote the applicant to the post of Circle Officer within 4 weeks from the date of this order.

(iii) Seniority of the applicant in the cadre of Circle Officer be reckoned from the date any appointment by way of promotion to the post of Circle Officer is made subsequent to the promotion of Mr. Hange.

(iv) O.A. stands allowed in the aforesaid terms. There shall be no order as to costs.

## MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO.246/2019 (Shriniwas S. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
  - **DATE** : 05-09-2022

#### **ORAL ORDER** :

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

2. S.O. to 27-09-2022.

MEMBER (A)

**VICE CHAIRMAN** 

O.A.NO.47/2020, 48/2020, 49/2020 & 59/2020 (Damodhar Jadhav & Ors. V/s. State of Maharashtra & Ors.)

------**OFFICE ORDER TRIBUNAL'S ORDERS** \_\_\_\_\_

- CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- DATE : 05-09-2022

#### **ORAL ORDER :**

Shri A.S.Deshmukh, learned Counsel for the applicant, Shri I.S.Thorat, learned Presenting Officer for the respondents and Shri G.N.Patil, learned Counsel for respondent no.4 (O.A.49/20) and for respondent nos.3 & 4 (O.A.59/20), are present.

2. S.O. to 13-10-2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.521/2020** (Laxman Jadhav V/s. State of Maharashtra & Ors.)

\_\_\_\_\_ **OFFICE ORDER TRIBUNAL'S ORDERS** 

- \_\_\_\_\_ CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
  - DATE : 05-09-2022

#### **ORAL ORDER :**

Shri S.G.Kulkarni, learned Counsel holding for Shri Ajay Deshpande, learned Counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents, are present.

S.O. to 13-10-2022. 2.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.579/2021** (Siddharth R. Pandurkar V/s. State of Maharashtra & Ors.)

**OFFICE ORDER TRIBUNAL'S ORDERS** \_\_\_\_\_

- CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- DATE : 05-09-2022

#### **ORAL ORDER :**

Shri S.G.Kulkarni, learned Counsel holding for Shri Ajay Deshpande, learned Counsel for the applicant, Shri N.U.Yadav, learned Presenting Officer for the respondents and Shri Shailendra S. Kulkarni, learned Counsel for respondent no.4, are present.

2. S.O. to 17-10-2022.

> MEMBER (A) YUK (!) ORAL ORDERS 05-09-2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO.655/2021 (Rahul Gaikwad V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri B<u>ij</u>ay Kumar, Member (A)
- DATE : 05-09-2022

#### **ORAL ORDER** :

Shri U.L.Telgaonkar, learned Counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents, are present.

2. S.O. to 17-10-2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO.702/2021 (Vivekanand Dhongade V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- DATE : 05-09-2022

#### **ORAL ORDER** :

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

2. S.O. to 14-09-2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO.775/2021 (Ganesh Ingale V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
  - DATE : 05-09-2022

#### **ORAL ORDER** :

Shri Swaraj Tandale, learned Counsel for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondents, are present.

2. S.O. to 13-10-2022.

MEMBER (A)

**VICE CHAIRMAN** 

C.P.NO.03/2022 IN O.A.NO.80/2021 (Bhimrao N. Kokate V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
  - **DATE** : 05-09-2022

#### **ORAL ORDER** :

Shri Shamsundar B. Patil, learned Counsel for

the applicant and Shri S.K.Shirse, learned Presenting

Officer for the respondents, are present.

2. S.O. to 14-09-2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO.655/2022 (Madhav C. Padavi V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 05-09-2022

#### **ORAL ORDER**:

Shri F.R.Tandale, learned Counsel for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents, are present.

2. Learned Counsel for the applicant submits that the matter is shown in await service category, he has filed an affidavit contending therein that the respondents have been served. Learned PO has sought time to file affidavit in reply on behalf of the respondents. Time is granted.

3. S.O. to 10-10-2022.

MEMBER (A)VICE CHAIRMANYUK (!) ORAL ORDERS 05-09-2022

M.A.NO.327/2019 IN O.A.ST.NO.1212/2019 (Dr. Suryakant Nageshettiwar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- DATE : 05-09-2022

#### **ORAL ORDER** :

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

2. S.O. tomorrow i.e. 06-09-2022.

MEMBER (A)

**VICE CHAIRMAN** 

## ORIGINAL APPLICATION NO. 870/2019 (Dr. Devrao S. Dakhure V/s. State of Maharashtra & Ors.)

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# OFFICE ORDER

#### **TRIBUNAL'S ORDERS**

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<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

## <u>DATE</u> : 5.9.2022

### **ORAL ORDER** :

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

At the request of learned counsel for the applicant,
 S.O. to 6.9.2022 for hearing. High on Board.

MEMBER (A)

**VICE CHAIRMAN** 

C.P. 61/2019 IN O.A. 533/2015 (Shri Shivaji P. Shinde V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 5.9.2022

#### **ORAL ORDER** :

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

2. The learned P.O. has sought time for filing affidavit in reply of the respondents. Time granted.

3. S.O. to 11.10.2022.

MEMBER (A)

**VICE CHAIRMAN** 

C.P. 11/2022 IN O.A. 621/2017 (Shivnanda B. Darade deceased through LR Navnath B. Darade V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

## TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- **DATE** : 5.9.2022

#### **ORAL ORDER :**

Shri V.B. Wagh, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 11.10.2022 for heraring.

#### **MEMBER (A)**

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 709/2017 (Shri Ramesh M. Sonawane V/s. State of Maharashtra & Ors.)

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## **OFFICE ORDER**

**TRIBUNAL'S ORDERS** 

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 5.9.2022

#### **ORAL ORDER** :

Shri P.B. Rakhunde, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. The learned P.O. has sought time for filing affidavit in reply of the respondents. Time granted.

3. S.O. to 11.10.2022.

MEMBER (A)

**VICE CHAIRMAN** 

T.A. 1/2019 W.P. 11496/2019 CAVEAT NO. 66/2019 WITH CAVEAT NOS. 68 & 69/2019 (Smt. Sonali S. Varwade & Ors. V/s. State of Maharashtra & Ors.)

(Sint. Sonan S. Varwade & Ors. V/S. State of Manarasitia & Ors.

#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

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<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 5.9.2022

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#### **ORAL ORDER** :

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned Counsel for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and S/shri A.S. Deshmukh, Sandeep D. Munde & Ms. Anagha Pandit for Shri S.B. Talekar, learned counsel in respective caveats, are present.

2. The respondent no. 1 has already filed the affidavit in reply.

3. S.O. to 12.10.2022 for filing rejoinder affidavit by the applicants / affidavit in reply, if any, by remaining respondents.

#### MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 128/2019 (Shri Ganesh T. Pagare V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER TRIBUNAL'S ORDERS <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, <u>View</u> Obsimuer

Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 5.9.2022

#### **ORAL ORDER** :

Shri S.P. Urgunde, learned Counsel for the applicant (**absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities and Shri R.D. Khadap, learned counsel for respondent no. 6, are present.

2. The learned P.O. / learned counsel for respondent no. 6 have sought time for filing affidavit in reply of the respective respondents. Time granted.

3. S.O. to 12.10.2022.

#### **MEMBER (A)**

#### **VICE CHAIRMAN**

ORIGINAL APPLICATION NO. 312/2019 (Dr. Ashok P. Misal V/s. State of Maharashtra & Ors.)

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# OFFICE ORDER

#### **TRIBUNAL'S ORDERS**

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<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 5.9.2022

#### **ORAL ORDER** :

Shri J.S. Deshmukh, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. The learned P.O. has sought time for filing affidavit in reply of the respondents. Time granted.

3. S.O. to 13.10.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 668/2019 (Smt. Sonal D. Agrawal V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

**TRIBUNAL'S ORDERS** 

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**<u>DATE</u>** : 5.9.2022

#### **ORAL ORDER** :

Shri A.S. Dhauka, learned Counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. The learned counsel has sought time for filing rejoinder affidavit of the applicant. Time granted.

3. S.O. to 13.10.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 78/2020 (Shri Nagorao R. Paikrao V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

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#### **TRIBUNAL'S ORDERS**

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<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 5.9.2022

#### **ORAL ORDER** :

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

2. The learned counsel has sought time for filing rejoinder affidavit of the applicant. Time granted.

3. S.O. to 13.10.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 387/2020 (Shri Ajay R. More V/s. State of Maharashtra & Ors.)

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# OFFICE ORDER

#### **TRIBUNAL'S ORDERS**

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<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**<u>DATE</u>** : 5.9.2022

#### **ORAL ORDER** :

Shri Nilesh J. Patil, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. The learned P.O. has sought time for filing affidavit in reply of the respondents. Time granted.

3. S.O. to 17.10.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 552/2020 (Shri Vyankat N. Gaikwad & Ors. V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER

#### **TRIBUNAL'S ORDERS**

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<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 5.9.2022

#### **ORAL ORDER** :

Shri M.B. Bharaswadkar, learned Counsel for the applicants, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri S.V. Natu, learned counsel for respondent nos. 4, 8 & 9, are present.

2. Affidavit in reply of respondent nos. 1 to 4 is already on record.

3. S.O. to 17.10.2022 for filing rejoinder affidavit by the applicant / affidavit in reply by remaining respondents.

#### MEMBER (A)

#### **VICE CHAIRMAN**

ORIGINAL APPLICATION NO. 582/2020 (Muktar F. Tadvi V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 5.9.2022

#### **ORAL ORDER** :

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

2. The learned counsel has sought time for filing rejoinder affidavit of the applicant. Time granted.

3. S.O. to 17.10.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 24/2021 (Dr. Vaishali S. Garjewar V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 5.9.2022

#### **ORAL ORDER** :

Shri Kishor Patil, learned counsel holding for Shri Shamsunder B. Patil, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. The learned counsel has sought time for filing rejoinder affidavit of the applicant. Time granted.

3. S.O. to 17.10.2022.

#### **MEMBER (A)**

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 161/2021 (Shri Vikas B. Rathod V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

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#### **TRIBUNAL'S ORDERS**

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<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 5.9.2022

### **ORAL ORDER** :

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

2. The learned P.O. has sought time for filing affidavit in reply of the respondent nos. 1 & 2. Time granted.

3. S.O. to 18.10.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 350/2021 (Shaikh Chand Badshaha V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 5.9.2022

### **ORAL ORDER** :

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

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

3. S.O. to 18.10.2022 for hearing.

#### MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 444/2022 (Shri Bibhishan N. Hawale V/s. State of Maharashtra & Ors.)

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# OFFICE ORDER

#### **TRIBUNAL'S ORDERS**

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<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 5.9.2022

### **ORAL ORDER** :

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. The learned P.O. has tendered across the bar the reply of respondent no. 1. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 18.10.2022 for filing rejoinder by the applicant and for filing reply by remaining respondents.

#### **MEMBER (A)**

**VICE CHAIRMAN** 

### **ORIGINAL APPLICATION NO. 699/2022**

(Maharashtra Rajya Adarsh Shikshan Samiti, Aurangabad through its State President Shri Gajanan N. Walke V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- **DATE** : 5.9.2022

#### **ORAL ORDER** :

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, 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 19.10.2022.

**MEMBER (A)** 

**VICE CHAIRMAN** 

M.A. 370/2018 IN O.A. ST. 1556/2018 (Shri Jagannath P. Hanwate V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**<u>DATE</u>** : 5.9.2022

### **ORAL ORDER** :

Shri R.P. Bhumkar, learned Counsel for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri G. N. Patil, learned counsel for respondent no. 2, are present.

2. The learned counsel has sought time for filing rejoinder affidavit of the applicant. Time granted.

3. S.O. to 6.10.2022.

#### **MEMBER (A)**

**VICE CHAIRMAN** 

M.A. 224/2019 IN O.A. 236/2019 (Shri Sanjay B. Udar V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

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#### **TRIBUNAL'S ORDERS**

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<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 5.9.2022

### **ORAL ORDER** :

Shri K.B. Jadhav, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. The learned C.P.O. has sought time for filing affidavit in reply of the respondents. Time granted.

3. S.O. to 6.10.2022.

MEMBER (A)

**VICE CHAIRMAN** 

M.A. 611/2019 IN O.A. ST. 2374/2019 (Shri Rambhau A. Nikam V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**<u>DATE</u>** : 5.9.2022

### **ORAL ORDER** :

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

2. The learned P.O. has sought time for filing affidavit in reply of the respondents. Time granted.

3. S.O. to 6.10.2022.

MEMBER (A)

**VICE CHAIRMAN** 

M.A. 97/2021 IN O.A. ST. 329/2021 (Shri Baban R. Zagade V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 5.9.2022

### **ORAL ORDER** :

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

2. The learned counsel has sought time for filing rejoinder affidavit of the applicant. Time granted.

3. S.O. to 7.10.2022.

MEMBER (A)

**VICE CHAIRMAN** 

M.A. 324/2021 IN O.A. ST. 947/2021 (Dr. Sudam H. Mogle V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 5.9.2022

### **ORAL ORDER** :

Shri Shamsunder B. Patil, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. The learned P.O. has sought time for filing affidavit in reply of the respondents. Time granted.

3. S.O. to 14.9.2022.

MEMBER (A)

**VICE CHAIRMAN** 

M.A. 283/2022 IN O.A. ST. 265/2022 (Shri Gulab H. Imale V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

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#### **TRIBUNAL'S ORDERS**

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<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 5.9.2022

#### **ORAL ORDER** :

Shri R.R. Imale, learned Counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. The learned P.O. has tendered across the bar the affidavit in reply of respondent nos. 2 & 3 in M.A. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 11.10.2022 for filing rejoinder affidavit, if any, by the applicant.

#### **MEMBER (A)**

#### **VICE CHAIRMAN**

M.A. 324/2022 IN O.A. ST. 1203/2022 (T.A. Kulkarni V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 5.9.2022

### **ORAL ORDER** :

Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. Await service of notice upon the respondents.

3. S.O. to 13.10.2022.

**MEMBER (A)** 

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 392/2021 (Shri Pravin R. Hivrale & Ors. V/s. State of Maharashtra & Ors.)

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### OFFICE ORDER

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**TRIBUNAL'S ORDERS** 

CORAM :	Hon'ble Justice Shri P.R. Bora,
	Vice Chairman
	AND
	Hon'ble Shri Bijay Kumar, Member (A)
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<u>DATE</u> : 5.9.2022

### **ORAL ORDER** :

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

2. When the present matter is taken up for consideration the learned CPO submitted that he has received instructions from respondent no. 2 that in the present matter some counsel has been appointed by the said respondent and he will argue the present matter on behalf of the said respondent. The learned CPO has therefore made a request to give a short adjournment in the present matter. Request granted.

3. S.O. to 8.9.2022. High on Board.

MEMBER (A)

**VICE CHAIRMAN** 

C.P. 27/2019 IN O.A. 260/2019 (Shri Bhagwat D. Bedke V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**<u>DATE</u>** : 5.9.2022

### **ORAL ORDER** :

Shri S.P. Dhoble, learned counsel holding for Shri R.P. Bhumkar, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

At the request of learned counsel for the applicant,
 S.O. to 6.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

C.P. 20/2021 IN O.A. 200/2016 (Shaikh Rahim Shaikh Chand V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**<u>DATE</u>** : 5.9.2022

### **ORAL ORDER** :

Shri S.P. Dhoble, learned counsel holding for Shri R.P. Bhumkar, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

At the request of learned counsel for the applicant,
 S.O. to 6.9.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 115/2019 (Shri Santosh B. Jadhav & Ors. V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

**TRIBUNAL'S ORDERS** 

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**<u>DATE</u>** : 5.9.2022

### **ORAL ORDER** :

Shri S.P. Dhoble, learned Counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. On joint request of the learned counsel for the applicant and the learned CPO for the respondents, S.O. to 20.10.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 584/2019 (Shri Balu S. Jambe V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 5.9.2022

### **ORAL ORDER** :

Shri S.P. Dhoble, learned Counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. On joint request of the learned counsel for the applicants and the learned CPO for the respondents, S.O. to 20.10.2022 for hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 583/2014 (Shri Bhausaheb S. Gaikwad V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

**TRIBUNAL'S ORDERS** 

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 5.9.2022

### **ORAL ORDER** :

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, 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 13.10.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 49/2015 (Shri Dattatray G. Zade V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 5.9.2022

### **ORAL ORDER** :

Shri A.D. Gadekar, 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 17.10.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 245/2015 (Shri Jagannath H. Mhaske V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

**TRIBUNAL'S ORDERS** 

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**<u>DATE</u>** : 5.9.2022

### **ORAL ORDER** :

Ms. Anagha Pandit, learned counsel holding for Shri S.B. Talekar, 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 17.10.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 499/2015 (Dr. Maroti D. Dake V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**<u>DATE</u>** : 5.9.2022

### **ORAL ORDER** :

Shri Avinash S. Deshmukh, 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 17.10.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

# ORIGINAL APPLICATION NO. 201/2016 (Sayyed Habib Sayyed Abdul Rahim & Ors. V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

### TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri B<u>ij</u>ay Kumar, Member (A)
- **DATE** : 5.9.2022

### **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. With the consent of both the sides, S.O. to 18.10.2022 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 82/2017 (Shaikh Rabhani Shaikh Dadubhai V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 5.9.2022

### **ORAL ORDER** :

Ms. Anagha Pandit, learned counsel holding for Shri S.B. Talekar, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 18.10.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

### ORIGINAL APPLICATION NO. 108/2017 (Shri Kishor P. Shinde V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 5.9.2022

### **ORAL ORDER** :

Shri R.B. Bhosale, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 18.10.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 117/2017 (Shri Changdev N. Dhawale V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

**TRIBUNAL'S ORDERS** 

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 5.9.2022

### **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 19.10.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 165/2017 (Dr. Sunil P. Bhamre V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 5.9.2022

### **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. With the consent of both the sides, S.O. to 19.10.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 168/2017 (Shri Annarao V. Hivrale V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 5.9.2022

### **ORAL ORDER** :

Shri Ajay S. Deshpande, 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 19.10.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 174/2017 (Dr. Madhav F. Jadhav V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 5.9.2022

### **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. With the consent of both the sides, S.O. to 20.10.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 568/2018 (Sonyabapu G. Bachkar V/s. State of Maharashtra & Ors.)

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### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 5.9.2022

### **ORAL ORDER** :

Shri P.S. Dighe, learned Counsel for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, Shri Parag Bhosale, learned counsel for respondent no. 4 and Shri Santosh Patil, learned counsel for respondent nos. 5 & 6, are present.

2. With the consent of both the sides, S.O. to 20.10.2022 for final hearing.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION ST. NO. 357 OF 2020 (Sanjay D. Bodade V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM: Hon'ble Shri V.D. Dongre, Member (J)DATE: 05.09.2022.

### **ORAL ORDER** :

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

2. At the request of learned Advocate for the applicant, S.O. to 16.09.2022.

MEMBER (J)

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M.A. No. 355/2022 in O.A. St. No. 1318/2022 (Dilip B. Phatangare V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

### <u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

### **<u>DATE</u>** : 05.09.2022.

### **ORAL ORDER :**

Heard Shri Ganesh Jadhav, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notice to respondents in M.A., returnable on 10.10.2022.

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 10.10.2022.
- 8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (J)** 

M.A. No. 368/2022 in M.A. No. 369/2022 in O.A. St. 307/2022 (Jaydatt R. Bhusare V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u> : 05.09.2022.

### **ORAL ORDER** :

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

2. At the request of learned Advocate for the applicant, S.O. to 30.09.2022.

**MEMBER (J)** 

ORIGINAL APPLICATION NO. 251 OF 2020 (Sandu R. Magar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM: Hon'ble Shri V.D. Dongre, Member (J)DATE: 05.09.2022.

### **ORAL ORDER** :

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

2. At the request of learned Advocate for the applicant, S.O. to 07.10.2022.

**MEMBER (J)** 

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ORIGINAL APPLICATION NO. 504 OF 2021 (Dilip B. Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM : Hon'ble Shri V.D. Dongre, Member (J)DATE : 05.09.2022.

### **ORAL ORDER** :

Heard Shri G.R. Jadhav, learned Advocate holding for Shri M.D. Godhamgaonkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 14.10.2022.

MEMBER (J)

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### ORIGINAL APPLICATION NO. 70 OF 2022 (Ramkisan K. Mante V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

### **ORAL ORDER** :

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

2. At the request of learned Advocate for the applicant, S.O. to 19.09.2022.

**MEMBER (J)** 

### ORIGINAL APPLICATION NO. 71 OF 2022 (Sampat D. Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

### **ORAL ORDER** :

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

2. At the request of learned Advocate for the applicant, S.O. to 19.09.2022.

**MEMBER (J)** 

ORIGINAL APPLICATION NO. 72 OF 2022 (Arjun M. Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

### **ORAL ORDER** :

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

2. At the request of learned Advocate for the applicant, S.O. to 19.09.2022.

**MEMBER (J)** 

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M.A. No. 71/2020 in O.A. St. No. 2465/2019 (Sujata R. Puri V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

**TRIBUNAL'S ORDERS** 

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<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022. ORAL ORDER:

Shri D.R. Jaybhar, learned Advocate for the applicant (**Absent**). Heard Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 14.10.2022 for hearing.

**MEMBER (J)** 

M.A. No. 82/2020 in O.A. St. No. 172/2020 (Arshad Khan Gulab Khan V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

<u>ORAL ORDER</u> :

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Shri V.G. Pingle, learned Advocate for the applicant (**Leave Note**). Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 14.10.2022.

**MEMBER (J)** 

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M.A. No. 201/2020 in O.A. St. No. 464/2020 (Satish S. Gugale V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

**TRIBUNAL'S ORDERS** 

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<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

#### ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 20.09.2022.

**MEMBER (J)** 

#### **ORIGINAL APPLICATION NO. 712 OF 2018** (Sandipan A. Gavali V/s. State of Maharashtra & Ors.)

\_\_\_\_\_ **OFFICE ORDER TRIBUNAL'S ORDERS** \_\_\_\_\_

> CORAM : Hon'ble Shri V.D. Dongre, Member (J) DATE : 05.09.2022.

#### **ORAL ORDER :**

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

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

3. At the request of learned Presenting Officer, S.O. to 19.09.2022.

KPB ORAL ORDERS 05.09.2022

**MEMBER (J)** 

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#### ORIGINAL APPLICATION NO. 315 OF 2019 (Jeevan G. Shinde V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRIBUNAL'S ORDERS

## <u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u> : 05.09.2022.

#### **ORAL ORDER** :

Heard Shri S.L. Bhapkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 4. Shri M.M. Bhokarikar, learned Advocate for respondent No. 5, **absent**.

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

3. At the request of learned Presenting Officer, S.O. to 14.09.2022.

KPB ORAL ORDERS 05.09.2022

#### ORIGINAL APPLICATION NO. 427 OF 2019 (Ranjeet S. Savale (Dhangar) V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u> : 05.09.2022.

#### **ORAL ORDER** :

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Heard Shri S.D. Dhongade, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

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

3. At the request of learned Advocate for the applicant, S.O. to 16.09.2022.

KPB ORAL ORDERS 05.09.2022

#### ORIGINAL APPLICATION NO. 543 OF 2020 (Gaurav C. Randive V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

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CORAM: Hon'ble Shri V.D. Dongre, Member (J)DATE: 05.09.2022.

#### **ORAL ORDER** :

Heard Shri P.D. Bodade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. At the request of learned Presenting Officer, S.O. to 13.09.2022.

MEMBER (J)

#### ORIGINAL APPLICATION NO. 451 OF 2019 (Suryakant R. Biradar V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

#### **ORAL ORDER** :

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

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

3. At the request of learned Presenting Officer, S.O. to 16.09.2022.

KPB ORAL ORDERS 05.09.2022

#### ORIGINAL APPLICATION NO. 99 OF 2021 (Shrikant V. Mundhe V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

#### **ORAL ORDER** :

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

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

3. By consent of both the sides, S.O. to 19.09.2022.

MEMBER (J)

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

OFFICE ORDER TRIBUNAL'S ORDERS

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CORAM : Hon'ble Shri V.D. Dongre, Member (J)DATE : 05.09.2022.

#### **ORAL ORDER** :

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

- 2. The present matter is to be treated as part heard.
- 3. By consent of both the sides, S.O. to 23.09.2022.

MEMBER (J)

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#### ORIGINAL APPLICATION NO. 557 OF 2019 (Venkat V. Namule & Ors. V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

#### **ORAL ORDER** :

Heard Shri Shamsunder B. Patil, 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 21.09.2022 for final hearing.

**MEMBER (J)** 

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ORIGINAL APPLICATION NO. 564 OF 2019 (Vijay M. Lad V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER** 

**TRIBUNAL'S ORDERS** 

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022. ORAL ORDER:

Shri V.G. Pingle, learned Advocate for the applicant (**Leave Note**). Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 4 and Shri D.T. Devane, learned Advocate for respondent No. 5.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 07.10.2022 for final hearing.

KPB ORAL ORDERS 05.09.2022

#### ORIGINAL APPLICATION NO. 1080 OF 2019 (Ravindra S. Patil V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRI

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#### **TRIBUNAL'S ORDERS**

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022. ORAL ORDER:

Shri A.D. Sugdare, learned Advocate for the applicant (**Leave Note**). Heard Shri I.S. Thorat, learned Presenting Officer for the respondent Nos. 1 & 4. Smt. Sunita D. Shelke, learned Advocate for respondent Nos. 2 and 3, absent.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 03.10.2022 for final hearing.

KPB ORAL ORDERS 05.09.2022

#### ORIGINAL APPLICATION NO. 160 OF 2020 (Shrirang P. Jarhad V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

## CORAM: Hon'ble Shri V.D. Dongre, Member (J)DATE: 05.09.2022.

#### **ORAL ORDER** :

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Heard Shri Shrirang P. Jarhad, applicant in person and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. The applicant in person filed some documents. Same are taken on record and copies thereof have been served on the other side.

3. By consent of both the sides, S.O. to 27.09.2022 for final hearing.

MEMBER (J)

#### ORIGINAL APPLICATION NO. 225 OF 2020 (Subhash M. Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

## CORAM: Hon'ble Shri V.D. Dongre, Member (J)DATE: 05.09.2022.

#### **ORAL ORDER** :

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Heard Shri K.B. Jadhav, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri K.J. Suryawanshi, learned Advocate for respondent Nos. 4 & 6. None present on behalf of respondent No. 5, though duly served.

2. By consent of all the parties, S.O. to 03.10.2022 for final hearing.

KPB ORAL ORDERS 05.09.2022

#### **ORIGINAL APPLICATION NO. 439 OF 2020** (Bhimrao B. Bangar V/s. State of Maharashtra & Ors.)

\_\_\_\_\_ **OFFICE ORDER TRIBUNAL'S ORDERS** \_\_\_\_\_

> CORAM : Hon'ble Shri V.D. Dongre, Member (J) DATE : 05.09.2022.

#### **ORAL ORDER :**

Heard Shri M.K. Deshpande, 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 06.10.2022 for final hearing.

**MEMBER (J)** 

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#### **ORIGINAL APPLICATION NO. 577 OF 2020** (Kalidas B. Caudhari V/s. State of Maharashtra & Ors.)

\_\_\_\_\_ **OFFICE ORDER TRIBUNAL'S ORDERS** \_\_\_\_\_

> CORAM : Hon'ble Shri V.D. Dongre, Member (J) DATE : 05.09.2022.

#### **ORAL ORDER :**

Heard Shri K.G. Salunke, 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 30.09.2022 for final hearing.

**MEMBER (J)** 

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#### ORIGINAL APPLICATION NO. 66 OF 2021 (Gajendra T. Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

#### **ORAL ORDER** :

Heard Shri S.R. Patil, learned Advocate for the applicant and Smt. M.S. Patil, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 06.10.2022 for final hearing.

**MEMBER (J)** 

M.A. No. 146/2022 in O.A. No. 652/2018 (Indira A. Maind & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

#### **ORAL ORDER** :

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Heard Shri D.K. Dagadkhair, learned Advocate for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondents.

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

3. S.O. to 20.09.2022.

MEMBER (J)

#### ORIGINAL APPLICATION NO. 706 OF 2022 (Suhas T. Waghmare V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

## <u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

#### **ORAL ORDER** :

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

2. Await service of notice on the respondents.

3. Learned Advocate Shri G.V. Mohekar, holding for learned Advocate Shri V.B. Dhage, has filed **VAKALATNAMA** on behalf of respondent No. 4. Same is taken on record.

4. At the request of learned Advocate for the applicant, S.O. to 10.10.2022 for filing service affidavit.

KPB ORAL ORDERS 05.09.2022

#### ORIGINAL APPLICATION NO. 483 OF 2022 (Sanjay A. Fasale V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022. ORAL ORDER:

### Heard Shri O.D. Mane, 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 06.10.2022.

MEMBER (J)

#### ORIGINAL APPLICATION NO. 483 OF 2022 (Sanjay A. Fasale V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022. ORAL ORDER:

### Heard Shri O.D. Mane, 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 06.10.2022.

MEMBER (J)

#### ORIGINAL APPLICATION NO. 443 OF 2022 (Diwakar M. Jadhav V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER TRIBUNAL

#### TRIBUNAL'S ORDERS

#### <u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022. <u>ORAL ORDER</u>:

Heard Shri C.V. Thombre, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, issue fresh notice to respondent No. 2, returnable on 10.10.2022.

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

8. S.O. to 10.10.2022.

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

#### ORIGINAL APPLICATION NO. 477 OF 2021 (Tukaram R. Bhojane V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

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<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022. ORAL ORDER:

Heard Shri V.M. Maney, 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 23.09.2022.

MEMBER (J)

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#### ORIGINAL APPLICATION NO. 921 OF 2018 (Shriram B. Jadhav V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRIBUNAL'S ORDERS

## <u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u> : 05.09.2022.

#### **ORAL ORDER** :

Heard Shri P.B. Salunke, learned Advocate holding for Shri V.G. Salgare, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Await service of notice on the respondents.

3. At the request of learned Advocate for the applicant, S.O. to 13.10.2022 for taking necessary steps.

KPB ORAL ORDERS 05.09.2022

#### ORIGINAL APPLICATION NO. 922 OF 2018 (Hanshraj M. Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

## CORAM: Hon'ble Shri V.D. Dongre, Member (J)DATE: 05.09.2022.

#### **ORAL ORDER** :

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Heard Shri P.B. Salunke, learned Advocate holding for Shri V.G. Salgare, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.

3. At the request of learned Advocate for the applicant, S.O. to 13.10.2022 for taking necessary steps.

KPB ORAL ORDERS 05.09.2022

#### ORIGINAL APPLICATION NO. 923 OF 2018 (Shivaji M. Shelke V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

## CORAM: Hon'ble Shri V.D. Dongre, Member (J)DATE: 05.09.2022.

#### **ORAL ORDER** :

Heard Shri P.B. Salunke, learned Advocate holding for Shri V.G. Salgare, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent Nos. 1 to 3 and Smt. Anuradha Mantri, learned Advocate for respondent No. 4.

2. Await service of notice on the respondents.

3. At the request of learned Advocate for the applicant, S.O. to 13.10.2022 for taking necessary steps.

MEMBER (J)

#### ORIGINAL APPLICATION NO. 924 OF 2018 (Dhananjay P. Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

## <u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

#### 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. Await service of notice on the respondents.

3. At the request of learned Advocate for the applicant, S.O. to 13.10.2022 for taking necessary steps.

KPB ORAL ORDERS 05.09.2022

#### ORIGINAL APPLICATION NO. 834 OF 2019 (Ravikant R. Hadoltikar V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022. ORAL ORDER:

Shri V.G. Pingle, learned Advocate for the applicant (**Leave Note**). Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 and 3 and Shri G.N. Patil, learned Advocate for respondent No. 2.

2. At the request made on behalf of the respondents, time is granted for filing affidavit in reply.

3. S.O. to 06.10.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 177 OF 2021 (Lata B. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022. ORAL ORDER:

Shri S.S. Jadhavar, learned Advocate for the applicant (**Absent**). Heard Shri N.U. Yadav, learned Chief Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 12.10.2022 for filing rejoinder affidavit, if any.

**MEMBER (J)** 

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ORIGINAL APPLICATION NO. 309 OF 2021 (Dinesh R. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

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<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022. ORAL ORDER:

# Shri P.D. Patil, learned Advocate for the applicant (**Absent**). Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

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

3. S.O. to 30.09.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 509 OF 2021 (Ramling C. Mahajan & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

## <u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

#### **ORAL ORDER** :

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Heard Shri Ashitosh Sisodiya, learned Advocate holding for Shri A.B. Girase learned Advocate for the applicants 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 11.10.2022.

MEMBER (J)

#### ORIGINAL APPLICATION NO. 560 OF 2021 (Motiram D. Dakhore V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

#### **ORAL ORDER** :

Shri S.D. Joshi, learned Advocate for the applicant (**Absent**). Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 10.10.2022 as a last chance for filing rejoinder affidavit, if any.

**MEMBER (J)** 

#### ORIGINAL APPLICATION NO. 638 OF 2021 (Ganesh R. Admankar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

### <u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022. ORAL ORDER:

Shri V.G. Pingle, learned Advocate for the applicant (**Leave Note**). Heard Shri S.K. Shirse, learned Chief Presenting Officer for the respondent No. 1 and Shri G.N. Patil, learned Advocate for respondent Nos. 2 to 5.

2. At the request of learned Advocate for respondent Nos. 2 to 5, time is granted as a last chance for filing affidavit in reply.

3. S.O. to 12.10.2022.

**MEMBER (J)** 

ORIGINAL APPLICATION NO. 691 OF 2021 (Amol V. Padale V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022. ORAL ORDER:

Heard Shri R.A. Joshi, 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 3. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 20.09.2022 for filing rejoinder affidavit, if any. Interim relief granted earlier to continue till then.

KPB ORAL ORDERS 05.09.2022

#### ORIGINAL APPLICATION NO. 746 OF 2021 (Tilottama U. Bhatkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

#### **ORAL ORDER** :

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

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

3. S.O. to 06.10.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 753 OF 2021 (Shankar P. Dhupe & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

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## <u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022. ORAL ORDER:

Heard Shri P.V. Suryawanshi, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

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

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

4. S.O. to 03.10.2022 for admission.

**MEMBER (J)** 

#### ORIGINAL APPLICATION NO. 170 OF 2022 (Rajaram R. Zende V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

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## <u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022. ORAL ORDER:

Heard Shri R.A. Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

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

3. S.O. to 20.09.2022 for admission.

**MEMBER (J)** 

#### ORIGINAL APPLICATION NO. 180 OF 2022 (Deepak D. Kharath V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

## <u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J) DATE : 05.09.2022.

#### **ORAL ORDER :**

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

2. Learned Chief Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 6. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 12.10.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

#### ORIGINAL APPLICATION NO. 259 OF 2022 (Rahul kumar M. Wagh V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

#### **ORAL ORDER** :

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

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

3. S.O. to 03.10.2022.

MEMBER (J)

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#### ORIGINAL APPLICATION NO. 260 OF 2022 (Ravindra V. Taksal V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM : Hon'ble Shri V.D. Dongre, Member (J)DATE : 05.09.2022.

#### **ORAL ORDER** :

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

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

3. S.O. to 03.10.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 328 OF 2022 (Ashok B. Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

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<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

## ORAL ORDER :

Heard Shri K.B. Jadhav, 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 as a last chance for filing affidavit in reply on behalf of respondents.

3. S.O. to 07.10.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 366 OF 2022 (Rahul I. Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

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<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

#### **ORAL ORDER** :

Heard Shri K.B. Jadhav, 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 as one more last chance for filing affidavit in reply on behalf of respondents.

3. S.O. to 07.10.2022.

MEMBER (J)

#### ORIGINAL APPLICATION NO. 398 OF 2022 (Yuvraj B. Dharmik V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

## <u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022. ORAL ORDER:

## Heard Shri K.B. Jadhav, 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 as a last chance for filing affidavit in reply on behalf of respondents.

3. S.O. to 07.10.2022.

MEMBER (J)

#### ORIGINAL APPLICATION NO. 421 OF 2022 (Nandkishor V. Joshi V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

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## <u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

#### **ORAL ORDER** :

Heard Shri S.B. Jadhav, 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 as a last chance for filing affidavit in reply on behalf of respondents.

3. S.O. to 10.10.2022.

MEMBER (J)

#### ORIGINAL APPLICATION NO. 470 OF 2022 (Prasad D. Mule V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

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<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022. ORAL ORDER:

Shri V.G. Pingle, learned Advocate for the applicant (**Leave Note**). Heard 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 06.10.2022.

MEMBER (J)

#### ORIGINAL APPLICATION NO. 471 OF 2022 (Jayant S. Bhamare V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

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<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022. ORAL ORDER:

Shri V.G. Pingle, learned Advocate for the applicant (**Leave Note**). Heard 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 06.10.2022.

MEMBER (J)

## ORIGINAL APPLICATION NO. 492 OF 2022 (Pankaj J. Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

## <u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

#### **ORAL ORDER** :

Shri N.L. Choudhari, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. S.O. to 03.10.2022.

MEMBER (J)

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### ORIGINAL APPLICATION NO. 583 OF 2022 (Shivling M. Sakhare V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

## <u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022. ORAL ORDER:

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

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

3. S.O. to 11.10.2022.

MEMBER (J)

#### ORIGINAL APPLICATION NO. 584 OF 2022 (Balaji T. Kedare V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

## <u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

#### **ORAL ORDER** :

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

2. Learned Advocate for the applicant submits that during the course of the day service affidavit would be filed.

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

4. S.O. to 28.09.2022.

**MEMBER (J)** 

M.A. No. 320/2021 in O.A. St. No. 1326/2021 (Kalpana B. Padwal V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

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

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#### DATE : 05.09.2022.

#### **ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, issue fresh notice to respondents in M.A., returnable on 10.10.2022.

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 10.10.2022.
- 8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (J)** 

M.A. No. 155/2022 in O.A. St. No. 600/2022 (Deepak G. Kulkarni V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

CORAM: Hon'ble Shri V.D. Dongre, Member (J)DATE: 05.09.2022.

#### **ORAL ORDER** :

Heard Shri M.B. Bharaswadkar, learned Advocate holding for Smt. Supriya Bhilegaonkar, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply on behalf of respondents in M.A.

3. S.O. to 03.10.2022.

MEMBER (J)

M.A. No. 201/2022 in O.A. St. No. 828/2022 (Gajanan P. Rohankar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

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## <u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

#### **ORAL ORDER** :

Heard Shri K.P. Rodge, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

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

3. S.O. to 11.10.2022 for hearing.

**MEMBER (J)** 

M.A. No. 287/2022 in O.A. St. No. 408/2022 (Krishna B. Gaikwad V/s. State of Maharashtra & Ors.)

## OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022. ORAL ORDER:

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

2. Learned Advocate for the applicant submits that during the course of the day service affidavit would be filed.

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

4. S.O. to 12.10.2022.

MEMBER (J)

O.A. Nos. 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 837, 838, 839 & 915 all of 2019 (Yogesh B. Sonawane & Ors. V/s. State of Maharashtra & Ors.)

## OFFICE ORDER

#### **TRIBUNAL'S ORDERS**

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

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#### **<u>DATE</u>** : 05.09.2022.

#### **ORAL ORDER :**

Heard Shri S.R. Sapkal, learned Advocate for the applicants in all these O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these O.As.

2. By consent of both the sides, S.O. to 27.09.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 138 OF 2022 (Rajaram C. Sevalikar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

## <u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

#### **ORAL ORDER** :

Heard Shri Avinash Deshmukh, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Record shows that the present matter is pertaining to sending the applicant on compulsory leave. Record further shows that the last chance was granted to the respondents for filing affidavit in reply covering aspect of non-payment of salary, as it is the grievance of the applicant that he has not been paid salary.

3. Today also learned P.O. seeks time for filing affidavit in reply and she has no instruction about non-payment of salary to the applicant, which is a vital issue. In view of the same, there is no sufficient cause to grant further time to the respondents for filing affidavit in reply. Hence, the present matter will proceed further without affidavit in reply of the respondents in accordance with law.

4. S.O. to 15.09.2022 for admission.

M.A. No. 94/2021 in O.A. No. 1060/2019 (Devidas D. Patil V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### TRIBUNAL'S ORDERS

## CORAM: Hon'ble Shri V.D. Dongre, Member (J)DATE: 05.09.2022.

#### ORAL ORDER :

Shri S.V. Suryawanshi, learned Advocate for the applicant in the present M.A. / respondent No. 8 in O.A. (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 2 to 8 in present M.A. / respondent Nos. 1 to 7 in O.A. Shri D.B. Thoke, learned Advocate for respondent No. 1 in the present M.A. / applicant in O.A., **absent**.

2. As none present for the applicant, S.O. to 30.09.2022 for final hearing.

KPB ORAL ORDERS 05.09.2022

#### MEMBER (J)

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

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM : Hon'ble Shri V.D. Dongre, Member (J)DATE : 05.09.2022.

#### **ORAL ORDER** :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, 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 03.10.2022 for final hearing.

**MEMBER (J)** 

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#### ORIGINAL APPLICATION NO. 07 OF 2022 (Shaikh Anwar Abdul Kadar V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u> : 05.09.2022.

#### **ORAL ORDER** :

Heard Shri K.B. Jadhav, 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 26.09.2022 for final hearing.

**MEMBER (J)** 

#### ORIGINAL APPLICATION NO. 448 OF 2022 (Laxmikant S. Gojre V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 05.09.2022.

#### **ORAL ORDER** :

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

2. By consent of both the sides, S.O. to 30.09.2022 for final hearing.

**MEMBER (J)** 

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#### OFFICE ORDER

#### TRIBUNAL'S ORDERS

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DATE : 05.09.2022 ORIGINAL APPLICATION NO. 775 OF 2022 (Satish P. Deshmukh V/s. State of Maharashtra & Ors.)

#### <u>Per :- Standing directions of Hon'ble Chairperson,</u> <u>M.A.T., Mumbai-</u>

1. Shri Ashish Rajkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Circulation is granted. Issue notices to the respondents, returnable on **10.10.2022**. The case be listed for admission hearing on **10.10.2022**.

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

KPB – REGISTRAR NOTICE

O.A.NOS. 124, 125 & 155 ALL OF 2021 (Kiran B. Kamble & Ors. V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRIBUNAL'S ORDERS <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A) <u>DATE</u>: 05.09.2022

#### **ORAL ORDER :**

Shri S.D. Dhongde, learned counsel holding for Smt. Suchita A. Dhongde, learned counsel for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities in all these cases, are present.

2. Learned counsel for the applicants has sought time for filing rejoinder affidavit in all these cases. Time granted.

3. S.O. to 17.10.2022.

**MEMBER (A)** 

**VICE CHAIRMAN** 

M.A.NO. 261/22 WITH M.A.NO. 257/22 IN O.A. 447/22 (Dr. Pratap M. Shinde & Ors. V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER** -----

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#### **TRIBUNAL'S ORDERS**

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A) DATE : 05.09.2022

#### **ORAL ORDER :**

Shri R.R. Kale, learned counsel for the applicants in M.A. Nos. 261/22 & 257/22 (absent). Shri S.G. Chapalgaonkar, learned counsel for the applicants in O.A. No. 447/22 and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant in O.A., S.O. to 7.9.2022. High on board.

#### MEMBER (A)

#### VICE CHAIRMAN

ORIGINAL APPLICATION NO. 950 OF 2012 (Sanjeev R. Kadam V/s. State of Maharashtra & Ors.)

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#### OFFICE ORDER TRIBUNAL'S ORDERS <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A) <u>DATE</u>: 05.09.2022

#### **ORAL ORDER** :

Shri Prafulla Bodade, learned counsel holding for Shri J.B. Choudhary, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 13.10.2022.

**MEMBER (A)** 

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 872 OF 2018 (Arun M. Gir V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A) DATE : 05.09.2022

#### ORAL ORDER :

Shri Arvind G. Ambetkar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that rejoinder affidavit is not to be filed. List the matter for hearing on 12.10.2022.

**MEMBER (A)** 

VICE CHAIRMAN

M.A.NO. 362/2021 IN O.A.NO. 745/2021 (Arvind D. Gaikwad & Ors. V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 05.09.2022

#### **ORAL ORDER** :

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

2. At the request of learned counsel for the applicants, S.O. to 17.10.2022.

#### **MEMBER (A)**

**VICE CHAIRMAN** 

M.A.NO. 174/2022 IN O.A.NO. 262/2017 (Trimbak G. Phasle V/s. State of Maharashtra & Ors.)

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#### **OFFICE ORDER**

#### **TRIBUNAL'S ORDERS**

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

**DATE** : 05.09.2022

#### **ORAL ORDER** :

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

2. At the request of learned counsel for the applicant, S.O. to 17.10.2022.

MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 606 OF 2022 (Rajesh S Parthe & Ors. V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRIBUNAL'S ORDERS <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A) <u>DATE</u>: 05.09.2022 <u>ORAL ORDER</u>:

> Shri P.G. Rodge, learned counsel holding for Shri Krishna Rodge, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 18.10.2022.

#### **MEMBER (A)**

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 567 OF 2018 (Shubhangi M. Sonawane V/s. State of Maharashtra & Ors.)

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## OFFICE ORDER TRIBUNAL'S ORDERS <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora,

Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 05.09.2022

#### **ORAL ORDER** :

Shri G.R. Jadhav, learned counsel holding for Shri Avishkar S. Shelke, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 18.10.2022.

3. S.O. to 18.10.2022.

#### MEMBER (A)

**VICE CHAIRMAN** 

ORIGINAL APPLICATION NO. 109 OF 2022 (Vinod Hariharrao Kulkarni V/s. State of Maharashtra & Ors.)

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OFFICE ORDER TRIBUNAL'S ORDERS

# CORAM:Hon'ble Justice Shri P.R. Bora,<br/>Vice Chairman<br/>AND<br/>Hon'ble Shri Bijay Kumar, Member (A)DATE:05.09.2022

#### **ORAL ORDER :**

Heard Shri Sandip Kulkarni, learned counsel holding for Ms. Sharwari M. Deshpande, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicant, re-issue notice to the respondents, returnable on 30.9.2022.

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 30.9.2022.
- 8. Steno copy and Hamdast is allowed to both parties.

#### MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 91 OF 2019 (Vijaykumar S/o. Sadashiv Dhainje V/s. State of Maharashtra & Ors.)

 OFFICE ORDER
 TRIBUNAL'S ORDERS

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

 DATE :
 05.09.2022

 ORAL ORDER :
 ORAL ORDER :

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

2. By filing the present Original Application the applicant has challenged the order dated 19.12.2017 passed by respondent No. 1 in appeal No. 11/2017, whereby he has confirmed the order dated 3.5.2017 passed by respondent No. 2. The said order dated 3.5.2017 has also been challenged by the applicant whereby he has been demoted to the post of Sr. Clerk.

3. In the departmental enquiry conducted against the applicant the following was the charge against him:-

"Whether it is proved that on 01.04.2016 the delinquent along with other 21 office bearers and staff members illegally started hunger strike and adopted other unauthorized means and did the act which are unbecoming of government servant and thereby committed misconduct as contemplated under Rule 3(i)(3) of Maharashtra Civil Services Conduct Rules, 1979?" 4. In the statement of imputations along with articles of charge total 10 acts committed by the delinquent were mentioned, which according to the Disciplinary Authority prove that the conduct of the applicant revealed through the said act was unbecoming of a Government servant. Out of the said 10 acts, act numbers 1, 2, 3 & 10 are held to have been proved by the enquiry officer. We, therefore, reproduce only said acts herein below, which are thus,

"[1] The Jt. Charity Commissioner, Amravati published list of promoted employees from class IV on 31.03.2016 and thus, there was no reason for you to go on strike by visiting Amravati. This authority had, issued prohibitory order restraining the office bearers of the Association/members of the Association from proceeding on such hunger strike and Amravati.

[2] That the delinquent by violating the prohibitory order without seeking any prior permission of the concerned authority, left his headquarters to visit Amravati and thereby intentionally, disobediently, illegally committed breach of the order.

[3] That the delinquent in conspiracy with the members of Association and office bearers, named in the list annexed, illegally erected a tent in the office premises of the Jt. Charity Commissioner, Amravati without seeking his permission.

[10] That the delinquent in conspiracy with the 21 members of Association and office bearers for promotion of some of the staff members commenced hunger strike without

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any reason, made false propaganda to T.V. channels and newspaper so as to lower down the image of office and accordingly did an act which is unbecoming of a government servant and thereby committed misconduct as contemplated in Rule 3(i)(3) of M.C.S. (Conduct) Rules, 1979.

5. In paragraph Nos. 28 & 29 in his report the enquiry officer has concluded his findings. We deem it appropriate to reproduce the said paragraphs, which read thus,

"28. Rule 6 (ii) of the Maharashtra Civil Services (Conduct) Rules, 1979, specifically prohibits the government servant from resorting to any type of strike, even for his legitimate grievances in respect of his service. The Maharashtra State Charity Employees Association being non industrial government employees association has no legal right to declare strike or to commence strike, even for the legitimate demand. Even though, as discussed above, the evidence of Shri Jaiswal, the evidence of Shri Shingade, defence witness in another similar inquiries, photographs, video shooting of the hunger strike, direct and indirect admission of the delinguent in his written submission as well as statement under Rule 8(2) of MCS (D & A) Rules clearly established that the delinquent along with other office bearers and staff members erected pendal in the premises of Public Trusts Registration Office, Amravati and started hunger strike with banners of hunger strike affixed in the pendal and thereby committed an acts which are unbecoming of a government servant. Thus the act No. 10 is proved against the delinguent.

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29. As discussed above, though all the 10 acts/ imputations of alleged misconduct by the delinquent are not proved but the Act Nos. 1, 2, 3 and 10 are proved against the delinquent and those are definitely the acts which are unbecoming of a government Thus the charge of misconduct as servant. contemplated under Section 3(i)(3)of Maharashtra Civil Services (Conduct) Rules 1979 is proved against the delinguent, hence point No. 1 is answered in affirmative."

The disciplinary authority has after having 6. considered the report submitted by the enquiry officer has passed the order of punishment on 2.5.2017. The order passed by the disciplinary authority is well Before passing such order the reasoned order. Authority Disciplinary has deliberated on the proportion of punishment to be imposed on the delinquent. Against the said order the applicant had preferred an appeal before the Principal Secretary, Law & Judiciary Department. All the objections which are raised by the applicant in the present Original Application were raised by him before the Appellate The Appellate Authority however, has Authority. rejected the said objections and dismissed the appeal confirming the order passed thereby the bv Disciplinary Authority. Paragraph Nos. 19 & 20 of the said order are material, which read thus,

> "19. The misconduct on the part of the delinquent is proved by reliable and cogent evidence. The ground of non-examination of the witnesses, in the backdrop of the evidence and material on record, pales in significance. In the backdrop of the evidence

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and material which support the grounds of misconduct attributed to the delinguent, the non-examination of the other witnesses doesn't detract materially from the department's case. The challenge to the impugned order on the ground that it is not speaking one, is also unsustainable. The disciplinary authority has ascribed justifiable reasons to accept the report of the Ld. Enquiry Therefore, I am persuaded to hold Officer. that the finding of guilt recorded by the Disciplinary Authority is sustainable.

20. On the aspect of penalty also, the disciplinary authority has taken into account the aggravating and mitigating circumstances. The fact that an element of remorse was shown by the delinquent, albeit with a sense of hesitation, was duly considered by the disciplinary authority. The fact that the delinquent was the office bearer of the association and he was expected to demonstrate a greater sense of responsibility and failed in his role as a leader of the employees' Association was also The disciplinary authority adverted to. weighed the conduct of the delinquent from the point of view of its impact upon the image of the organization, the necessary to maintain and instill a sense of discipline amongst the staff and element of deterrence required to prevent the other staff from emulating such misconduct, and, thereafter, imposed the penalty of reduction in rank. In the totality of the facts and entire gamut of the circumstances, penalty of reduction in rank appears to be just and proportionate to the misconduct."

7. Learned counsel appearing for the applicant has though vehemently argued that both orders are erroneous and illegal, has not brought to our notice any such material on the basis of which his contention could have been sustained. Insofar as the factual aspects are concerned, we may not indulge in deliberating on those aspects for the reason that it may not be permissible for us to re-appreciate the evidence brought before the enquiry officer. One more objection has been raised by the applicant that the departmental enquiries were initiated against 22 employees, who had participated in allegedly illegal strike and out of them, 16 employees, who submitted their unconditional apology have been awarded minor punishment of censure, but the same criteria was not applied in the case of the applicant though he also did submit an Answer to the said objection is there in apology. paragraph No. 23 of the affidavit in reply filed on behalf of the respondent No. 2. We deem it appropriate to reproduce the said paragraph, which reads thus,

"23. It is worth to note that, departmental inquiries were initiated against all those 22 employees who had participated in the illegal Out of them, 16 submitted their strike. unconditional apology and assured that in future, they would never commit any such Those employees have been awarded act. minor punishment of censure for the reasons assigned in the order and more particularly because they were not the office bearers of the Union, and there was every probability of they being provoked by the office bearers more particularly, the applicant as President of the Union Secretary Shri E.J. Barshinge, Treasurer Shri Peter Pereira, Joint Secretary Shri Ravindra Jadhav and Shri S.V.

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Thakurdesai. The said office bearers excluding the applicant have been terminated from their services in the different inquiries against them. These office bearers throughout posed themselves as not guilty and did not express any sort of repentance for the misconduct even after its proof against them in those inquiries. The applicant halfheartedly begged pardon, alternatively, but stick to his original stand that he is not Thus, the applicant doggedly quilty at all. defended his misconduct. The applicant cannot be. therefore, given the same treatment as is given to the other 16 employees. Otherwise also, the applicant as a President of the Union, had a responsibility of leading the employees in a way that they would not commit any sort of misconduct even for projecting the objects of their Union. Gathering at Amravati without any reason, and being a member of such an assembly is such a misconduct to which the applicant is liable. The applicant should have resisted himself as well as the said Secretary from creating such atmosphere. The applicant, therefore, is liable for a graver punishment than that of those 16 employees, may be of a minor nature. Had he not expressed any gesture of seeking pardon as referred above in his written reply to the show cause notice as well as in the representation under Rule 9(2), he could have exposed himself to the major punishment also. In a disciplinary inquiry under the M.C.S. Rules, repentance of misconduct is also treated as good mitigating circumstance for lowering down punishment as is generally said that sinner also can have a future, if he realizes his mistakes and begs Moreover, the age of the pardon for it. applicant, his previous records are also the factors which can weigh in balancing the proportionality of the punishment to be prescribed. The age of the applicant is 55 years and he is retiring in 2020. In such circumstances, putting a stigma of

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termination from service on his career when he has some sense of repentance, may not be proper and proportionate to the misconduct committed by him.

8. The said aspect was also considered by the Appellate Authority i.e. the Principal Secretary, RLA in his order dated 19.12.2017. In our opinion, the Disciplinary Authority at the first instance and the Appellate Authority thereafter cannot be said to have committed any error in passing the respective orders. Moreover, the jurisdiction of the Tribunal in judicial review is limited. The Hon'ble Supreme Court has considered this aspect of jurisdiction of Administrative Tribunals to interfere with the orders passed in the departmental enquiries in several judgments. We reproduce herein-below the observations made by the Hon'ble Supreme Court in the case of **B.C. Chaturvedi Vs. Union of India** in paragraph No. 12 thereof, which read thus.

"12. Judicial review is not an appeal from a decision but review of the manner in which the decision is made. Power of judicial review is meant to ensure that the individual receives fair treatment and not to ensure that the conclusion which the authority reaches is necessarily correct in the eye of the Court....The Court/ Tribunal in its power of judicial review does not act as appellate authority to reappreciate the evidence and to arrive as its own independent findings on the evidence. The Court/Tribunal may interfere where the authority held the proceedings against the delinguent officer in the manner inconsistent with the rules of natural justice or in violation of statutory rules prescribing

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the mode of enquiry or where the conclusion or finding reached by the disciplinary authority is based on no evidence."

9. In view of the law laid down as above by the Hon'ble Supreme Court and having regard to the fact that, we did not find any error in the order passed by the Disciplinary Authority and the Appellate Authority and when we have held that the findings recorded by the aforesaid authorities are based on the evidence which has come on record in the departmental enquiry against the applicant, we see no reason for causing any interference in both the said orders. The Original Application being devoid of any substance deserves to be dismissed and is accordingly dismissed, however, without any order as to costs.

#### MEMBER (A)

**VICE CHAIRMAN** 

ARJ ORAL ORDERS 05.09.2022