

**ORIGINAL APPLICATION ST. NO. 1116 OF 2024**  
**(Shrikant R. Deshpande Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri A.D. Sonkar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. The office has raised the objection that the Original Application is barred by the limitation.

3. Learned counsel for the applicant thus seeks leave and time to file an application for condonation of delay. Leave and time granted.

4. S.O. to 26.06.2024 for filing the application for condonatin of delay.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 82 OF 2020**  
**(Sharad M. Panchange Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri A.D. Gadekar, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. This is a part heard matter.

3. Learned counsel for the applicant is requested to file the short affidavit of the applicant explaining thereby as to whether the applicant had worked full time or part time during the period of dismissal i.e. from 13.12.2002 to 14.09.2016.

4. Learned counsel for the applicant submits that as per communicated dated 17.10.2017 (page No. 44 of O.A.), the Superintendent of Police, Latur has informed to the respondent No.3 i.e. Special Inspector General of Police, Nanded that the applicant has submitted the certificate stating therein that he had not worked anywhere full time or part time for his survival.

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5. Learned P.O. is directed to call for the record in connection with the same and place before the Tribunal on the next date of hearing.

6. The parties are directed to place before this Tribunal the dismissal order dated 13.12.2002 passed against the applicant.

7. S.O. to 18.06.2024.

**MEMBER (J)**

sas ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NO. 273 OF 2023**  
**(Savita U. Gaikwad @ Sangita S. Wagh Vs. State of**  
**Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri V.G. Salgare, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. This is a part heard matter.

3. Learned counsel for the applicant is requested to file the short affidavit of the applicant to make it clear as to whether the predeceased son of the Government Servant (brother of the present applicant) was married. If yes, whether survived by any children.

4. S.O. to 19.06.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 334 OF 2023**  
**(Ramshing H. Sulane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri D.B. Thoke, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. This is a part heard matter.

3. S.O. to 20.06.2024 for production of citations by both the parties.

**MEMBER (J)**

sas ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NO. 418 OF 2023**  
**(Dr. Shrimant C. Harkar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri Mohit R. Deshmukh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. This is a part heard matter.

3. Learned counsel for the applicant seeks time to file an application seeking amendment to challenge the vires of Rule 38 of Maharashtra Civil Services (General Conditions of Services) Rules, 1981 Time granted.

4. S.O. to 21.06.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 717 OF 2023**  
**(Rajendra D. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. This is a part heard matter.

3. In compliance with the order dated 05.03.2024, though the learned P.O. has taken oral instructions, however, as a matter of abandoned precaution, learned P.O. seeks time to file short affidavit to that extent only. Time granted.

4. S.O. to 21.06.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 526 OF 2021**  
**(Vilas M. Joshi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri S.G. Kulkarni, learned counsel for the applicant, is **absent**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent Nos. 2 & 3, are present.

2. Learned P.O. submits affidavit in reply on behalf of respondent No.1 along with spare copy for the other side. The same is taken on record.

3. Learned P.O. seeks time to file affidavit in reply on behalf of respondent No.5. Time granted.

4. Learned counsel for respondent Nos. 2 & 3 also seeks time to file affidavit in reply. Time granted.

5. Await service of notice on the respondent No.4.

6. S.O. to 26.06.2024.

**MEMBER (J)**



**T.A.NO. 15 OF 2023 (W.P.NO. 3146/2023)**  
**(Dwarkabai Deceased Janardhan Aher Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O. time granted as a last chance for filing affidavit in reply on behalf of respondents.

3. S.O. to 26.06.2024.

**MEMBER (J)**

sas ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NOS. 933 TO 935 ALL OF 2023  
(Babu V. Gitte & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri A.S. Deshmukh, learned counsel for the applicants in all these O.As. and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. Learned P.O. submits affidavit in reply on behalf of respondent No. 1 & 2 in O.A.No. 933/2023. The same is taken on record and copy thereof is given to other side.

3. At the request of learned P.O., time granted as a last chance for filing affidavit in reply on behalf of respondents in O.A.No. 934 and 935 both of 2023. Time granted.

4. Learned counsel for the applicant also seeks time to file affidavit in rejoinder, if any, in O.A.No. 933/2023. Time granted.

5. S.O. to 26.06.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1109 OF 2023  
(Sujeet G. Karlekar (Prashant S. Auti) Vs. State of  
Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri A.S. Karlekar, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned C.P.O. submits affidavit in reply on behalf of respondent Nos. 1 & 2. The same is taken on record and copy thereof is given to other side.

3. Learned counsel for the applicant submits that the applicant is not willing to file any rejoinder.

4. Pleadings completed. List the matter for admission hearing on 04.07.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NOS. 29 TO 31 ALL OF 2024  
(Umakant N. Koli & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri P.D. Bodade, learned counsel for the applicants in all these O.As. and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these O.As., are present.

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

3. S.O. to 26.06.2024.

**MEMBER (J)**

sas ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NO. 376 OF 2024**  
**(Vidya U. Gaikwad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri A.S. Deshmukh, learned counsel for the applicant, Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities and Shri Alok Sharma, learned counsel for respondent No.3, are present.

2. Learned counsel Shri Alok Sharma submits affidavit in reply on behalf of respondent No. 3. The same is taken on record and copy thereof is given to other side.

3. Learned C.P.O. submits that reply will be filed within the short time.

4. In view of above, S.O. to 10.05.2024. Status quo granted earlier to continue till then.

**MEMBER (J)**

**M.A.NO. 546 OF 2022 IN O.A.ST.NO. 1695 OF 2022  
(Shaukat Ullah Khan Ahsan Khan Vs. State of Maharashtra  
& Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri V.B. Kulkarni, learned counsel holding for  
Shri A.B. Shinde, learned counsel for the applicant  
and Smt. R.S. Deshmukh, learned Presenting Officer  
for the respondent authorities, are present.

2. At the request of learned P.O., time granted as  
a last chance for filing affidavit in reply.

3. S.O. to 27.06.2024.

**MEMBER (J)**

sas ORAL ORDER 06.05.2024

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

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri V.S. Undre, learned counsel for the applicant, is **absent**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. submits affidavit in reply on behalf of respondent Nos. 1 and 2 along with spare copy for the other side. The same is taken on record.

3. S.O. to 27.06.2024 for filing affidavit in rejoinder, if any and for hearing.

**MEMBER (J)**

sas ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NO. 104 OF 2024**  
**(Vishnu S. Darade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri Amit Tandulkar, learned counsel holding for Shri Gajanan Kadam, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri H.P. Jadhav, learned counsel for respondent Nos. 3 & 4, are present.

2. Learned P.O. submits affidavit in reply on behalf of respondent No. 2. The same is taken on record and copy thereof is given to other side.

3. Learned counsel for respondent Nos. 3 & 4 seeks time to file reply. Time granted.

4. S.O. to 10.05.2024. Status quo granted earlier to continue till then.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 860 OF 2023**  
**(Arun W. Bomnalikar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri S.P. Dhobale, learned counsel holding for Shri Anand V. Patil (Indrale), learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time to file affidavit in rejoinder. Time granted.

3. S.O. to 08.07.2024 for filing rejoinder/for hearing.

**MEMBER (J)**

sas ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NO. 835 OF 2023**  
**(Bhanudas D. Avhad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri R.R. Wakekakar, learned counsel holding for Shri A.D. Sugdare, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 18.06.2024 for hearing.

**MEMBER (J)**

sas ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NO. 252 OF 2024**  
**(Santosh N. Kurule Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri Ashish S. Hazar, learned counsel holding for Shri Amol B. Chalak, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits affidavit in reply on behalf of respondent No.3. The same is taken on record and copy thereof is given to other side.

3. List the matter for filing affidavit in rejoinder if any/for filing affidavit in reply on behalf of respondent Nos. 1 & 2, if any and for admission hearing on 27.06.2024.

**MEMBER (J)**

sas ORAL ORDER 06.05.2024

**O.A. NOS. 319, 320, 321, 322, 323, 340, 341, 342  
AND 332 ALL OF 2024**

**(Smt. Shital Sampatrao Shinde & Ors. Vs. State of  
Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicants in O.A.Nos. 319 to 323 and 340 to 342 all of 2024, Shri Sameer S. Kurndkar, learned counsel for the applicant in O.A.No. 332/2024 and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. Learned counsel for the applicant in O.A.No. 332 of 2024 submits affidavit in rejoinder of the applicant. The same is taken on record and copy thereof is given to other side.

3. At the request of learned P.O., S.O. to 08.05.2024 for taking instructions.

4. The interim relief, if any to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 545 OF 2023**  
**(Vaishali A. Salve Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. By order dated 05.07.2023 while issuing the notices this Tribunal has directed the respondents to allow the applicant to discharge her duties of her existing post.

3. The applicant is working as Circle Officer at Rui Chahattisi, Tq. and Dist. Ahmednagar and by impugned order of transfer dated 30.06.2023 she has been transferred as Awwal Karkoon (EGS), Tahsil Office, Sangamner, Dist. Ahmednagar. It is the case of applicant that before issuing the impugned order, the process of counseling has been done and the applicant has been transferred at the place for which she has not exercised the option.

4. On careful perusal of the minutes of meeting of the Civil Services Board which at page No. 54 (Annex. 'R-1') dated 28.06.2023 and on careful

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perusal of chart annexed to the said minutes of meeting wherein the names of the employees who have completed 3 years and more at the end of 31.05.2023 found to be considered. At Sr. No. 15 the name of the applicant is mentioned. Even though five places of her choice were vacant at the time of recommendation made by the C.S.B., the applicant was given the posting at some different place for which she has not exercised the option.

5. On perusal of the said chart particularly under the said category, it also appears that for most of the employees, the choice of their place has been considered. There is no explanation about this discrimination expect the administrative exigency.

6. By order dated 15.03.2024, when the learned counsel for the applicant has pointed out that the applicant has submitted the representation dated 20.02.2024 to the District Collector, Ahmednagar stating therein that the posts in terms of the options exercised as of Circle Officer, Belvandi, Tq. Shrigonda, Dist. Ahmednagar and Circle Officer, Nalegaon, Tq. and Dist. Ahmednagar are still vacant and as such, the applicant may be considered on

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either of the said post and this Original Application can be disposed of if her representation considered favorably.

7. Learned Presenting Officer has taken time for instructions from concerned respondents.

8. I am shocked to see the communication dated 14.04.2024 received from the respondents in this regard which is placed before this Tribunal by learned P.O. that under this or that pretext, the applicant's representation is not considered.

9. In view of above,

**Admit.**

10. The interim relief is made absolute till the disposal of this Original Application.

11. Learned P.O. waives notices for all the respondents on admission.

12. S.O. to 18.07.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 292 OF 2024**  
**(Maruti V. Surwase Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Despite the several chances, the respondents have not filed affidavit in reply. The present matter is about the recovery from the applicant.

3. Learned Presenting Officer submits that the draft affidavit in reply has been forwarded to the authorities for approval and four weeks' time is required for filing the same.

4. **In view of above, the execution and implementation of the impugned order dated 17.06.2023 about the recovery of Rs. 10,000/- p.m. from the salary of the applicant is hereby stayed till filing of the affidavit in reply by the respondents.**

5. S.O. to 21.06.2024.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 968 OF 2023**  
(Rambhau D. Chavan & Ors. Vs. State of Maharashtra & Ors.)  
**WITH**  
**ORIGINAL APPLICATION NO. 115 OF 2024**  
(Vijay B. Nikalje & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Heard S/shri S.G. Kulkarni, learned counsel holding for Ajay Deshpande & Avinash Deshmukh, learned counsel for the applicants in O.A. Nos. 968/2023 & 115/2024 respectively and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities in both the O.As., are present.

2. Learned counsel for the applicants in both the matters submit that the amendment as permitted by order dated 26.04.2024 will be carried out during the course of the day.

3. Learned Presenting Officer seeks time to file additional affidavit in reply, if any. Time granted.

4. It is a part heard matters. S.O. to 11.06.2024 for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 571 OF 2020**  
(Madhukar R. Mapari through LRs. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Heard Shri Avinash Deshmukh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer submits that the original record is now received as directed by this Tribunal. Learned P.O. submits that it is a very bulky record and very difficult to keep in the office of C.P.O.

3. Learned Presenting Officer to keep remain present the officer along with the original record, who has produced the same today before this Tribunal on the next date of hearing.

4. It is a part heard matter. S.O. to 12.06.2024 for further hearing.

**MEMBER (J)**

**MA 353/2021 in MA St.1144/2021 in OA St. 1145/2021  
(Ramkrushna D. Gore & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri G.R. Bhumkar, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicants, Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned counsel for respondent No. 4, are present.

2. Learned counsel for the applicants synopsis of events. Same is taken on record.
3. S.O. to 27.06.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024

**M.A. No. 373/2023 in O.A. St. No. 1267/2023**  
**(Rameshwar S. Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Shri Shamsunder B. Patil, learned counsel for respondent No. 3, are present.

2. S.O. to 05.07.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NO. 433 OF 2022**  
**(Prakash B. Kamble Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 09.07.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NO. 1055 OF 2022**  
(Hemantkumar M. Sonawani & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicants and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present. Shri Amit Dhongde, learned counsel for respondent Nos. 4 & 6, is **absent**.

2. S.O. to 09.07.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 308 OF 2023**  
**(Dattatray B. Kakde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri Vishnu Patil, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 10.05.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NO. 392 OF 2023**  
**(Vishnu K. Kore Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri R.K. Ashtekar, learned counsel for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits minutes of meeting of the Civil Services Board dated 11.05.2023. Same are taken on record.

3. S.O. to 12.06.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024



**ORIGINAL APPLICATION NO. 498 OF 2023**  
**(Ratnakala M. Mohite Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri Avinash Deshmukh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 07.05.2024 for hearing in **urgent admission category**.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NO. 617 OF 2023**  
**(Shubhangi R. Bhoge Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri R.N. Bharaswadkar, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 08.05.2024 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NO. 736 OF 2023**  
**(Ushabai P. Tupe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri A.S. Tilve, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 12.06.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024

**O.A. No. 790/2023 with Caveat No. 29/2023**  
**(Dinesh C. Maliagir Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri B.R. Waramaa, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri P.B. Patil, learned counsel for respondent No. 5 / Caveator, are present.

2. By consent, S.O. to 19.06.2024 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NO. 840 OF 2023**  
**(Sandip J. Shirsath Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri B.R. Waramaa, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri A.K. Tiwari, learned counsel for respondent No. 4, are present.

2. By consent, S.O. to 27.06.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NO. 899 OF 2023**  
**(Sachin R. Waghmare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri A.V. Thombre, learned counsel holding for  
Shri S.S. Thombre, learned counsel for the applicant  
and Shri D.M. Hange, learned Presenting Officer for  
the respondent authorities, are present.

2. At the request of learned counsel for the  
applicant, S.O. to 26.06.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NO. 950 OF 2023**  
**(Amarsingh C. Kawale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits rejoinder affidavit. Same is taken on record and copy thereof is given to learned Presenting Officer.

3. S.O. to 09.05.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 984 OF 2023**

**(Dr. Chandrakant R. Tammewar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 18.07.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024



**ORIGINAL APPLICATION NO. 1077 OF 2023**  
**(Dr. Yashwant B. Khose Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 10.07.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NO. 82 OF 2024**  
**(Madhukar R. More Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri M.S. Shaikh, learned counsel holding for Shri Sachin Deshmukh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 07.05.2024 for hearing **in urgent admission category**.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 112 OF 2024**  
**(Aniruddha P. Sontakke Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 08.05.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024

**O.A. Nos. 324, 325, 326, 327, 328, 329 & 330 all of 2024**

**(Dr. Manohar T. Jadhav & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicants in all these O.As. and Shri D.M. hange, learned Presenting Officer for the respondent authorities in all these O.As., are present. Shri R.S. Pawar, learned counsel for respondent No. 5 in O.A. No. 326/2024, is **absent**.

2. At the request of learned counsel for the applicants, S.O. to 08.05.2024 for hearing. Status quo granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 200 OF 2018**  
**(Dinkar G. Shahane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 12.06.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NO. 101 OF 2019**  
**(Ashok R. Chavan Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri S.G. Kulkarni, learned counsel holding for Shri Ajay Deshpande, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present. Shri S.R. Dheple, learned counsel for respondent No. 4, is **absent**.

2. S.O. to 27.06.2024 for final hearing.

**MEMBER (J)**

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

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicants and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 27.06.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NO. 172 OF 2021**  
**(Baliram S. Pandule Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 07.05.2024 for final hearing in **urgent admission category**.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024



**ORIGINAL APPLICATION NO. 270 OF 2021**  
**(Nanda V. Solanki & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri Avinash Deshmukh, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 10.07.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NO. 393 OF 2021**  
**(Anjanabai M. Ingale & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri Avinash Deshmukh, learned counsel for the applicants and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 10.07.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024

**ORIGINAL APPLICATION NO. 248 OF 2022**  
**(Mogra G. Thakre Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri Ajinkya Mirajgaonkar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present. Shri Amit Savale, learned counsel for respondent No. 2, is **absent**.

2. S.O. to 18.06.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 06.05.2024

**M.A. No. 86/2023 in O.A. St. No. 347/2023**  
**(Nana T. Ware Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Heard Shri Rahul Dhase, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. The present matter is not on board. At the request of learned counsel for the applicant it is taken on board.

3. Learned counsel for the applicant submits that by order dated 07.03.2024 this Tribunal has condoned the delay of 26 months caused in filing the accompanying Original Application subject to payment of costs of Rs. 500/- to be paid by the applicant within a period of one month from the date of the order. Learned counsel submits that inadvertently, he has not deposited the said amount.

4. In view of the same and since the delay has been condoned subject to payment of costs of Rs. 500/- to be paid by the applicant within a period of one month, time for depositing the amount of costs before this Tribunal is extended by two weeks.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 791 OF 2022**  
**(Rajshekhar L. Mengule Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Heard Shri V.S. Valse, learned counsel for the applicant, Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities and Shri M.B. Kolpe, learned counsel for respondent Nos. 02 to 04.

2. Learned counsel appearing for the applicant has placed on record additional affidavit and the same is taken on record and copy thereof has been served on the other side.

3. The present applicant had applied for the post of Assistant Professor in the Maharashtra Medical Education and Research Service, Group-B. The applicant was not considered for his appointment only on the ground that he lacks experience as prescribed in the advertisement. The applicant was required to have experience of working as Senior Resident at least for one year in any recognized Government Medical College. While uploading application form the applicant mentioned the date of acquiring degree of M.D. as 3<sup>rd</sup>

December, 2018 and in the circumstances his experience was noticed to be less than one year. It is the case of the applicant that he has passed M.D. examination on 11.07.2018 and the date 3<sup>rd</sup> December, 2018 is the date of issuance of certificate of M.D. in favour of the applicant. As is revealing from the experience certificate placed on record by the applicant, the Principal of Government Medical College, Thrissur, has certified that the applicant has completed one year Senior Residency from 11.07.2018 till 08.08.2019. This period is more than the period of one year. Having regard to the fact as above, it appears to us that the applicant also deserves to be considered for his selection. Similar matters have been decided by this Tribunal by order dated 29.02.2024. However, since few facts are distinguishable, this matter was not clubbed with said group of matters. However, same relief deserves to be granted to the present applicant also. We, therefore, inclined to pass the following order: -

**ORDER**

- (i) It is held that the applicant holds requisite experience as prescribed in the advertisement.

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**O.A. NO. 791 OF 2022**

(ii) Consequently, the decision of the MPSC declaring the present applicant ineligible on the count of experience is quashed and set aside.

(iii) The MPSC is directed to consider the name of the present applicant also while recommending the names of eligible candidates for to be appointed on the subject post.

(iv) The aforesaid exercise shall be carried out within a period of 06 weeks from the date of this order.

(v) The Original Application stands allowed in the aforesaid terms, however, without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 06.05.2024-HDD

**ORIGINAL APPLICATION NO. 959 OF 2022**  
**(Amol Nagnath Waghmare Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri A.A. Nimbalkar, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

Shri S.P. Urgunde, learned counsel for respondent No. 3 (**absent**).

2. At the request of learned Chief Presenting Officer, S.O. to 10.06.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 06.05.2024-HDD



**ORIGINAL APPLICATION NO. 72 OF 2023**

**(Vinod Wamanrao Rakh & Ors. Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman  
AND**

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri Avinash S. Deshmukh, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 5 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 16.07.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 06.05.2024-HDD

**ORIGINAL APPLICATION NO. 215 OF 2024**  
**(Pramod Sudhakar Mundhe Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri Yogesh K. Bobade, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. The present case is not on board. At the request of learned counsel appearing for the applicant, it is taken on board.
3. Learned counsel for the applicant seeks extension of time to carry out the amendment in O.A. One week's time is granted.
4. The present matter is already adjourned to 18.06.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**C.P.NO. 62/2023 IN O.A.NO. 485/2020**  
**(Vijay Shridhar Jadhav Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Ms. Preeti R. Wankhade, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 2 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. S.O. to 13.06.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 06.05.2024-HDD

**M.A.NO. 496/2023 IN O.A.NO. 222/2023**  
**(Vijay U. Awadhane & Ors. Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri Ajay S. Deshpande, learned counsel for the applicants and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. At the request of learned Chief Presenting Officer, S.O. to 21.06.2024. Till then the interim arrangement shall continue.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 06.05.2024-HDD

**C.P.NO. 06/2024 IN O.A.NO. 21/2022**  
**(Ravita Baliram Rathod Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Heard Shri A.S. Hazari, learned counsel holding for Shri Amol B. Chalak, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that the order of which contempt is alleged in the present contempt petition has been complied with by the respondents. In view of the submissions made, the contempt petition stands disposed of, however without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 06.05.2024-HDD

**ORIGINAL APPLICATION NO. 193 OF 2024**  
**(Supriya Popatrao Ghule Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri Ajay S. Deshpande, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 18.06.2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 06.05.2024-HDD

**O.A.NOS. 603 TO 609 & 780 ALL OF 2017**

**(Jaideep Annappa Limbale & Ors. Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman  
AND**

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri Avinash S. Deshmukh, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in all these matters, are present.

2. S.O. to 19.06.2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 06.05.2024-HDD

**ORIGINAL APPLICATION NO. 469 OF 2024**  
**(Ganesh Kashinath Gawade Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. The present applicant was not considered for his promotion on the ground that the criminal prosecution was pending against him. In the DPC meeting held on 28.12.2023 the recommendations of the applicant are kept in sealed cover. Now it is the contention of the applicant that his name has been deleted from the array of the accused in the criminal case, which was allegedly pending against him and, as such, there is no case at present pending against him. In the circumstances, the applicant has approached this Tribunal seeking direction against the respondents to consider his case as provided under clause 12 of the Government Resolution dated 15.12.2017.

3. Learned Presenting Officer though did not raise any dispute to pass any order in the present matter, submitted that the day applicant submitted



representation with the Collector, Beed, on the same day he has filed the present Original Application. Learned P.O. submits that he must have waited for some time for the decision of the Collector.

4. Though the contention of the learned P.O. cannot be out rightly rejected, it appears to us that the Government employees prefer to approach Tribunal as early as possible for the reason that unless there is an order from the Tribunal no decision is taken. We do not want to comment on this issue. The present O.A. can be disposed of by giving directions to the respondents to consider the case of the present applicant for his promotion in view of deletion of his name from the criminal prosecution against him. Ordered accordingly.

5. The Original Application stands disposed of. No order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.ST.NO. 1110/2024 IN O.A.ST.NO. 1111/2024**  
**(Varsha Bhojraj Samudre & Ors. Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Heard Shri S.S. Thombre, learned counsel for the applicants and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. The office has raised objection in regard to the territorial jurisdiction since some of the candidates are resident of the districts outside territorial jurisdiction of this Bench. Learned counsel appearing for the applicants submitted that the Circular which has been issued and which is challenged in the accompanying O.A. is applicable all over the State and if the said Circular is implemented, the candidates from the districts which are within the territorial jurisdiction of this Tribunal may be transferred to the other districts not within the territorial jurisdiction of this Tribunal, vice versa the candidates who are of the other districts may be transferred to district within the territorial jurisdiction of this Tribunal. Learned counsel submitted that with the only object of avoiding multiplicity of litigation that the applicants have decided to jointly file the accompanying O.A. Learned counsel in the circumstances, prayed for allowing the Misc. Application.

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**M.A.ST.NO. 1110/2024 IN  
O.A.ST.NO. 1111/2024**

3. After having considered the submissions made on behalf of the applicants and on going through the contents of the O.A., we are convinced that the grievance which has been raised is common for the entire State and in the circumstances, we deem it appropriate to allow the present Misc. Application. Hence, the following order: -

**ORDER**

(i) The Misc. Application is allowed and the applicants are permitted to sue the Original Application jointly, subject to payment of court fee stamps, if not paid.

(ii) Accompanying O.A. be registered and numbered, after removal of office objections, if any. There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 06.05.2024-HDD

**ORIGINAL APPLICATION ST.NO. 1111 OF 2024**  
**(Varsha Bhojraj Samudre & Ors. Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Heard Shri S.S. Thombre, learned counsel for the applicants and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. When the present matter is taken up for consideration, learned Chief Presenting Officer has tendered the documents received from the office of the respondents pertaining to the advertisement issued for recruitment of S.T. & other category candidates. Learned CPO further submitted that the process is likely to take some time and the appointments are not likely to be issued at least till the period of Code of Conduct continues.

3. Learned counsel for the applicant submits that looking to the haste, which has been made in inviting particulars from the applicants, the applicants apprehend that the respondents arbitrarily may take any decision to shift these applicants to accommodate ST candidates.

4. As is revealing from the documents filed on record the issue is pending before the Hon'ble Apex Court and some orders are passed by the Hon'ble Apex Court and the statement has been made by the Government in that regard. In view of the submissions so made and after having gone through the documents we deem it appropriate to pass the following order: -

**ORDER**

(i) Issue notice to respondents, returnable on 14.06.2024. **Though we are not restraining the respondent authorities to go ahead with the Circular dated 29.02.2024 to the extent of collecting options from the employees, respondents shall not issue the appointment orders till further orders by the Tribunal.**

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

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

(iv) 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.

(v) The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the

**:: - 3 - ::**

**O.A. ST.NO. 1111 OF 2024**

Registry before due date. Applicants are directed to file affidavit of compliance and notice.

(vi) S.O. to 14.06.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 06.05.2024-HDD

**C.P.ST.NO. 825/2024 IN O.A.NO. 805/2023**  
**(Sarjerao Dagdu Kharat and Ors. Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Heard Shri P.G. Suryawanshi, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicants and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. The present case is not on board. At the request of learned counsel for the applicants it is taken on board.

3. Learned counsel seeks extension of time to carry out the amendment in the Contempt Petition. One week's time is granted.

4. The present matter is already adjourned to 04.07.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 06.05.2024-HDD

**C.P.NO. 31/2024 IN O.A.NO. 472/2023**  
**(Bajirao Eknath Gadade Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer has tendered the decision taken in the meeting of DPC. The same is taken on record.

3. The aforesaid decision reveals that the committee has positively considered to promote the applicant subject to decision in the criminal prosecution pending against him.

3. Learned counsel submits that he will ascertain the position from the applicant and seeks time. Time granted.

4. S.O. to 20.06.2024.

**MEMBER (A)**

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 162 OF 2024**  
**(Aniket Divakar Shinde Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri S.V. Salunke, learned counsel for the applicant (**absent**). Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, is present.

2. Learned Chief Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 6 and the same is taken on record.

3. S.O. to 18.07.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 06.05.2024-HDD

**ORIGINAL APPLICATION NO. 1038 OF 2022**  
**(Prakash Sumanlal Jain Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri A.D. Sonar, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, Shri M.S. Bansod, learned counsel for respondent Nos. 5 & 6 and Shri J.B. Choudhary, learned counsel for respondent Nos. 7 & 8, are present.

2. Learned counsel appearing for respondent No. 5 has tendered across the bar affidavit in reply on behalf of the said respondent and the same is taken on record. Learned counsel for respondent Nos. 5 & 6 undertakes to serve the copy of the affidavit in reply on the other side.

3. S.O. to 19.07.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 06.05.2024-HDD

**C.P. NO. 23/2024 IN O.A.NO. 759/2021**  
**(Anand Vishwanath Bade Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri A.V. Thombre, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 3 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 11.06.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 06.05.2024-HDD

**ORIGINAL APPLICATION NO. 213 OF 2024**  
**(Prashant G Badgujar & Ors. Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Shri Ajay S. Deshpande, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicants submits that today during the course of the day as directed by this Tribunal two candidates will be added as respondents in the array of respondents.

3. Learned Presenting Officer seeks time to file affidavit in reply. Time granted.

4. S.O. to 18.06.2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 06.05.2024-HDD

**ORIGINAL APPLICATION NO. 306 OF 2023**  
**(Hanuman P. Jarare Vs. the State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman**  
**AND**  
**Shri Vinay Kargaonkar, Member (A)**

**DATE : 06.05.2024**

**ORAL ORDER :**

Ms. Rutuja Kulkarni, learned counsel holding for Shri Kakasaheb B. Jadhav, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel submits that the present O.A. is wrongly placed in reply board. List the matter for hearing on 18.07.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 06.05.2024-HDD